



## **25<sup>th</sup> EIFCA Statutory Meeting**

**To be held at:**

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

**Wednesday  
27<sup>th</sup> July 2016**

**1030 hours**

Meeting: 25<sup>th</sup> Eastern IFCA Meeting  
Date: 27 July 2016  
Time: 10:30hrs  
Venue: The Boathouse Business Centre,  
1 Harbour Square, Nene Parade,  
Wisbech, Cambridgeshire, PE13 3BH



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

## **Revised 19<sup>th</sup> July 2016**

### **Agenda**

- 1 Welcome - *Chair*
- 2 To accept apologies for absence - *Chair*
- 3 Declaration of Members' interests - *Chair*

### **Action items**

- 4 To receive and approve as a true record, minutes of the 24<sup>th</sup> Eastern IFCA Meeting, held on 01 June 2016 - *Chair*
- 5 Matters arising (including actions from last meeting) - *Chair/Clerk*
- 6 Health and Safety risks and mitigation - *Hd HR*
- 7 Formal consultation for the Shrimp Byelaw 2016 - *A/CEO*
- 8 Meeting of the Finance and Personnel Sub-Committee 22 Jun 16 - *Hd Fin / Hd HR*
- 9 Payments made and monies received during the period Apr 16 to Jul 16 - *Hd Fin*
- 10 Quarterly Management Accounts - *Hd Fin*
- 11 Marine Pioneer Project - *A/CEO*
- 12 Consultations process - *Marine Environment Officer*

### **Information items**

- 13 Defra Marine Review - *A/CEO*
- 14 Quarterly progress against Annual Priorities - *A/CEO*
- 15 Marine Protection quarterly reports - *Senior IFCOs (Compliance and Marine)*
- 16 Marine Environment Quarterly Reports:
  - a. Senior Research Officer
  - b. Senior Marine Environment Officer
- 17 Update of HR activity - *Hd HR*
- 18 Fisheries Economics Evaluation Techniques: A Case Study of Eastern IFCA Fisheries - *Senior MEO*

### **Any other business**

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

J. Gregory  
A/Chief Executive Officer  
19 July 2016

## 24<sup>th</sup> Eastern IFCA Meeting

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



A Meeting of the Eastern IFCA took place at The Boathouse Business Centre, Wisbech, Cambs, on 1<sup>st</sup> June 2016 at 1030 hours.

### Members Present:

Cllr Tony Goldson	Chair	Suffolk County Council
Shane Bagley		MMO Appointee
Cllr Baker		Norfolk County Council
Stephen Bolt		MMO Appointee
Roy Brewster		MMO Appointee
Cllr Hilary Cox	Vice Chair	Norfolk County Council
Conor Donnelly		Natural England Representative
Ian Hirst		Environment Agency Representative
John Davies		MMO Appointee
Cllr Richard Fairman		Lincolnshire County Council
Paul Garnett		MMO Appointee
Ceri Morgan		MMO Appointee
Keith Shaul		MMO Appointee
Rob Spray		MMO Appointee
John Stipetic		MMO Representative
Cllr Tony Turner MBE JP		Lincolnshire County Council
Stephen Worrall		MMO Appointee
Cllr Margaret Wilkinson		Norfolk County Council
Stephen Williamson		MMO Appointee

### Eastern IFCA (EIFCA) Officers Present:

Andrew Bakewell	Head of Finance
Jason Byrne	IFCO
Charles Cross	Research Officer
Luke Godwin	Staff Officer
Julian Gregory	Acting Chief Executive Officer (ACEO)
Ron Jessop	Senior Research Officer

### Minute Taker:

Jodi Hammond

### EIFCA16/46 Item 1: Welcome by A/CEO

The A/CEO welcomed members to the meeting.

### EIFCA16/47 Item 2: Apologise for Absence

Apologies for absence were received from: Cllr Byatt (Suffolk County Council) and Mr Pinborough (MMO Appointee)

### EIFCA16/48 Item 3: Declarations of Members Interest

Messrs Bagley, Brewster, Garnett and Williamson declared an interest in Item 6 on the Agenda.

At this point Mr Williamson noted that in agenda item 6 it expressed that MMO Appointee should be representing the industry not their personal interests.

**EIFCA16/49 Item 4: Minutes of the 23<sup>rd</sup> Eastern IFCA Meeting held on 27<sup>th</sup> April 2016**

**Members Resolved to sign the minutes as a true record of the meeting.**

**Proposed: Cllr Fairman**

**Seconded: Mr Stipetic**

**All Agreed**

**EIFCA16/50 Item 5: Matters Arising**

EIFCA16/29 REVIEW OF EIFCA CONSTITUTION: The ACEO advised that work was still being carried out with regard to Registered Declarations of Interest with regard to income and dispensations to vote. Members would be updated at a later meeting

EIFCA16/30 WFO 1992 COCKLE FISHERY 2016: Members were advised the fishery had opened on 23<sup>rd</sup> May – this was effectively an extension of the 2015 fishery pending the decisions made later in this meeting;

EIFCA16/32 SHRIMP BYELAW 2016: Following the discussions during the previous meeting the ACEO advised that the proposed byelaw had been reworded to exclude recreational activity. The MPA Byelaw had effectively been made and was now in the consultation phase. The issues previously highlighted regarding the 'schedule' was being reviewed by Defra with some issues needing to be resolved. This would slow down the implementation of the byelaw.

**EIFCA16/51 Item 6: 2016 Wash Cockle Fishery**

Prior to the presentation the ACEO reminded MMO members they needed to understand their role was to represent the overall interest of EFICA and the industry not their personal interests.

The ACEO also advised members that during the presentation there would be a proposal to include further management measures which had come about partly as a result of the poor behaviours during the previous years' cockle fishery as well as requests from Natural England. The ACEO advised members that there was a need for mitigation to allow NE to agree with the opening of the fishery which could only be opened if NE had confidence in the Management Measures.

Members were reminded that during the previous year 19 vessels had infringed the management measures, 14 had paid FAPs whilst the remaining 5 had chosen to go to trial. Following which all of them had been convicted of fishing in the closed area, the District Judges' view was that the defence was entirely fabricated. The ACEO felt that some within the industry needed to realise that not playing by the rules has consequences for the fishery.

Mr Williamson agreed partially with this comment but went on to explain to members the reason why the incursion into the closed area had taken place. He accepted the vessels had crossed the line into the closed area but felt there was justification as the area which was open had much smaller cockles than those just across the line, he therefore felt the sustainability of the fishery was not at risk and there had been no

monetary gain as the same price was being paid for small cockles as for larger cockles.

The ACEO advised that any argument made to support fishing in a closed area was flawed because the issue was about confidence in the Management Measures, if the Authority don't have confidence that the industry will abide by the rules then it may influence their decisions. He also advised that if NE had no confidence in the mitigation provided by management measures then they may not be supportive of a fishery being opened.

Mr Donnelly advised that the decision was not all on NE but he did accept laws need to be adhered to.

SRO Jessop gave a presentation on the 2016 spring cockle surveys. In total 1,297 stations over 21 beds had been surveyed. Part of the process involved the collection of cockle size, weight and frequency data as well as environmental data to inform the HRAs.

The outcome of the surveys showed 25,826t of adult stock and 29,523t of juveniles. This total stock of 55,349t meant there was a TAC of 8,609t available. This was the second highest stock level on record which the SRO believed was mostly due to the large settlement in 2014.

The large stock levels suggested there was the potential for high density stocks of harvestable cockles to ridge due to overcrowding particularly in areas of the Gat, Thief and Roger sands.

Atypical mortality was also anticipated to be extremely high during this season. Previously up to 90% of the stock on some beds had been lost to this disease. The SRO believed this disease was related to warm weather conditions and affected mature stock rather than those below 14mm.

The SRO advised the intention of the Management Measures would be to ensure:

- Optimum value of the fishery
- Minimise potential loss
- Ensure sustainability
- Minimise impact to the conservation feature

With this in mind it was proposed to open areas where Officers anticipated A-typical mortality would be most prevalent.

The Staff Officer then gave a presentation on the proposed management measures and how they had been arrived at.

The process had included consultation with the industry in the form of a questionnaire to all Entitlement holders and feedback from an industry meeting held on 27<sup>th</sup> May 2016.

**HARVEST METHOD:** there was a majority preference for a handwork fishery.

**CONTINGENCY TO INCREASE NO OF DAYS:** the majority of responses were in favour of increasing the number of days fishing from 4 to 5.

**INCREASE IN DAILY QUOTA:** The preference was to remain at 2t/day the reasons given being the potential for increased prop washing or a flooded market which would encourage reduced prices being paid.

Despite the preferences Officers were recommending an increase in Daily Quota to 3t/day, they did not believe this would increase prop washing as the densities were so high it would not be necessary and by increasing the Daily Quota by 50% it would allow the industry to take the TAC more quickly, which was important given the high TAC and the potential for 'die off'.

Officers also suggested that by increasing the number of days there would be an increased enforcement requirement and increase in costs.

**OPEN / CLOSED AREAS:** The industry had requested the whole of the Wash be opened however the Officers were recommending closed areas to ensure the areas at highest risk from disease were being targeted. The recommendation was to open Wrangle / Friskney / Roger / Tofts / Gat / Thief / Daseleys sands.

Even with these areas being targeted it was still anticipated there would be some loss of stocks.

**OPERATING GUIDELINES:** The recommendation was for minimum 6m tides, Monday – Friday opening but Monday – Thursday where possible. Essentially the recommendation was to maintain the same guidelines as for the previous fishery.

**LICENCE CONDITIONS:** The licence conditions also included the use of standard bags and completion of weekly catch returns. In addition to this new licence conditions were being proposed to achieve a sustainable long term fishery and compliance with Habitats Regulations.

These conditions were:

**TRANSHIPPING PROHIBITION:** this would bring the handwork fishery in line with other fisheries. IFCOs would enforce this with discretion, for example in the event of breakdowns, providing the office had been informed. The industry perspective on this was that transshipping was normal practice and also it would restrict some of the smaller vessels from being able to meet the increase Daily Quota.

**REQUIREMENT TO LAND:** it was believed that during previous fisheries some vessels had left bags of cockles on the sand to collect later. The recommendation was that all cockles must be taken straight to the port when fished, and vessels can only land once a day.

**DUAL FISHING PROHIBITION:** Fishers cannot take, fish for or remove from the regulated fishery any cockles on the same calendar day as fishing for, taking or removing cockles from outside the regulated fishery or from a lay granted under the Wash Fishery Order 1992.

**AUTOMATIC IDENTIFICATION SYSTEM:** These systems cost in the region of £400-£900/unit plus £400 for installation which the ACEO advised was reasonable when considered in context with a £3.4m fishery which is what was anticipated would be the value of the 2016 cockle fishery.

Whilst the initial recommendation was for vessels to have such a system installed for the forthcoming fishery the ACEO now believed this was not viable for legal reasons, but added it would be a requirement for future fisheries.

Mr Stipetic noted the potential for additional days fishing per week or increased Daily Quotas had been considered but questioned whether thought had been given to increasing the number of available licences. The ACEO advised that in the past a decision had been made to put a moratorium on the number of licences available to the fishery and over a period of time the number had been reduced. He advised that if additional licences were granted for the forthcoming fishery then this would effectively provide an entitlement to a licence and in future years when the stock was not so abundant this would create extra pressure on the fishery.

Mr Brewster advised that the risk of die-off in dense areas would be reduced by vessels fishing in the relevant areas. He hoped not to encounter a repetition of previous fisheries when up to 400t had been lost due to die off when the industry had not been able to fish. The ACEO advised that delegated powers were being sought to enable the ACEO, in consultation with the Chair and Vice Chair, to alter the Management Measures if there was a requirement to do so.

Mr Garnett advised that by increasing the Daily Quota rather than opening the fishery for an extra day per week was discriminating against some of the smaller vessels which were not capable of carrying 3t. He also added that there seemed to be a great deal of emphasis about taking the entire TAC this calendar year which would leave nothing available for anyone wishing to fish during January and February next year.

Mr Williamson stated that he was happy with the method of fishing being employed for this fishery but he was not happy to think the method of fishing could be determined by available funds to enforce a fishery. He added that if further funding was required to manage a dredge fishery then the cost of a licence should be increased, and similarly so for the handwork fishery.

The Chair advised that this emphasised the need for AIS which would enable the Authority to work within the parameters of limited finances.

The ACEO commented that in an ideal world the industry would be compliant and there would be no need for policing, unfortunately there are always those who don't abide by the rules. He also advised that with a dredge fishery there was also the concern of damaged cockles being put back on to the grounds, and at the last meeting the Authority had agreed to developing a policy position that assumed a handwork fishery would be the standard means of exploitation.

Mr Williamson questioned whether it would be possible, at the end of the fishery, to assess how many cockles had been taken off the TAC and how many lost due to die-off or ridging out, in order to ascertain whether a dredge fishery may prevent any of that loss. The SRO advised that it would be possible but the figure would not be precise, more an estimate.

Cllr Fairman questioned with 14mm is the optimum size for a cockle or just the minimum size. The SRO advised that prior to 2000 it had been deemed that 14mm equated to an adult cockle which was capable of spawning.

It was also questioned whether other species benefit from die off, it was noted that some scavenging species benefit but if the die off occurs in the summer the over wintering birds would be adversely affected.

Mr Donnelly advised that whilst Natural England have a role in the process but they are more of a supportive partner than a spanner in the work, it is really up to the Authority to meet the requirements. The ACEO suggested it was not wise to dilute the consequences of not abiding by the rules as the fishery could be closed down if the Marine Protected Area was damaged. Mr Donnelly supported this comment.

Noting the requirement for AIS in the future Mr Brewster advised that since this subject was first raised by the Committee the advice had always been that the Committee would secure grant funding for the systems. NEIFCA had secured grant funding and he requested that EFICA look into grants.

Mr Stipetic advised that even in grant funding was secured for the initial purchase there would still be ongoing maintenance charges. The ACEO believed that for IVMS charges would be fairly low.

**Having fully discussed the proposed Management Measures Members Resolved to:**

**Note the content of the 2016 Wash cockle survey report at Appendix 1.**

**Note the responses to Entitlement holder consultation at Appendix 2**

**Note the risks associated with hand worked and dredge fishery harvest methods as presented at Appendix 3**

**Note that the results of the 2016 cockle survey indicate that there are significant abundance and density of adult and juvenile stock which introduces a risk of mass die-off in certain areas through 'ridging-out' and atypical mortality.**

**Note the rationale for recommending a hand-worked fishery only based on the higher risks associated with the dredge fishery and the preference of the majority of entitlement holders.**

**Note the rationale for increasing the daily catch restriction and the legal advice from Defra regarding a policy which introduces an increased threshold with regards to enforcement of daily catch restrictions under Regulation 2 (Appendix 5)**

**Agree to a Total Allowable Catch (TAC) of 8609 tonnes.**

**Proposed: Mr Morgan**

**Seconded: Cllr Fairman**

**All Agreed**

**Agree to open a hand work fishery on a date to be determined by the A/Chief Executive Officer, noting that the fishery is already open under the 2015 management measures.**

**Proposed: Cllr Fairman**

**Seconded: Cllr Turner**

**All Agreed**

**Agree to the proposed licence conditions set out in Appendix 4, including the proposed open areas on the Thief, Gat, Roger/Toft, Wrangle, Friskney and Daseley's sands, with the exception of AIS which would no longer be required for this fishery. Additionally, fishers would only be permitted to land cockles on one tide per day.**

**Proposed: Mr Morgan  
Seconded: Mr Stipetic  
All Agreed**

**Agree to endorse the enforcement policy at Appendix 5 relating to Regulation 2 (daily catch restriction) to effectively increase the daily quota to 3 tonnes.**

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

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

**Proposed: Cllr Turner  
Seconded: Mr Stipetic  
All Agreed**

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

**Proposed: Mr Spray  
Seconded: Dr Bolt  
All Agreed**

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

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

#### **EIFCA16/52 Item 7: Any Other Business**

The Vice Chair took the opportunity to thank the Officers who had attended the Crab & Lobster Festival in Cromer and Sheringham, their attendance had been extremely useful and informative.

There being no other business the meeting closed at 1219 hours.

**Vision**

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

**Action Item 6****25th Eastern Inshore Fisheries and Conservation Authority meeting**

27 July 2016

**Health and Safety update**

**Report by:** Nichola Freer – Head of HR

**Purpose of report**

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

**Recommendations**

It is recommended that members:

- **Note** the contents of this report

**Background**

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

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

**Incidents**

The table below summarises the incidents that have occurred from April to June 2016:

Date	Nature of incident	Injury / damage occurred	RIDDOR Y/N	Investigation complete Y/N	Name of investigating Officer	Follow-up action required Y/N. If Y then what?
18/04/16	Work related health	Allergic reaction	N	Y	A Bakewell	Y – remedial action taken & problem resolved
27/05/16	Dangerous occurrence	Non – though potential injury / damage	N	Y	R Jessop	Y – Further detailed operational plans and crew briefings. Team briefing arranged so incident does not re-occur
17/06/16	Loss/damage	Los or car aerial	N	Y	S Lee	Y – replacement sought. Officer reminded of vehicle checks

## **Risks**

The project to develop a full suite of current risk assessments for all routine activity undertaken by employees, as reported last period, is well underway. Officers have completed a number of key assessments, which have been quality reviewed by our H&S partner at Norfolk County Council.

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

## Eastern IFCA Health and Safety risks

Risk	Intervention	Residual Risk	Risk rating* (Current)	Risk rating* (Previous)
Failure to develop a full suite of risk assessments to cover the range of activity undertaken by Eastern IFCA officers	<ul style="list-style-type: none"> <li>• Introduction of revised management system (policies and process)</li> <li>• Managers tasked to review and develop the suite of risk assessments</li> <li>• Training session on risk assessments for first line managers</li> </ul>	<ul style="list-style-type: none"> <li>• New or unusual activities may be overlooked and not have a risk assessment in place</li> </ul>	<b>Treat</b>	<b>Treat</b>
Physical fitness of personnel to undertake arduous duty	<ul style="list-style-type: none"> <li>• Staff briefing</li> <li>• Management overview to ensure rostered duties are appropriate and achievable</li> <li>• Reasonable work adjustments</li> <li>• Routine periodic medical assessment (ML5)</li> </ul>	<ul style="list-style-type: none"> <li>• Individual health fragilities</li> <li>• Individual lifestyle choice</li> </ul>	<b>Tolerate</b>	<b>Treat</b>
Unreported incidents/unilateral decisions with little regard for safe working practices.	<ul style="list-style-type: none"> <li>• Leadership</li> <li>• NCC H&amp;S officer led review of policy and procedure</li> <li>• Training</li> <li>• Equipment</li> <li>• Management systems to capture incidents</li> <li>• Routine agenda items at all meetings at all levels of Authority</li> </ul>	<ul style="list-style-type: none"> <li>• Injury to personnel as a result of failure to acknowledge or adhere to H&amp;S direction and guidance</li> </ul>	<b>Treat</b>	<b>Treat</b>
Inappropriate conduct of vessels at sea	<ul style="list-style-type: none"> <li>• Leadership</li> <li>• Briefings</li> <li>• Formal training and assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Death/injury of personnel/third parties through un-</li> </ul>	<b>Treat</b>	<b>Treat</b>

	<ul style="list-style-type: none"> <li>• Periodic review of performance</li> <li>• Sharing lessons learned from <i>FPV Pisces</i> incident in July 15</li> </ul>	seamanlike operation of vessels at sea		
Material state of Sutton Bridge moorings	<ul style="list-style-type: none"> <li>• Safe systems of work introduced to manage immediate risks including improved lighting.</li> <li>• Officers have driven an acceptance by agents that immediate repair is necessary to alleviate existing H&amp;S issues.</li> <li>• Authorisation received from F&amp;P sub committee to commit capital funds to support Fenland DC and Lincs CC initiative to establish new moorings in Sutton Bridge.</li> <li>• Moorings upgrade project currently underway with completion anticipated autumn 2016.</li> </ul>	<ul style="list-style-type: none"> <li>• The material state of the moorings is in decline but firm plans to address safety issues are now in place with new appropriately modified moorings under construction.</li> <li>• Risk of injury to personnel.</li> </ul>	<b>Treat</b>	<b>Treat</b>
Whole Body Vibration	<ul style="list-style-type: none"> <li>• Risk awareness training to manage impacts.</li> <li>• Health monitoring process to be developed.</li> </ul>	<ul style="list-style-type: none"> <li>• Personal injury from boat movement owing to lower resilience as a result of individual physiology</li> </ul>	<b>Treat</b>	<b>Treat</b>
Lone working operations	<ul style="list-style-type: none"> <li>• Management scrutiny of any proposal for lone working.</li> <li>• Introduction of electronic support means</li> </ul>	<ul style="list-style-type: none"> <li>• Failure of devices to give requisite support.</li> <li>• Personnel interventions render</li> </ul>	<b>Tolerate</b>	<b>Tolerate</b>

		devices unreliable or unworkable.		
Staff injury/long term absence through inappropriate posture at office work stations	<ul style="list-style-type: none"> <li>Information.</li> <li>Training.</li> <li>Risk assessment.</li> <li>Provision of suitable bespoke equipment where reasonable.</li> <li>Access to NCC H&amp;S team.</li> <li>Occupational health assessment</li> <li>KLWNBC H&amp;S specialist advice</li> </ul>	<ul style="list-style-type: none"> <li>Individual failure to adhere to guidance</li> </ul>	<b>Tolerate</b>	<b>Tolerate</b>
Staff stress through exposure to unacceptable behaviour of stakeholders	<ul style="list-style-type: none"> <li>Introduction of Unacceptable Behaviour policy</li> <li>Stakeholder engagement plan and activity delivered in pursuit of corporate communications strategy.</li> <li>Dialogue with Stakeholders to ensure appropriate tone of communications</li> </ul>	<ul style="list-style-type: none"> <li>No change in behaviour of some stakeholders.</li> <li>Long term sickness caused by stakeholder hostility</li> </ul>	<b>Tolerate</b>	<b>Tolerate</b>
Damage to vehicles, trailers and/or equipment through inappropriate operation.	<ul style="list-style-type: none"> <li>Formal trailer training for unqualified officers</li> <li>Refreshers for those with previous experience</li> <li>Periodic vehicle maintenance checks training</li> </ul>	<ul style="list-style-type: none"> <li>Failure to adhere to training</li> <li>Mechanical failure of vehicle or trailer</li> </ul>	<b>Tolerate</b>	<b>Tolerate</b>

\*

<b>Risk Rating</b>
High
Medium
Low

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

### Vision

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



## Action Item 7

### 25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority Meeting

27 July 2016

**Report by:** J. Gregory, Acting Chief Executive Officer

### Shrimp Byelaw 2016 – Consultation Responses

#### **Purpose of report**

The purpose of this report is to update members on the representations made during the formal consultation for the Shrimp Byelaw 2016 and to make recommendations on the wording of the byelaw in the light of the formal consultation.

#### **Recommendations**

Members are recommended to:

- **Note** the summary of representations made regarding the Shrimp Byelaw 2016;
- **Agree** to the recommended amendments to the Shrimp Byelaw 2016;
- **Direct** officers to submit the Shrimp Byelaw 2016 to the MMO for formal QA prior to submission to the Minister for Defra for consideration;
- **Agree** to delegate powers to the A/CEO to make minor amendments to the wording of the Shrimp Byelaw 2016 as per dialogue with the MMO during their QA of the byelaw.

#### **Background**

Officers have been conducting assessments in relation to the interactions between fishing gear and habitats and species protected under the Habitats Directive (92/43/EEC). One such assessment indicated that there is the potential that shrimp fisheries in The Wash are having an adverse effect on the integrity of the Wash and North Norfolk Coast European Marine Site (EMS).

Officers proposed measures as mitigation to the potential impacts identified in the assessment. These included spatial closures and effort limitations for shrimp fishers within the EMS. In order to achieve the required effort limitations, officers recommended that shrimp fisheries be included in a permit scheme. The proposed Shrimp Byelaw 2016 would have the effect of requiring a permit, to which permit conditions and permit limitations could be applied for the protection of the protected habitats.

The Authority agreed to make the Shrimp Byelaw 2016 at the 23<sup>rd</sup> Eastern IFCA meeting (27 April 2016) and directed officers to conduct a formal consultation in relation to the byelaw.

## Report

A formal consultation was undertaken to request representations regarding the proposed Shrimp Byelaw 2016. Adverts were placed in The Fishing News for two weeks consecutively (05/05/2015 and 12/05/2016) as per Defra guidance. The byelaw and impact assessment were also posted on the Eastern IFCA website along with a news article informing stakeholder of the formal consultation.

In addition, Officers attended the East Anglian Region National Federation of Fishermen's Organisations (NFFO) meeting where the byelaw was discussed with several fisherman representatives.

### Formal consultation results

Five separate individuals or associations responded to the consultation. Two of these responded after the deadline (the day after) however their representations have still been taken into account.

Key themes from the representations have been summarised below:

<b>Theme/comment</b>	<b>Eastern IFCA Comments</b>	<b>Recommended amendments to byelaw</b>
Concerns that there is a lack of clarity with regards to permit conditions and endorsement limitations	<p>The proposed byelaw will enable Eastern IFCA to implement permit conditions and limit the number of fishers who can fish for shrimp. These are currently being designed with a view to consult on them separately later in the year.</p> <p>A byelaw takes additional time to implement as it requires consideration from the Minister, including a formal QA by the MMO. The process for implementing permit conditions and endorsement limitations only requires confirmation by the Authority and so takes less time.</p> <p>These two elements have been consciously separated to allow additional time for officers to design the permit conditions and endorsement limitations with a view to meet the December 2016 deadline. This reflects the complexity of the measures needed to protect the EMS (whilst enabling a fishery) and the reassessment of the shrimp fishery Habitats Regulation Assessment.</p> <p>Proposing permit conditions and endorsement limitations at the same time as the byelaw would have likely resulted in less appropriate measures.</p>	None – permit conditions and endorsement limitations will be consulted on as per the process agreed at the Regulation and Compliance Sub-Committee meeting on the 24 <sup>th</sup> February 2016.

<p>The permit scheme is not required (in the Wash) as fishers are implementing measures through the Marine Stewardship Council's (MSC) accreditation scheme.</p>	<p>The input from the industry with regards to the MSC accreditation scheme for shrimp is recognised and commended. That said, any measures proposed through the scheme do not replace the need for Eastern IFCA to manage the fishery with a view to meet the requirements of the Habitats Directive.</p> <p>It is likely that the permit scheme proposed by Eastern IFCA can complement the intentions of the MSC accreditation and officers are endeavouring to engage with fishers involved to this end.</p>	<p>None</p>
<p>A Shrimp permit scheme is not needed in Suffolk.</p>	<p>The shrimp fishery in Suffolk is small in comparison to The Wash and assessments have concluded that these fisheries are not having an adverse effect within EMS in Suffolk.</p> <p>That said, the primary reason for a concluding no adverse effect in these sites was the limited fishing effort. If fishing effort were to increase some of these sites are likely to be at risk of an adverse effect.</p> <p>As such the proposed byelaw prohibits commercial fishing for shrimp throughout the district without a permit such that levels of activity can be monitored and any potential increases in effort can be identified and appropriate management measures put in place (again, using the permit scheme). Such measures can be applied spatially under the byelaw.</p> <p>In addition, the proposed fee associated with a permit is considered reasonable (£44 per year) and is intended only to cover the costs of capturing the associated fisheries data and administering the permits.</p>	<p>None</p>
<p>Effort limitations need to reflect different business models.</p>	<p>The proposed Shrimp Byelaw does not include effort limitations however; it is intended that effort limitations are introduced through permit conditions at a later stage.</p>	<p>None – the proposed byelaw does not have this effect however; these comments will be considered as work on the associated permit conditions progresses.</p>

<p>Concerns that there was a lack of pre-consultation in Suffolk.</p>	<p>The driver for implementing the byelaw has been to implement effort limitations within the Wash and North Norfolk Coast EMS for the protection of sensitive habitats. It is not anticipated that any effort limitations will be required anywhere other than the Wash and North Norfolk Coast in the foreseeable future.</p> <p>As such, pre-consultation engagement with the industry has focused on fishers from these areas as there will likely be economic impacts of these measures. Formal consultation was district wide and not limited to any one part of the Eastern IFCA district.</p>	<p>none</p>
<p>Eastern IFCA does not need to implement a new byelaw to collect data as we already have Byelaw 11.</p>	<p>Byelaw 11 enables Eastern IFCA to require fisheries information from fishers operating in shellfish fisheries.</p> <p>Introducing the shrimp fisheries into the permit scheme allows Eastern IFCA to cost recover in relation to the data management of such data. More importantly, this provides a mechanism for Eastern to implement management measures throughout the district as may be required in the future. This will enable Eastern IFCA to be more reactive to potential environmental or fisheries issues which arise.</p>	<p>none</p>

### Amendments to the Byelaw

An amended byelaw is presented in Appendix 1 of this paper.

One of the main concerns regarding the Shrimp Byelaw 2016 is the potential for permit conditions to impact on fishers. Eastern IFCA is in the process of designing the permit conditions which will limit effort (including for example a limitation on the number of shrimp permit endorsements and limits on fishing effort). The intention is to introduce the mechanism to bring in measures presently and then to consult the industry later in the year with regards to any proposed measures. Amending the byelaw to include permit conditions would likely result in the Byelaw not being consented in time to meet the 2016 deadline. As such, no amendments are recommended in relation to this concern.

The opportunity to revoke a byelaw inherited from North Eastern IFCA has been recognised and it is recommended that the byelaw wording is amended to reflect this. Byelaw XII. *Shrimp and prawn fishing* requires fishers to empty their nets every hour but only applies to the 'inherited area' (a circa 9-mile stretch of coast on the south bank of the Humber Estuary). To bring the regulation of shrimp fishing in the inherited area in-line with that throughout the district, it is recommended that the Shrimp Byelaw 2016 is amended to revoke this byelaw. It is not anticipated that this will have any impact on the industry (given that it's the removal of a restriction rather than an additional imposition) and as such, there is no requirement to re-consult.

Dialogue with the MMO has indicated that this is the case and that this needs to be reflected in the Impact Assessment (Appendix 2). The MMO will consider the level of risk associated with the amendment if we submit it as such and advise based on this.

Several minor amendments have also been made to the wording of the original byelaw to reflect comments received from the MMO on the Whelk Byelaw 2016. It is intended that the Whelk Byelaw 2016 and Shrimp Byelaw 2016 are consistent in wording and approach to provide commonality and structure to the Authority's byelaws to provide clarity to fishers.

### **Next steps**

As per Defra guidance, the Shrimp Byelaw 2016 will need to be submitted to the MMO for formal QA. Eastern IFCA will liaise with the MMO during this stage to determine if any further amendments are required. It is recommended that the Acting CEO is delegated powers to make minor amendments to the byelaw during this stage of the process.

After the byelaw has been considered by the MMO it will be passed on to the Minister for confirmation.

In parallel with the implementation of the Shrimp Byelaw 2016, officers have been progressing work to design measures which will be implemented through permit conditions for the protection of the Wash and North Norfolk Coast EMS. It is intended that further informal consultation will be undertaken in relation to these measures (including for example limitations to the number of shrimp fishing endorsements and permit conditions). It is intended that these measures are taken to a Regulation and Compliance sub-committee later in the year for consideration.

### **Risk**

Legal risks associated with the wording of the proposed byelaw are mitigated through close liaison with the MMO who will QA the byelaw. In addition, the legal team at Defra will review the byelaw prior to consent from the Minister for Defra.

If any significant changes to the byelaw are required as a result of MMO QA there is the potential that a re-consultation would be required. This is usually only the case when an amendment has the effect of increasing the impact of the provisions of the byelaw. Eastern IFCA has mitigated this risk by consulting with the public (most notably the industry) and considering any representations made.

### **Conclusion**

The Shrimp Byelaw 2016 is the mechanism through which management measures can be introduced. The formal consultation has not considered the measures which will be introduced through the byelaw - these will be put to consultation later in the year. The primary reason for proposing the byelaw is such that the sensitive habitats in The Wash and North Norfolk Coast SAC are protected in the first instance. Fisheries management (i.e. stock management) can also be incorporated into future permit conditions and Officers will look to liaise with the fishers involved in the Marine Stewardship Council's accreditation of the shrimp fishery and take account of the risks indicated by the Strategic Assessment 2016.

### **Appendices**

1. Shrimp Byelaw 2016
2. Impact Assessment – Shrimp Byelaw 2016

## **Appendix 1 – proposed Shrimp Byelaw 2016**



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

#### **MARINE AND COASTAL ACCESS ACT 2009**

#### **Shrimp Byelaw 2016**

The Authority for the Eastern Inshore Fisheries and Conservation District in exercise of its powers under section 155 of the Marine and Coastal Access Act 2009 makes the following byelaw for the District.

#### **Interpretation**

1. In this byelaw:
  - a) 'the Authority' means the Eastern Inshore Fisheries and Conservation Authority as defined in Articles 2 and 4 of the Eastern Inshore Fisheries and Conservation Order 2010 (SI 2010/2189);
  - b) 'district' means the Eastern Inshore Fisheries and Conservation District as defined in Articles 2 and 3 of the Eastern Inshore Fisheries and Conservation Order 2010;
  - c) 'endorsement' means authorisation placed upon a permit from the Authority to fish for one or more specified species or within one or more specified fishery as is required under an Authority byelaw;
  - d) 'fishing' includes: digging for bait; the shooting, setting, towing and hauling of fishing gear; gathering sea fisheries resources by hand or using a hand operated implement; catching, taking or removing sea fisheries resources and fish is to be construed accordingly;
  - e) 'fishing for commercial purposes' means to fish for sea fisheries resources for sale or reward.
  - f) 'fishing gear' includes: any nets, pots, ropes, anchors, surface markers, lines, dredges, grabs, rakes or other implements used or deployed during fishing;
  - g) 'permit' means a Category One Permit or a Category Two Permit issued under the Eastern IFCA Permit Byelaw 2016.

- h) 'Shrimp' means a marine organism of the species *Pandalus montagui* (commonly known as pink shrimp) or belonging to the genus' *Crangon* or *Palemon* including *Crangon crangon* (commonly known as 'brown shrimp').
- i) 'shrimp trawl' means any fishing gear which is used to capture shrimps involving the use of a towed net.

### **Prohibitions**

- 2. A person who is fishing for commercial purposes must not fish for shrimps from within the district unless that person is:
  - a) a holder of a Category One permit which is endorsed for shrimps; or
  - b) a named representative, nominated by the holder of a Category One permit which is endorsed for shrimps; or
  - c) in the presence of one of the above.

### **Endorsement charges**

- 3. A fee will be charged for each endorsement to fish for shrimps, granted under the Eastern IFCA Permit Byelaw 2016 which will be payable prior to the issuing of an endorsement.
- 4. The fee associated with a Category One Permit endorsement to fish for shrimps is £44.

### **Revocations**

- 5. The following byelaw as made under the Sea Fisheries Regulation Act 1966 is revoked such as it applied in the District: BYELAW XII. Shrimp and prawn fishing.

## Appendix 2 – Shrimp Byelaw 2016 Impact Assessment

<b>Title: Shrimp Byelaw 2016</b> <b>IA No:</b> <b>EIFCA004</b> <b>Lead department or agency:</b> <b>Eastern Inshore Fisheries and Conservation Authority</b> <b>Other departments or agencies:</b>	<b>Impact Assessment (IA)</b>			
	<b>Date: 23/03/2016</b>			
	<b>Stage: Consultation</b>			
	<b>Source of intervention: Domestic</b>			
	<b>Type of measure: Secondary Legislation</b>			
<b>Contact for enquiries: Julian Gregory – Acting CEO (01553 775321)</b>				
<b>Summary: Intervention and Options</b>				
RPC Opinion: <b>N/A</b>				
<b>Cost of Preferred (or more likely) Option</b>				
<b>Total Net Present Value</b>	<b>Business Net Present Value</b>	<b>Net cost to business per year (EANCB on 2009 prices)</b>	<b>In scope of One-In, Two-Out?</b>	<b>Measure qualifies as</b>
£m 0.026	£12,838	<b>£1,284</b>	<b>No</b>	<b>NA</b>
<b>What is the problem under consideration?</b>				
<p>The shrimp fishery in Eastern IFCA’s district represents one of the most valuable fisheries (circa £1.5m average annual 2010-2014). The Marine Management Organisation collects insufficient data to effectively manage the fishery with regards to the protection of Marine Protected Areas and fisheries sustainability and as such, better fisheries data is required (i.e. effort, spatial extent of trawls, landed weight etc.). In addition, Eastern IFCA currently has no mechanism to effectively limit effort in relation to either fisheries sustainability or protection of MPA features.</p>				
<b>Why is government intervention necessary?</b>				
<p>Eastern IFCA has a legal obligation to protect designated features of MPAs within its district and have all fisheries operating at below maximum sustainable yield.</p>				
<b>What are the policy objectives and the intended effects? Policy Objectives:</b>				
<p>to enable the shrimp fisheries within the district to be managed through flexible permit conditions as required and to monitor fisheries data to determine which management measures will be most effective to ensure maximum sustainable yield and the protection of designated features of MPAs. To standardise shrimp fishery regulation throughout the district. <b>Intended effects:</b> to require fishers targeting shrimp to obtain a permit from Eastern IFCA, to require shrimp fishers to return fisheries data to the Authority, to enable Eastern IFCA to implement permit conditions as required and to revoke Byelaw XI. Shrimp and prawns fishing (inherited from NEIFCA) which only applies in ‘inherited’ part of district.</p>				
<b>What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)</b>				
<p><i>Option 0</i> - Do nothing, <i>Option 1</i> - Shrimp byelaw 2016 (requirement to have a permit), <i>Option 2</i> - shrimp byelaw 2016 (fisheries management measures). Voluntary measures are not appropriate given legal requirement to protect designated features of MPAs. Option 1 is considered the most appropriate given the need to manage the fishery adaptively for fisheries sustainability and the protection of MPAs.</p>				
<b>Will the policy be reviewed? It will be reviewed. If applicable, set review date: n/a</b>				
Does implementation go beyond minimum EU requirements?				<b>Yes</b>

Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	<b>Micro</b> Yes	<b>&lt; 20</b> Yes	<b>Small</b> Yes	<b>Medium</b> Yes	<b>Large</b> Yes
What is the CO <sub>2</sub> equivalent change in greenhouse gas emissions? (Million tonnes CO <sub>2</sub> equivalent)			<b>Traded:</b> N/A	<b>Non-traded:</b> N/A	

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

Signed \_\_\_\_\_ by \_\_\_\_\_ the \_\_\_\_\_ responsible  
 SELECT SIGNATORY: \_\_\_\_\_ Date: \_\_\_\_\_

### Summary: Analysis & Evidence Policy Option

#### Description:

#### FULL ECONOMIC ASSESSMENT

Price Base Year 2015	PV Base Year 2015	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: unknown	High: unknown	Best Estimate: unknown

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excluding transition) (Constant Price)	Total Cost (Present Value)
Low	£0	£ 2,197	£19,093
High	£0	£ 5,605	£48,719
<b>Best Estimate</b>	£0	<b>£2,954</b>	<b>£25,676</b>

#### Description and scale of key monetised costs by 'main affected groups'

The above cost reflects both the cost to the industry and the cost to the public however, the permit endorsement charge of £44 per vessel per annum offsets the administration cost each year associated with issuing endorsements and processing returns data.

#### Other key non-monetised costs by 'main affected groups'

Time spent by fishers completing application forms for a Shrimp permit endorsement and time spent completing catch data forms.

There will likely be a cost to the public with regards to research resultant of the catch data. In addition, enforcement costs are likely to be incurred relating to non-compliance of catch data returns.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Unknown	Unknown	<b>Unknown</b>
High	Unknown	Unknown	<b>Unknown</b>
<b>Best Estimate</b>	Unknown	Unknown	<b>Unknown</b>

#### Description and scale of key monetised benefits by 'main affected groups'

n/a

**Other key non-monetised benefits by 'main affected groups'**

Better data collection as a result of the fisheries data forms will result in better informed management of the shrimp industry, particularly in relation to protection of the Wash and North Norfolk Coast SAC. In addition, data collection and related scientific fisheries modelling will assist the fishery in The Wash in becoming a Marine Stewardship Council accredited fishery which will improve the market value of the fishery.

**Key assumptions/sensitivities/risks**

Discount rate (%)

3.5

**BUSINESS ASSESSMENT (Option 1)**

<b>Direct impact on business (Equivalent Annual £m):</b>			<b>In scope of OITO?</b>	<b>Measure qualifies as</b>
Costs: N/A	Benefits: N/A	Net: N/A	No	N/A

## **Evidence base**

### **1. Introduction**

The Department for Food, Environment, and Rural Affairs (Defra) has introduced a revised approach to the management of fisheries in EMS. This has resulted in the need for Eastern IFCA to establish measures to protect the features of MPAs from fishing activities where necessary to ensure full compliance with Article 6 of the Habitats Directive (92/43/EEC) and section 154 of the Marine and Coastal Access Act 2009.

In addition, there is a requirement under the Marine Strategy Framework Directive (2008/56/EC) to ensure populations of all commercially exploited fish and shellfish are within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock (descriptor 3) by 2020.

The shrimp industry in The Wash is of national importance (Circa 95% of the UK's shrimp landings come from the Wash fishery).

### **2. Rationale for intervention**

#### Protection of Marine Protected Areas

In order to mitigate the adverse effect of fishing activity within Marine Protected Areas, Eastern IFCA is required to manage fishing activity. Within the Wash and North Norfolk Coast Special Area of Conservation, several sensitive habitats have been identified as requiring protective measures in the form of regulation. Eastern IFCA intends to use a combination of spatial closures (through the Marine Protected Areas Byelaw 2016) and effort limitations to protect such features.

No permit condition notice is proposed as part of this byelaw – permit conditions notices can be introduced via the process set out in the Permit Byelaw 2016 which includes the production of an impact assessment and a formal consultation with the potentially impacted stakeholders. The rationale for requiring a permit for this fishery is to allow Eastern IFCA to introduce such measures as necessary for the protection of the designated features.

Furthermore, monitoring and control plans may be required for MPAs where no measures are proposed – the sites have to be monitored such that increases in activity which may result in adverse effects can be detected and management measures put in place as necessary. In order to effectively monitor the potential impact on MPA features, fisheries data is required at a higher temporal and spatial resolution than is obtained by the Marine Management Organisation.

#### Protection of fisheries sustainability

Eastern IFCA currently has no mechanism by which the shrimp fisheries within the district can be managed or monitored such that they operate at below maximum sustainable yield. The proposed byelaw will require shrimp fishers to return fisheries data to Eastern IFCA such that data can be analysed with a view to monitor / model the fisheries productivity to determine if management measures are required.

Management measures can then be implemented as required through the production of a permit conditions notice under the Permit Byelaw 2016. The flexibility of the permit conditions will allow Eastern IFCA to dynamically manage the fishery as required to meet

the objectives of descriptor 3 of the Marine Strategy Framework Directive and reduce the procedural burden of doing so by not requiring a full byelaw amendment.

### **3. Policy objectives and intended effects**

#### Policy Objectives

- To manage the shrimp fisheries within the district such that the activity does not have an effect on the designated features of Marine Protected Areas;
- To manage the shrimp fisheries within the district such that the requirements of descriptor 3 of the Marine Strategy Framework Directive are met;
- To manage shrimp fisheries in a dynamic manner, in accordance with the needs of the fishery at the time and with minimal procedural burden;
- To obtain such fisheries data as is required to determine the impacts of shrimp fishing on the Good Ecological Status and the designated features of Marine Protected Areas which are coincidental of shrimp fisheries.

#### Intended effects

- To require shrimp fishers active within the district to obtain a permit which is endorsed for shrimp fishing;
- To require shrimp fishers to return such fisheries data as is required by Eastern IFCA;
- To enable Eastern IFCA to implement (through the process set out in the Permit Byelaw 2016) such measures as are required for the protection of the marine environment and fisheries sustainability through the issuing of a Permit Conditions Notice.

### **4. The options**

#### *Option 0 – do nothing*

The 'do nothing' option would not enable Eastern IFCA to effectively manage the shrimp fisheries within the district. Relying solely on spatial closures to protect designated features of MPAs would result in impacts on the fishing industry beyond that which is needed to protect the feature (i.e. not proportionate). In addition, this would provide no mechanism to manage shrimp fisheries with regards to fisheries sustainability or descriptor 3 of the Marine Strategy Framework Directive.

#### *Option 1 – Shrimp Byelaw 2016: requirement to obtain a permit endorsed for shrimp fishing*

Option 1 would require shrimp fishers to obtain a permit endorsed for shrimp fishing. In the first instance the only condition on the fishers relates to the return of fisheries data to Eastern IFCA. Additional permit conditions (for example effort limitation, increased mesh sizes etc.) would be implemented as required through the issuing of a permit conditions notice through the Permit Byelaw 2016 (which would involve formal consultation and the production of an impact assessment).

Such a regulatory mechanism would enable Eastern IFCA to dynamically manage the fishery based on its needs at any one time rather than be restricted by 'fixed' byelaw provisions (which would require an amendment to the byelaw to change).

#### *Option 2 – Shrimp Byelaw 2016: fixed measures*

Option 2 would allow Eastern IFCA to manage the shrimp fisheries by using byelaw provisions. It would not allow for dynamic fisheries management based on the needs of the fishery at the time including, for example, annually changing effort limitations based on maximum sustainable yield models.

## **5. Analysis of costs and benefits**

### Option 0 – Do nothing

No monetary costs are associated with this option however; failure to comply with the Habitats Directive in a timely manner can result in infraction and large fines on member states.

### Option 1 – Shrimp Byelaw 2016: requirement to obtain a permit endorsed for shrimp fishing

The only cost associated with this option relates to the permit endorsement fee which is proposed to cover the administrative costs of processing permit applications and returns data. The fee does not reflect the likely research which will be undertaken relating to fisheries sustainability or enforcement costs associated with non-compliance with requirement to return fisheries data.

The cost associated with a single permit is £44 annually. To determine the total impact of this fee a minimum and maximum estimate of the number of shrimp fishers active within the district was used. A minimum of 29 fishers are thought to be active within the district which reflects the lowest number of different vessels landing shrimp in any one year (MMO landings data 2010-2015) – the lowest cost to the industry is calculated at £1,276 in 2016 (reducing annually with depreciation). Over the period 2010 to 2015, 74 different vessels had landed shrimp to ports within the district<sup>1</sup> (note that the greatest number of different vessels to land shrimp within a single year is 50). This figure was used to estimate the highest cost to the industry, which is £3,256 in 2016 (reducing annually with depreciation). The best estimate cost to the industry relates to the mean number of different vessels to land shrimps over the period 2010-2015 (39 vessels), this was estimated as £1,716 in 2016 (reducing annually with depreciation).

The cost to the public was determined by estimating the time spent by the support team processing permit applications and entering fisheries data into Eastern IFCA systems. The low, high and best estimate costs to the public are the same as above.

The cost to the industry of £12,838 offsets the cost to the public in relation to administering permits and inputting fisheries data into EIFCA systems. There is likely to be an additional cost to the public associated with monitoring and compliance but this cannot be monetised.

Benefits cannot be monetised but are likely to be of significant economic value. Protection of the designated features of MPAs within the district (particularly in the Wash and North Norfolk Coast Special Area of Conservation) using only spatial restrictions and prohibitions (through the Marine protected Areas Byelaw 2016) will likely have a disproportionate effect on the shrimp fishery – it is proposed that adverse effects of features can be more appropriately mitigated through a combination of closures and effort management.

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<sup>1</sup> Data was filtered for fishing activity within relevant ICES statistical rectangles. These cover a greater area than the EIFCA district and as such, this may still be an overestimate.

In addition, the shrimp fishing industry in The Wash (which is the primary shrimp fishery in the district) is actively seeking Marine Stewardship Council accreditation for the fishery. A more complete understanding of the fishery (effort, stock health etc.), control measures and protection of the environment are all required to attain certification. Through the more complete management of the fishery, the shrimp fishing industry should be closer to meeting MSC requirements which would have economic benefits if achieved.

Furthermore, there is a reduced cost to the public compared to a conventional byelaw (with management measures fixed as byelaw provisions) in that there is a lesser procedural burden in changing such measures if associated with a permit conditions notice. Using permit conditions will also enable Eastern IFCA to be more reactive to the requirements of the fishery with regards to maximum sustainable yield modelling.

### **Revocation of Byelaw XII (Shrimp and prawn fishing)**

Subsequent to the formal consultation, additional wording was drafted into the byelaw to revoke a byelaw inherited by EIFCA from North Eastern Sea Fisheries Committee (NESFC).

The byelaw has the effect of requiring fishers to 'raise and clear' their nets not less than once every hour. This byelaw only has application within the 'inherited' area – the part of the Eastern IFCA district which was inherited from NESFC which includes a circa 9-mile strip of the coast along the south bank of the Humber Estuary. Revoking this byelaw will bring shrimp fishing in the inherited area in-line with that throughout the Eastern IFCA district.

The revocation of Byelaw XII (Shrimp and Prawn fishing) is not anticipated to have any impacts on fishers. The amended byelaw put no additional requirements on fishers in relation to the byelaw which was consulted on.

#### Option 2 – Shrimp Byelaw 2016: fixed measures

Public costs associated with this option are likely to be higher given that the full byelaw process would be required to amend any byelaw provisions.

Costs relating to the impacted stakeholders will be greater as there will be more of a delay between Eastern IFCA gaining new evidence and amending management measures. In some cases, this could cost the industry in terms of lost earnings. It could also jeopardise the long-term sustainability of the fishery as management measures could not be amended as quickly e.g. it may allow an inappropriate level of effort to persist for longer than in the case of a permit scheme.

### **One In Two Out (OITO)**

**OITO is not applicable for byelaws as they are local government byelaws introducing local regulation and therefore not subject to central government processes.**

### **Small firms impact test and competition assessment**

**No firms are exempt from this byelaw as it applies to all firms who use the area, it does not have a disproportionate impact on small firms. It also has no impact on competition as it applies equally to all businesses that utilise the area.**

## **Conclusion**

***Recommended option:*** Option 1 – Shrimp Byelaw 2016: requirement to obtain a permit endorsed for shrimp fishing

This option represents the most proportionate balance between managing the fishery in the long-term and in relation to Eastern IFCA's requirement to have a protective effect on the features of Marine Protected Areas. It will allow for adaptive management which will compliment a particularly dynamic fishery including with regards to fisheries sustainability.

## Annex A: Policy and Planning

Which marine plan area is the MPA and management measure in?

East Inshore Marine Plan

Have you assessed whether the decision on this MPA management measure is in accordance with the Marine Policy Statement and any relevant marine plan?

- Yes

If so, please give details of the assessments completed:

<b>Marine Plan Policy</b>	<b>Policy Text</b>	<b>Policy screened in or out from assessment</b>	<b>Assessment of plan policy</b>
<b>Policy AGG1</b>	Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised unless there are exceptional circumstances.	×	Does not apply.
<b>Policy AGG2</b>	Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction or there are exceptional circumstances.	×	Does not apply.

<p><b>Policy AGG3</b></p>	<p>Within defined areas of high potential aggregate resource, proposals should demonstrate in order of preference:</p> <p>a) that they will not, prevent aggregate extraction  b) how, if there are adverse impacts on aggregate extraction, they will minimise these  c) how, if the adverse impacts cannot be minimised, they will be mitigated  d) the case for proceeding with the application if it is not possible to minimise or mitigate the adverse impacts</p>	<p>×</p>	<p>Does not apply.</p>
<p><b>Policy AQ1</b></p>	<p>Within sustainable aquaculture development sites (identified through research), proposals should demonstrate in order of preference:</p> <p>a) that they will avoid adverse impacts on future aquaculture development by altering the sea bed or water column in ways which would cause adverse impacts to aquaculture productivity or potential  b) how, if there are adverse impacts on aquaculture development, they can be minimised  c) how, if the adverse impacts cannot be minimised they will be mitigated  d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>×</p>	

<b>Policy BIO1</b>	Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).	✓	The proposed byelaw enables Eastern IFCA to implement management measures in relation to shrimp fisheries within Eastern IFCA's district, including within marine protected areas (MPAs). Permit conditions are being designed which will reduce the risk of significant damage to MPAs in particular within the Wash and North Norfolk Coast European Marine Site. The delivery of fisheries management which prevents detrimental impacts to habitats associated with MPAs will contribute towards the establishment of an ecologically coherent network of MPAs throughout the country and ultimately protect biodiversity and promote ecosystem functions and services. In addition, the proposed byelaw can be used for purposes of stock management to reflect the important role shrimp species play within the ecosystem in particular as a food source for many commercial fish species.
<b>Policy BIO2</b>	Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.	✓	As above
<b>Policy CAB1</b>	Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant.	✗	Does not apply.

<p><b>Policy CC1</b></p>	<p>Proposals should take account of:</p> <ul style="list-style-type: none"> <li>• how they may be impacted upon by, and respond to, climate change over their lifetime and</li> <li>• how they may impact upon any climate change adaptation measures elsewhere during their lifetime</li> </ul> <p>Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.</p>	<p>✓</p>	<p>Managing the shrimp fishery will promote a more sustainable fishery which is more resilient to natural phenomenon and events related to climate change. Protection of sensitive habitats will similarly increase the resistance of ecosystems to the effects of climate change. Furthermore, the mechanism through which shrimp fisheries will be managed will be flexible in that permit conditions can be introduced, varied or revoked in accordance with the process set out in the byelaw. This will enable Eastern IFCA to manage the fishery in a dynamic environment.</p>
<p><b>Policy CC2</b></p>	<p>Proposals for development should minimise emissions of greenhouse gases as far as is appropriate. Mitigation measures will also be encouraged where emissions remain following minimising steps. Consideration should also be given to emissions from other activities or users affected by the proposal.</p>	<p>✓</p>	<p>Shrimp fishing effort is likely to be limited which will potentially reduce vessel activity (and the production of emissions as a result). Reductions in shrimp fishing effort are however likely to be mitigated by additional fishing effort in other fisheries which may, negate the reduced carbon emissions.</p>
<p><b>Policy CCS1</b></p>	<p>Within defined areas of potential carbon dioxide storage,(mapped in figure 17)proposals should demonstrate in order of preference:</p> <ol style="list-style-type: none"> <li>a) that they will not prevent carbon dioxide storage</li> <li>b) how, if there are adverse impacts on carbon dioxide storage, they will minimise them</li> <li>c) how, if the adverse impacts cannot be minimised, they will be mitigated</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ol>	<p>×</p>	<p>Does not apply.</p>

<b>Policy CCS2</b>	Carbon Capture and Storage proposals should demonstrate that consideration has been given to the re-use of existing oil and gas infrastructure rather than the installation of new infrastructure (either in depleted fields or in active fields via enhanced hydrocarbon recovery).	×	Does not apply.
<b>Policy DD1</b>	Proposals within or adjacent to licensed dredging and disposal areas should demonstrate, in order of preference a) that they will not adversely impact dredging and disposal activities b) how, if there are adverse impacts on dredging and disposal, they will minimise these c) how, if the adverse impacts cannot be minimised they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts	×	Does not apply
<b>Policy DEF1</b>	Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence.	×	Does not apply

<p><b>Policy EC1</b></p>	<p>Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.</p>	<p>✓</p>	<p>The shrimp fishery within The Wash represents circa 95% of annual UK shrimp landings. These measures will help to ensure the shrimp fishery can continue to contribute to local and national economies in the long term. It is also likely that the implementation of measures designed to protect sensitive habitats will contribute towards a favourable outcome of the local industry's bid to attain Marine Stewardship Council accreditation for the shrimp fishery in The Wash. This will potentially increase the value of shrimp caught from this area and promote a long term fishery in the face of market demands for sustainable products.</p>
<p><b>Policy EC2</b></p>	<p>Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to meet employment needs in localities close to the marine plan areas.</p>	<p>✓</p>	<p>At least two processor plants (which process shellfish) are known to process shrimp catches from across the district and further – enabling a productive shrimp fishery will support jobs in addition to fishing activity (e.g. factory cleaners, admin etc.). see also point above re Marine Stewardship Accreditation – it should be noted that the market value of the shrimps caught within Eastern IFCA's district is likely to reduce if accreditation is not achieved (perrs comms Stephen Williamson), Director Lynn Shellfish Ltd)</p>
<p><b>Policy EC3</b></p>	<p>Proposals that will help the East marine plan areas to contribute to offshore wind energy generation should be supported.</p>	<p>×</p>	<p>Does not apply.</p>
<p><b>Policy ECO1</b></p>	<p>Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine,</p>	<p>✓</p>	<p>The management of the shrimp fishery (particularly through the use of flexible permit conditions) will support a healthy shrimp population and the maintenance of sensitive habitats in a favourable</p>

	terrestrial) should be addressed in decision-making and plan implementation.		condition which in turn, should have a benefit on the biodiversity of the wider ecosystem.
<b>Policy ECO2</b>	The risk of release of hazardous substances as a secondary effect due to any increased collision risk should be taken account of in proposals that require an authorisation.	✓	The proposed byelaw will have no effect on the risk of collisions.
<b>Policy FISH1</b>	<p>Within areas of fishing activity, proposals should demonstrate in order of preference:</p> <p>a) that they will not prevent fishing activities on, or access to, fishing grounds</p> <p>b) how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p> <p>d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts</p>	✓	The proposed byelaw will not have any direct impacts on shrimp fishing opportunities. Subsequent management measures introduced as permit conditions will likely reduce fishing opportunities within the Wash and North Norfolk Coast Special Area of Conservation. One such element will be to spatially restrict areas which can be fished within the MPA so as to protect sensitive habitats. The extent of 'closed areas' within shrimp fishing grounds is considered the minimum to have the protective effect as required under the Habitats Directive (EEC/94/82). Such closures are not being mitigated and are an absolute requirement under Eastern IFCA's obligations to protect habitats from detrimental fishing activities.

<b>Policy FISH2</b>	<p>Proposals should demonstrate, in order of preference:</p> <p>a) that they will not have an adverse impact upon spawning and nursery areas and any associated habitat</p> <p>b) how, if there are adverse impacts upon the spawning and nursery areas and any associated habitat, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised they will be mitigated</p> <p>d) the case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts</p>	✓	<p>The proposed byelaw will enable Eastern IFCA to implement measures to limit or reduce the capture and mortality of juvenile fish from nursery and spawning grounds. The potential for impacts on wider fish stocks from bycatch mortality associated with shrimp fishing is considered in Eastern IFCA's annual strategic assessment and management measures will be considered.</p>
<b>Policy GOV1</b>	<p>Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.</p>	✗	<p>Does not apply.</p>
<b>Policy GOV2</b>	<p>Opportunities for co-existence should be maximised wherever possible.</p>	✗	<p>Does not apply.</p>
<b>Policy GOV3</b>	<p>Proposals should demonstrate in order of preference:</p> <p>a) that they will avoid displacement of other existing or authorised (but yet to be implemented) activities</p> <p>b) how, if there are adverse impacts resulting in displacement by the proposal, they will minimise them</p> <p>c) how, if the adverse impacts resulting in displacement by the proposal, cannot be minimised, they will be mitigated against or</p>	✓	<p>No displacement anticipated.</p>

	d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts of displacement		
<b>Policy MPA1</b>	Any impacts on the overall Marine Protected Area network must be taken account of in strategic level measures and assessments, with due regard given to any current agreed advice on an ecologically coherent network.	✓	Measures implemented through the proposed Byelaw and Eastern IFCA's Permit Byelaw 2016 are initially focussed on meeting requirements to ensure sensitive habitats within MPAs are not detrimentally impacted through shrimp fishing activity. Whilst the proposed byelaw will not have a direct impact on MPAs, the subsequent permit conditions will benefit protected habitats.
<b>Policy OG1</b>	Proposals within areas with existing oil and gas production should not be authorised except where compatibility with oil and gas production and infrastructure can be satisfactorily demonstrated.	✓	Does not apply.
<b>Policy OG2</b>	Proposals for new oil and gas activity should be supported over proposals for other development.	×	Does not apply.
<b>Policy PS1</b>	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance should not be authorised in International Maritime Organization designated routes.	×	Does not apply.

<p><b>Policy PS2</b></p>	<p>Proposals that require static sea surface infrastructure that encroaches upon important navigation routes (see figure 18) should not be authorised unless there are exceptional circumstances. Proposals should:</p> <ul style="list-style-type: none"> <li>a) be compatible with the need to maintain space for safe navigation, avoiding adverse economic impact</li> <li>b) anticipate and provide for future safe navigational requirements where evidence and/or stakeholder input allows and</li> <li>c) account for impacts upon navigation in-combination with other existing and proposed activities</li> </ul>	<p>×</p>	<p>Does not apply.</p>
<p><b>Policy PS3</b></p>	<p>Proposals should demonstrate, in order of preference:</p> <ul style="list-style-type: none"> <li>a) that they will not interfere with current activity and future opportunity for expansion of ports and harbours</li> <li>b) how, if the proposal may interfere with current activity and future opportunities for expansion, they will minimise this</li> <li>c) how, if the interference cannot be minimised, it will be mitigated</li> <li>d) the case for proceeding if it is not possible to minimise or mitigate the interference</li> </ul>	<p>✓</p>	<p>Does not apply.</p>
<p><b>Policy SOC1</b></p>	<p>Proposals that provide health and social well-being benefits including through maintaining, or enhancing, access to the coast and marine area should be supported.</p>	<p>✓</p>	<p>Does not apply.</p>

<p><b>Policy SOC2</b></p>	<p>Proposals that may affect heritage assets should demonstrate, in order of preference:</p> <p>a) that they will not compromise or harm elements which contribute to the significance of the heritage asset</p> <p>b) how, if there is compromise or harm to a heritage asset, this will be minimised</p> <p>c) how, where compromise or harm to a heritage asset cannot be minimised it will be mitigated against or</p> <p>d) the public benefits for proceeding with the proposal if it is not possible to minimise or mitigate compromise or harm to the heritage asset</p>	<p>×</p>	<p>Does not apply.</p>
<p><b>Policy SOC3</b></p>	<p>Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference:</p> <p>a) that they will not adversely impact the terrestrial and marine character of an area</p> <p>b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them</p> <p>c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>×</p>	<p>Does not apply.</p>

<p><b>Policy TIDE1</b></p>	<p>In defined areas of identified tidal stream resource (see figure 16), proposals should demonstrate, in order of preference:</p> <p>a) that they will not compromise potential future development of a tidal stream project</p> <p>b) how, if there are any adverse impacts on potential tidal stream deployment, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>×</p>	<p>Does not apply.</p>
<p><b>Policy TR1</b></p>	<p>Proposals for development should demonstrate that during construction and operation, in order of preference:</p> <p>a) they will not adversely impact tourism and recreation activities</p> <p>b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	<p>×</p>	<p>Does not apply.</p>

<b>Policy TR2</b>	<p>Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference:</p> <p>a) that they will not adversely impact on recreational boating routes</p> <p>b) how, if there are adverse impacts on recreational boating routes, they will minimise them</p> <p>c) how, if the adverse impacts cannot be minimised, they will be mitigated</p> <p>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</p>	×	Does not apply.
<b>Policy TR3</b>	<p>Proposals that deliver tourism and/or recreation related benefits in communities adjacent to the East marine plan areas should be supported.</p>	✓	Does not apply.
<b>Policy WIND1</b>	<p>Developments requiring authorisation, that are in or could affect sites held under a lease or an agreement for lease that has been granted by The Crown Estate for development of an Offshore Wind Farm, should not be authorised unless</p> <p>a) they can clearly demonstrate that they will not compromise the construction, operation, maintenance, or decommissioning of the Offshore Wind Farm</p> <p>b) the lease/agreement for lease has been surrendered back to The Crown Estate and not been re-tendered</p> <p>c) the lease/agreement for lease has been</p>	×	Does not apply.

	terminated by the Secretary of State d) in other exceptional circumstances		
<b>Policy WIND2</b>	Proposals for Offshore Wind Farms inside Round 3 zones, including relevant supporting projects and infrastructure, should be supported.	×	Does not apply.

### **Vision**

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## **Action Item 8**

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority meeting**

27 July 2016

**Report by:** Nichola Freer – Head of HR  
Andrew Bakewell – Head of Finance

### **Meetings of the Finance & Personnel Sub-committee held on 22 June 2016**

#### **Purpose of report**

To inform members of the key outputs and decisions from the Finance & Personnel Sub-Committee meeting held on 22 June 2016.

#### **Recommendations**

Members are asked to:

- **Note** the content of the report.

#### **HR Matters:**

At the Finance & Personnel Committee meeting on 14/01/15 there was question as to whether we should retain the IIP status beyond November 2016. The Executive team have given due consideration to this and taken into account a number of factors including:

- Increased costs involved with maintaining IIP accreditation
- There is now an established dedicated HR professional who keeps culture & engagement on the EIFCA agenda
- There are internal processes in place that are supportive of developing culture & engagement (such as core values, performance review process, behavioural competency framework)

With all this in mind, the Executive team have taken the decision not to continue with IIP re-assessment as they believe that there are now suitable mechanisms in place that are supportive of cultural engagement in the workplace. EIFCA takes part in a robust external bi-annual survey that is used as a benchmark. The internal employee engagement plan will ensure that we continue to focus on engagement in the right direction.

Members will continue to receive a report of the outputs of the bi-annual engagement survey.

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An outstanding matter concerning the management of executive remuneration, which Officers were directed to review at the Finance & Personnel Sub-Committee meeting held on 14 January 2016, was discussed and resolved under Section 100(A)(4) of the Local Government Act 1972.

## **Finance Matters:**

The Head of Finance presented a report on Internal Audit and the Statement of Accounts for the year ending 31<sup>st</sup> March 2016 the essential points and decisions follow:

### **Internal Audit Report**

- The report from NCC Audit Services described all of the authority's procedures and systems as "acceptable" having discovered one minor discrepancy during their testing where an invoice for £270 was approved by an officer with a £250 expenditure limit.
- The new rules for "small bodies" no longer require an external audit however, pending a report detailing alternatives for the future to the full authority it was decided to submit the annual report voluntarily for audit.
- A request to our previous auditors (Mazars LLP) resulted in a significant increase in both cost and complexity of the process. HoF sought an alternative auditor and secured the services of PKF Littlejohn LLP who continue to offer the same service as provided by Mazars for previous years at the same cost i.e. £2,000.

### **Statement of Accounts and transfer of reserves**

- The income and expenditure account (excluding purchase of assets) showed an underspend of £136k being mainly due to salary savings of £92k (CEO secondment and vacancy management) and increased income of £58k from licence tolls, grants and sampling, these savings are offset by various overspends totalling £(14)k.
- With the fate of Fixed Penalty Fine receipts still unresolved it was recommended that the reserve be retained but consolidated with the Legal Enforcement reserve. Other reserves would be retained for specific items with surpluses transferred to the Vessel Replacement Reserve. Non-discretionary reserves (WFO, WNNC EMS and Defra Grant) would be clearly identified.

**All resolutions were duly agreed by the members.**

## **Background Papers**

Unconfirmed minutes of the F&P sub-committee meeting held on the 22<sup>nd</sup> June 2016.

## Vision

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## Action Item 9

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority meeting**

27<sup>th</sup> July 2016

**Report by:** Andrew Bakewell – Head of Finance

### **Payments made and monies received during the period 1<sup>st</sup> April 2016 to 30<sup>th</sup> June 2016**

#### **Recommendations**

Members are asked to:

**Note** the content of the paper

#### **Background**

It is an audit requirement that the Authority's receipts and payments are presented to Members on a quarterly basis.

The report on Payments made and monies received during the period 1st April to 30th June is attached.

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

#### **Background documents**

There are no background documents to this paper

**Finance Officer's Report on Payments Made and Monies Received during the period**  
**1<sup>st</sup> April 2016 to 30<sup>th</sup> June 2016**

**Payments made during the period 1<sup>st</sup> April 2016 to 30<sup>th</sup> June 2016**

	<b>Month 1</b>	<b>Month 2</b>	<b>Month 3</b>	<b>TOTAL</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Transfers to EIFCA Salaries & Wages Acct.	80,000	100,000	90,000	270,000
Rent, Rates & Service Charges	3,328	2,715	10,016	16,059
General Establishment	35,363	7,906	5,531	48,800
Legal Fees	7,863		14,316	22,179
Staff Travelling & Subsistence	2,086	1,282	871	4,239
Members' Allowances	251	89	589	929
Training	973	975	33	1,981
Moorings/Harbour Dues	409	1,028	346	1,783
Pisces III Operating Costs			306	306
Three Counties Operating Costs	44,258	4,451	465	49,174
FPV JA – Operating Costs	695	4,373	320	5,388
FPV ST – Operating Costs	191		960	1,151
Vehicle Operating Costs	268	1,633	954	2,855
Communication and Development	213	15	596	824
Research and Environment	4,396	2	97	4,495
Enforcement	5,528	310	352	6,190
Wash & Nth Norf. EMS Project	191	174	509	874
Wash Fishery Order			12,656	12,656
IT Project				
Petty Cash				
VAT (recoverable)	12,935	4,746	6,072	23,753
<b>TOTAL PAYMENTS MADE</b>	<b>198,948</b>	<b>129,699</b>	<b>144,989</b>	<b>473,636</b>

**Monies received during the period April 2016 to June 2016**

	<b>Month 1</b>	<b>Month 2</b>	<b>Month 3</b>	<b>TOTAL</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Levies	402,531			402,531
Treasury Deposit Interest				
VAT	32,052	29,098		61,150
Grants				
Lay rents	1,074	681	515	2,270
WFO – Licences		2,520	2,700	5,220
WFO – Tolls		2,100	2,250	4,350
Whelk licences	325	1,300		1,625
Wash & North Norfolk Coast EMS		8,712	11,043	19,755
Sale of equipment			90	90
Fines and penalties		250		250
Awarded costs			3,480	3,480
EHO sampling	600			600
MMO- CEO costs	18,262			18,262
Miscellaneous	2,347		4,000	6,337
<b>TOTAL MONIES RECEIVED</b>	<b>457,181</b>	<b>44,661</b>	<b>24,078</b>	<b>525,920</b>

Payments –

- In month 1 General Establishment includes annual IT support from KLWNBC and Three Counties operating costs include annual insurance premiums.
- Upfront software licences also increase month 1 spend on Enforcement and Research & Environment.
- WFO Crown Estate rents.

Receipts –

- Miscellaneous income includes £2,325 refund of a duplicated payment and £4,000 from Dong Energy for sampling.

**Vision**

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**Action Item 10****25th Eastern Inshore Fisheries and Conservation Authority meeting**

27<sup>th</sup> July 2016

**Report by:** Andrew Bakewell – Head of Finance

**Report on the Management Accounts for the first quarter of the 2016/17 financial year****Purpose of report**

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

**Recommendations:**

Members are asked to:

**Note** the Management Accounts

Detailed below are the management accounts for the first quarter of the 2016/17 financial year. Actual spend is compared with the budget with explanations of the significant variances provided.

The first three months saw the following cumulative variances against budget as follows:-

	£	
Salaries	2,326	
General expenditure	(6,866)	Legal £22,370 (bylaw & prosecution)
		Insurance saving £9,281
		Training £6,966 saved due to timing
Communications	1,426	Very little activity in Qtr 1
Enforcement	(1,998)	Purchase of whelk tags (see income)
Research & Env.	3,997	Timing of expenditure
Vessels	31,643	JA & Pisces out of service
Vehicles	( 491)	Insurance premiums increased
Income	6,945	Whelk permits £1,625, Survey £4,000
<b>Total</b>	<b>51,053</b>	

**Management Accounts Financial Year 2016/2017**

	<b>ACTUAL Year to Date Qtr 1 £</b>	<b>BUDGET Year to Date £</b>	<b>MEMO Budget For Year £</b>
<b><u>SALARIES &amp; WAGES</u></b>			
Staff Remuneration	181,599	183,909	742,992
Pension	35,039	39,540	159,743
National Insurance	18,222	13,727	55,499
<b>TOTAL</b>	<b>234,860</b>	<b>237,186</b>	<b>958,234</b>
<b><u>GENERAL EXPENDITURE</u></b>			
Accommodation	14,330	16.610	62,113
Insurance	6,719	16.000	16,000
General Establishment	62,668	36.016	85,700
Officers' Expenses	3,972	4.960	19,840
Members' Travel	929	1.200	4,800
Training	1,981	8.947	35,790
<b>TOTAL</b>	<b>90,599</b>	<b>83.733</b>	<b>224,243</b>
<b>Development &amp; Communication</b>	824	2.250	7,500
<b>Enforcement</b>	5,998	4.000	16,000
<b>Research &amp; Environment</b>	4,495	8.492	16,500
<b><u>VESSELS</u></b>			
Moorings & Harbour Dues	1,437	7.825	31,300
<u>Vessel Operating Costs</u>			
Three Counties	27,609	27.575	96,344
Enforcement Vessels John			
Allen & Sebastian Terelinck	6,540	29.880	63,830
Pisces replacement	306	2.255	5,770
<b>TOTAL</b>	<b>35,892</b>	<b>67.535</b>	<b>197,244</b>
<b><u>VEHICLES</u></b>			
Operating Costs	10,343	9.952	25,200
<b>TOTAL</b>	<b>10,343</b>	<b>9.952</b>	<b>25,200</b>
<b>TOTAL EXPENDITURE</b>	<b>383,011</b>	<b>413.148</b>	<b>1,444,921</b>
<b><u>INCOME</u></b>			
Bank Interest			6,000
Levies	1,391,070	1.391.070	1,391,070
WFO Licence Tolls	5,220	6.000	16,500
Whelk licences	1,625	2.000	6,000
Grants			
Fixed Penalties & costs	3,730		
Surveys	4,000		5,000
EHO sampling	600	1.500	6,000
Lay rents	2,270	1.000	2,500
<b>TOTAL INCOME</b>	<b>1,408,515</b>	<b>1.401.570</b>	<b>1,433,070</b>
<b>Net</b>	<b>1,025,504</b>	<b>988,422</b>	<b>-11,851</b>

### **Vision**

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## **Action Item 11**

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority Meeting**

27 July 2016

**Report by:** J. Gregory, A/Chief Executive Officer

#### **Marine Pioneer Project**

#### **Purpose of report**

The purpose of this report is to advise members of the development of Marine Pioneer projects under the auspices of the proposed 25-year Environment Plan being developed by Defra and the potential participation of Eastern IFCA.

#### **Recommendations**

Members are recommended to:

- **Note** the content of the report;
- **Agree** in principle to Eastern IFCA participating in or being a lead authority in any Pioneer project established in the district, subject to satisfactory resolution of questions relating to the scope and definition of the project and the provision of resources;
- **Agree** that any decision on Eastern IFCA's participation in the project should be taken by the A/CEO in consultation with the Chair.

#### **Background**

Pioneer projects form a foundation for the development of Defra's proposed 25-year Environment Plan, leading to new and innovative ways of enhancing the environment and making it central to decision making. It should be noted that the 25-year Environment Plan has been delayed by the result of the referendum but remains a UK commitment.

Pioneer projects are being set up to engage with and empower local groups and help them to:

- I. Demonstrate an integrated approach to delivery and decision making, driven by local join-up, Defra reform and openness to social action;
- II. Test new tools and approaches for making integrated allocation decisions and environmental progress assessments, including Natural Capital valuation and accounting approaches;
- III. Introduce and assess new means of financing and designing incentives for environmental progress

They should operate in a way that is:

**M**odern

**I**ntegrated

**L**ocally driven

**O**pen and transparent

Pioneer projects are currently at the conceptual stage, particularly so within the marine environment. As a consequence of ongoing Eastern IFCA engagement with Defra, the District is currently being considered as one of two locations in the country to host a marine Pioneer, the other being Devon and Severn IFCA. It is currently envisaged, by Defra, that IFCA's are ideally suited to being the lead agency for a marine Pioneer.

Whilst being receptive to the concept no commitment to participate has yet been made and there is ongoing dialogue with Defra, in conjunction with the Association of IFCA's, with it being made clear that IFCA's need much more clarity regarding Roles, Goals, Processes and Resolution before agreeing to lead the process – in particular the scope of the projects need to be clearer so it can be agreed that the IFCA's are indeed best placed to take a lead role. It has also been made clear that IFCA's cannot take on the additional work of a Pioneer unless appropriate and adequate resource is provided.

### **Pioneers - the Marine Context**

The vision underlying Government's desired outcomes for the marine sector is for clean, healthy, safe, productive and biologically diverse oceans and seas. The underlying approach is to use planning and management to integrate economic, social and environmental considerations<sup>2</sup>. In other words, to support sustainable development.

The statutory basis for achieving marine policy was largely established by the Marine and Coastal Access Act (MCAA) 2009 as well as the Marine Strategy Framework Directive. Among other things, MCAA introduced a new system of marine management, including the creation of marine plans, changed the system for licensing activities in the marine environment, and provided for the designation of marine conservation zones. The MCAA also set up the ten English IFCA's to engage with local stakeholders in decision making in order to deliver inshore fisheries and conservation management. The IFCA's are currently delivering MPA management in a manner which is consistent with the Pioneer principles.

Government has established a system of marine planning for England to deliver integrated marine management. That system is underpinned by an overarching (cross-Government) marine policy statement and, at a sub-national level, by marine plans. Plans have been published for the East inshore and offshore area and prepared in draft for the South inshore and offshore area. All marine plans will be in place by 2021. Marine plans are prepared by the MMO but, once adopted, are implemented by all decision making bodies operating in the marine area.

There have been previous perceptions that the Marine delivery landscape is too complicated, particularly when the planning divide across mean low water mark is considered with the role of local planning authorities. Previous initiatives have looked to simplify the Marine delivery landscape – so for example the Red Tape Challenge prompted the establishment of the Coastal Concordat between MMO, EA, Local Planning Authorities and NE, with a lead body taking responsibility of co-ordinating engagement with major development applications. However, it is clear that more could be done, either in

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<sup>2</sup> Extracted from <https://www.gov.uk/government/news/uk-marine-policy-statement-published> accessed 27<sup>th</sup> May 2016.

streamlining management of the marine environment, or guiding the public and stakeholders through the processes.

Local MPA partnerships bring together managers to work in achieving conservation objectives set out in Natural England's Conservation Advice Packages. In many cases, this action is underpinned by a Management Plan. A National MPA Management Steering Group has been established to facilitate better co-ordination and reporting of MPA management. Local Nature Partnerships (LNPs) have been established based on UK government's 2011 'Natural Environment White Paper', bringing together local stakeholders to better assess the value of the environment in decision making. This context must be the starting point for the marine pioneers.

#### Key aims of the Marine Pioneer

It is suggested that Pioneers should reflect the fact that the management of the marine environment is achieved through a range of authorities and tools.

**Aim:** To explore how marine natural capital can best be managed for the benefit of the environment, economy and people using the MPA network and its management as a model.

Test how local interests (environmental, social, business) can play their part in managing, monitoring and communicating the benefits of a location's Marine Protected Areas (MPAs), the surrounding marine area and related coastal zone. It will test new approaches to:

- improve engagement from others (e.g. users, businesses, potential funders) in long term management and monitoring of protected areas and links with the surrounding marine area and coastal zone;
- better access data and assessment of MPAs;
- communicate benefits of MPAs and generating greater interest from local communities in "their" marine environment, including engaging children with nature;
- join-up delivery of Defra group partners; and
- Relate MPA management to MMO marine plans at a smaller spatial scale and include the linking wider sea areas – map local activities.

**How:** The Marine Pioneer needs to reflect the proposed 25-Year Environment Plan's themes of Modern, Integrated, Local and Open (MILO) and test the following approaches:

- understanding, measuring and valuing natural capital and the services it produces;
- identify innovative or new financing mechanisms to support maintenance, restoration and protection of natural capital and biodiversity while allowing continued sustainable use of the marine environment;
- working with others to deliver these improvements; and
- understand, engage and communicate societal and business needs (e.g. what is missing in terms of taking account of well-being, community benefits and other beneficiaries in decision making).

## **Pioneer Location – Eastern IFCA**

The location of a Pioneer site within the Authority's district is open to discussion and site selection will need to take account of a number of factors, including the location of Marine Protected Areas, the level and nature of existing work and partnership groups and the potential to deliver the aspirations of the Pioneer project. Current candidates being considered are North Norfolk and Suffolk, particularly encompassing the estuaries in the south of the county.

### **Comment**

The term "Marine Management" covers a wide range of sectors and is highly complex. As such the Pioneer project will need to define and set out clearly the range and scope it seeks to cover. This will inform the level and nature of resources that will be required in order to take the project forward.

### **Risk**

Whilst the opportunity to be a lead Authority for a Pioneer project would enable Eastern IFCA to help shape the way forward in terms of the delivery of Defra policy it does carry certain risks. These are largely centred on the current absence of clear definition in a very broad context and the associated issue of resourcing. In simple terms the risk to Eastern IFCA is that a wide-ranging and inadequately resourced project may result in failure and consequential damage to reputation.

### **Conclusion**

Whilst there are clearly issues to be resolved in terms of the nature, scope and definition of the Pioneer projects, together with associated resources, they do represent the opportunity to play an important role in shaping the delivery of Defra environmental policy. The CEO of the Association of IFCAs, Stephen Bolt, is taking the lead role in working with Defra, Devon & Severn IFCA and Eastern IFCA to address these points and in the event of a successful outcome Eastern IFCA may be well placed to lead a marine Pioneer.

### **Vision**

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



## **Information Item 12**

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority meeting**

27<sup>th</sup> July 2016

**Report by** Stephen Thompson, Marine Environment Officer

### **Consultations Process**

#### **Purpose of report**

This paper is to inform Members of the process for dealing with consultations and to seek agreement that it is fit for purpose.

#### **Recommendations**

Members are asked to:

**Note** the content of the report.

**Endorse** the process for dealing with consultations

#### **Background**

For the purposes of this paper, "consultations" have been taken to mean one of two things –

- Input to decisions under consideration by partner marine/coastal regulators, where Eastern IFCA is a statutory consultee.
- Less formal requests for data and information from applicants ranging from private individuals to major NGOs/academic bodies, as well as from other regulators.

For both of these, there is a clear link with IFCA objectives i.e.:

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#### **Success Criterion 1:**

**IFCAs are recognised and heard, balancing the economic needs of the fishery whilst working in partnership and engaging with stakeholders**

#### **Definition:**

**IFCAs will be visible, respected and trusted regulator within coastal communities and will maintain and deliver a strategy to communicate their vision and duties effectively. IFCAs will engage with policy makers, industry, Non-Governmental Organisations (NGOs), recreational and commercial users; and other regulators. They will work jointly and collaboratively with partner organisations across boundaries; will participate and contribute to the development and implementation of regional and national marine policy, including the marine planning regime; will take long-term strategic decisions and manage risks effectively. IFCAs may maintain a national body to co-ordinate the activities of authorities that are party to arrangements.**

A major part of the preparation of consultation responses is to ensure that a proposed project aligns with the aims of the relevant Marine Plan. For the majority of Eastern IFCA district this is the East Inshore section of "East Inshore and East Offshore Marine Plans", which has been in place since early 2014. (A small section at the southern extremity of Eastern IFCA district, including the Orwell and Stour estuaries, is within the area of the South East Marine Plan. This plan is currently undergoing public consultation, and will be in place by 2021.) The reference for the full East Marine Plan, and of an abstract of those sections relevant to the work of Eastern IFCA, are presented in "Background Documents".

For consultations for projects in the small area of our district which falls outside the East Marine Plan, reference is made to the "UK Marine Policy Statement" (details in Background Documents). Such projects are also assessed against the East Marine Plan, as that provides both an excellent structure for assessment, and a good indication of the likely contents of the South East Marine Plan.

We encourage applicants or their consultants to engage with us at an early stage in project planning, in order that we are aware of the planned project, and the developer is aware of any potential concerns we may have. This is a mutually beneficial relationship.

We comment on proposals, or aspects of proposals, which have the potential to impact on fisheries and / or the marine environment (including where there is the possibility of an "in combination" interaction with fisheries).

During the year 2015 / 16, Eastern IFCA processed 84 consultation responses. The largest single category (32%) related to "Offshore Energy Renewables", as indicated in Figure 1. In addition to the categories identified, we maintain additional categories for Aggregate Dredging, Onshore Energy, Pipeline & cables, Stock management and Water Quality. We received no consultations for those categories in 2015 / 16.

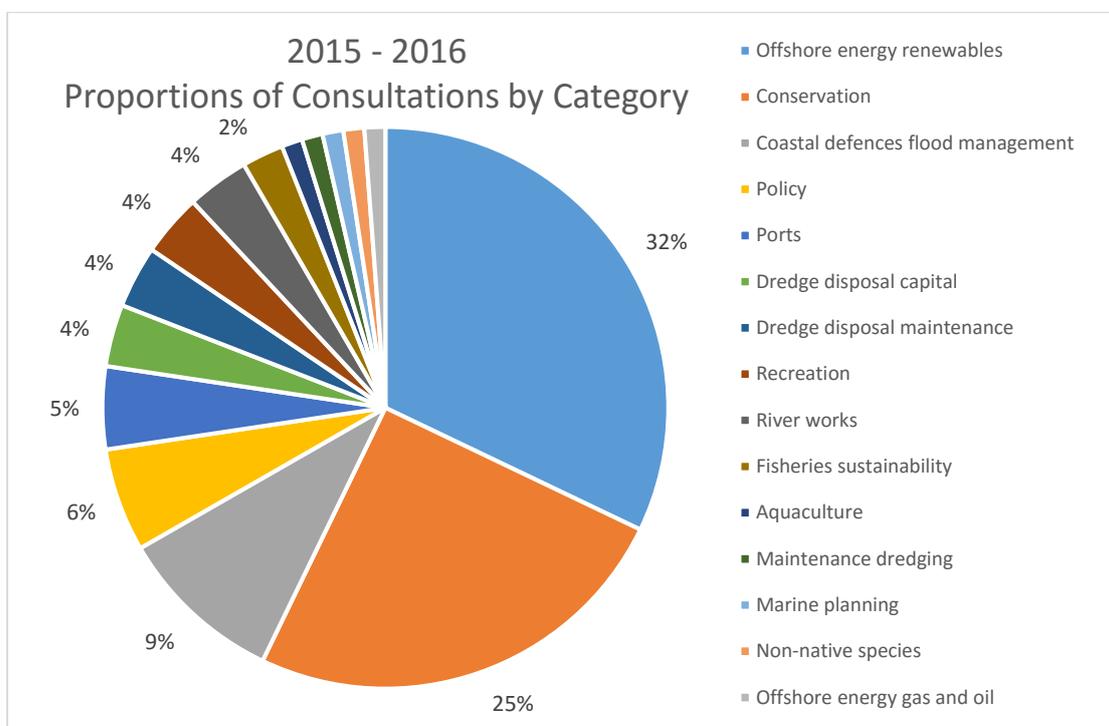


Figure 1 Proportion of Consultation Responses by Eastern IFCA in the year 2015 / 16 broken down by category

## **Process and Timing**

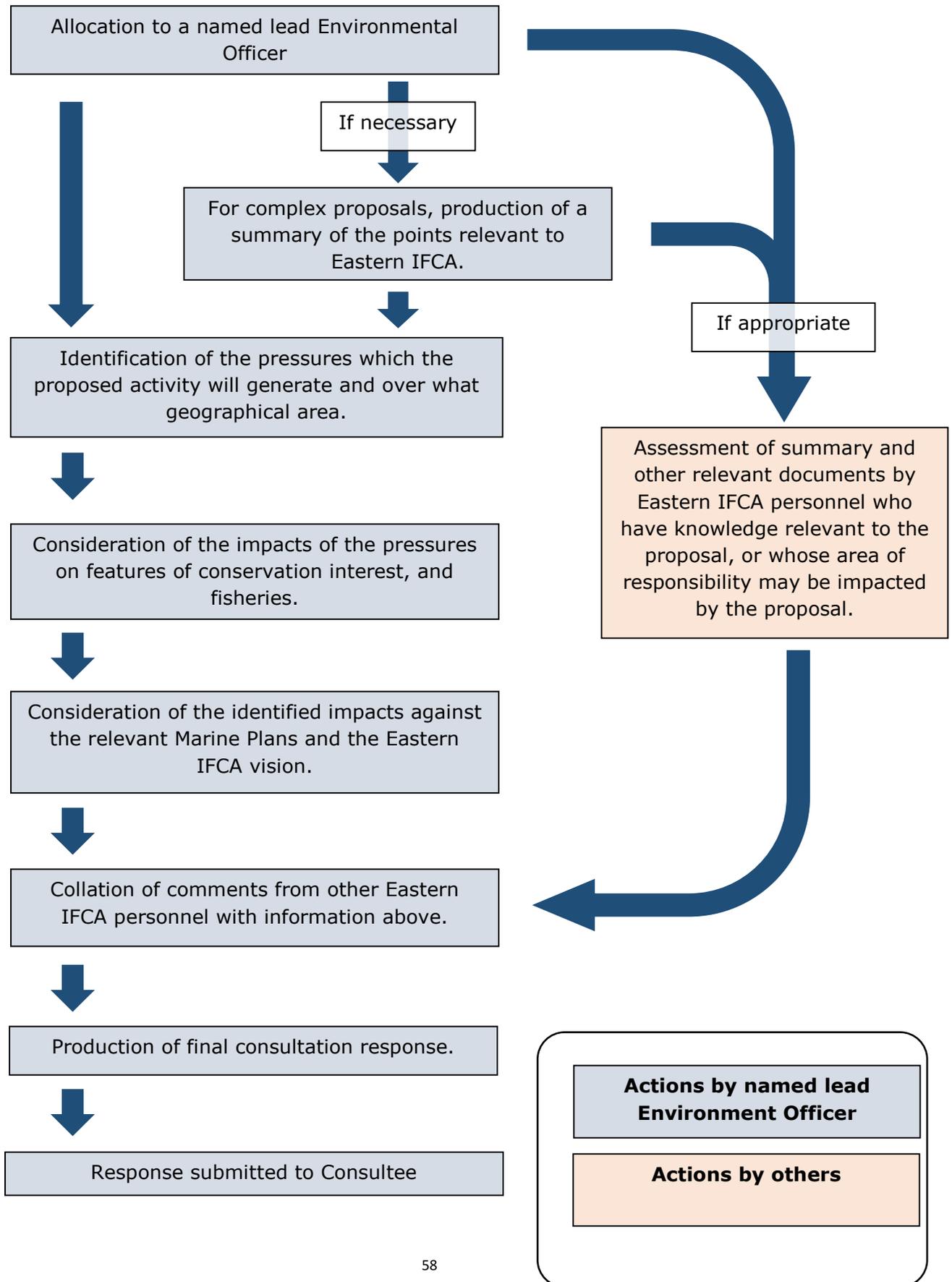
The deadline for response to consultations is normally set by the applicant. We are able to request extensions if the deadline is unreasonably short, or a consultation response requires more input than is usual.

The priority and time allocated to any given consultation is determined by the perceived risk to the district's fisheries and/or marine environment.

Consultations are allocated to a named lead Environment Officer based on the match between the skillset of the officer and the subject of the consultation. The process involves a number of stages (also set out as Figure 2, below) –

- For complex proposals, production of a summary of the points relevant to Eastern IFCA.
- If appropriate, circulation of summary and other relevant documents to Eastern IFCA personnel who have knowledge relevant to the proposal, or whose area of responsibility may be impacted by the proposal. This can be IFCOs, research officers and, occasionally, executives.
- Identification of the pressures which the proposed activity will generate (e.g. noise, seabed abrasion), and over what geographical area.
- Consideration of the impacts of the pressures on features of conservation interest, and fisheries, within the identified geographical area and wider if appropriate.
- Consideration of the identified impacts against the objectives of the East Marine Plan (and / or UK Marine Policy Statement) and the Eastern IFCA vision.
- Collation of comments from other Eastern IFCA personnel with information generated as above.
- Production of final consultation response (which can be to either accept or reject a proposal on an MMO license application), which is submitted to the consultee.

**Figure 2 - Eastern IFCA Consultation Response Flowchart**



This is a long-standing approach – it has previously been approved by ESFJC and has evolved with the advent of Marine Plans and increasing environmental designation. We have received positive feedback from the MMO on the content of our consultation responses, to the effect that EIFCA responses are of high standard and demonstrate effective use of Marine Plans.

We have a positive and developing relationship with MMO licensing officers, which has proven to be a benefit when dealing efficiently and effectively with consultations.

The Environment Team intend to invest time this year to develop a consultation response tool. This will formalise and streamline the process described above, to ensure we take into account appropriate marine plans and other drivers, provide an audit trail and ensure continuity of approach.

Under the “The Marine Licensing (Delegation of Functions) (Amendment) Order 2015”, Eastern IFCA have the ability (for large projects – those with a capital value in excess of £ 1 M.) to make representation to the MMO insisting that the application be referred to the Secretary of State (SoS), who shall then decide if the matter is to be decided by the SoS or by the MMO. The legislation requires that this option be used only for issues “*capable of having a significant effect and raises issues which are appropriate for examination in an inquiry*” or “*are of significance to the UK as a whole and are not addressed, or for this purpose not adequately addressed, by the appropriate marine policy documents*”. For more complete understanding of this legislation, please see the Statutory Instrument as referenced in “Background Documents”.

This option would result in the commitment of a very considerable amount of work for Eastern IFCA in the preparation of documentary evidence suitable to undergo extremely rigorous cross-examination and so must be considered as a last resort. Rather, we endeavour to resolve potential concerns by discussion and negotiation.

### **Financial implications**

Approximately 12% of the time resources available to the Environment team for the year 2016 / 17 have been committed to consultation responses. This is of necessity an estimate, as we cannot predict the volume and complication of consultations we will receive. This percentage is less than in previous years – reflecting the growth of other priorities, primarily relating to marine protected areas, data management/support and outreach tasks, especially the environment team led “Community Voice” programme.

### **Publicity**

Eastern IFCA provide an outline of the “major” consultation responses which we have dealt with on our website.

EIFCA responses to consultations are publically available via MMO and other regulators’ (as appropriate) public registers.

## **Background documents**

- East Inshore and East Offshore Marine Plans, accessible online at - <https://www.gov.uk/government/publications/east-inshore-and-east-offshore-marine-plans>. Pages 42 onwards of the main document contain the Plan Policies.
- Relevant extracts from the East Inshore and East Offshore Marine Plans are in the Eastern IFCA filing system as - [file:///T:\D\\_Environment\WS03\\_EP2016H\\_Consultation\\_responses\R\\_Consultation\\_resources\2016\\_04\\_Extracts\\_from\\_the\\_East\\_Marine\\_Plan.docx](file:///T:\D_Environment\WS03_EP2016H_Consultation_responses\R_Consultation_resources\2016_04_Extracts_from_the_East_Marine_Plan.docx)
- UK Marine Policy Statement, accessible online at - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69322/pb3654-marine-policy-statement-110316.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69322/pb3654-marine-policy-statement-110316.pdf)
- The Marine Licensing (Delegation of Functions) (Amendment) Order 2015, accessible online at - [http://www.legislation.gov.uk/uksi/2015/1674/pdfs/uksi\\_20151674\\_en.pdf](http://www.legislation.gov.uk/uksi/2015/1674/pdfs/uksi_20151674_en.pdf)

### **Vision**

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



## **Information Item 13**

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority Meeting**

27 July 2016

**Report by:** J. Gregory, A/Chief Executive Officer

#### **Marine Pioneer Project**

#### **Purpose of report**

The purpose of this report is to advise members of the Defra marine review process and to provide relevant documentation including the terms of reference and key information from stage 1 of the review.

#### **Recommendations**

Members are recommended to:

- **Note** the content of the report;

#### **Background**

The Defra marine review aims to establish the most effective and efficient delivery model for the marine and fisheries functions delivered by Defra group in England (i.e. the Marine Management Organisation (MMO); Centre for Environment, Fisheries and Aquaculture Science (Cefas); Joint Nature Conservation Committee (JNCC); Natural England (NE) and the Environment Agency (EA)) and including the Inshore Fisheries and Conservation Authorities (IFCAs).

The Seafish Industry Authority and Maritime and Coastguard Agency are recognised in the process but are not within the full scope of the review process. Both have representation on the review group.

IFCAs are not classified as Non Departmental Government Bodies (NDGBs) and so not strictly 'Defra family' (as are, for example the MMO, EA or NE). However, Defra does recognise that the IFCAs play a significant role in the delivery of marine conservation and fisheries functions in England and as such need to be considered in the review process as 'arm's length bodies'. Defra has engaged with IFCAs through the AIFCA and the Chief Officers Group. The AIFCA Chief Executive sits on the 'Review Group' and Chief Officers sit on several working/sub groups that support the process.

This review will likely form part of the wider Defra transformation programme in line with Brexit working groups. Please note that the Association will be tracking and engaging with the wider Brexit and transformation programme and will endeavour to keep the IFCAs up-to-date and fully engaged.

The Marine Review's Terms of Reference are appended (appendix 1) and further defined within the internal Stage 1 reporting process.

Through its agreed terms of reference, the review has adopted 6 critical success factors:

1. Progress towards Government's key desired outcomes for marine environment and businesses gathers further pace and certainty.
2. Net costs of Defra's marine delivery functions are as low as feasible.
3. Costs of change are affordable.
4. Perception by customers of quality of customer service is further improved.
5. External stakeholders' trust in Defra's marine delivery further improves.
6. Colleagues working in the delivery bodies are motivated by any changes proposed.

The team working on the review was established within Defra including secondments from relevant bodies (MMO, NE, Cefas and Defra marine policy). A stage 1 information gathering and reporting exercise took place during May and required that IFCAs, MMO, NE, Cefas, JNCC and EA submitted estimated finance, and full time equivalents figures and other information on the activities involved on their functions/activities (categorised below 1- 3) with projections to 2019/20.

By its nature and timeframe this was a somewhat imprecise process, however it provided to the Review Team a sense of the scope of work conducted by Authorities throughout England. 8 of 10 IFCAs submitted figures and the report estimates that the IFCA input is therefore about a 5% underestimate. The team notes that while this kind of accuracy allows reasonable decisions to be made about next steps, further evidence and analysis would be required if cases for change were to be made.

In addition to the Stage 1 commission, the review held structured interviews with senior representatives of MMO, Cefas, NE, IFCAs, and Defra marine policy; EA and JNCC were content with input by other means. The review team also spoke to other key stakeholders, attending, for example, two IFCA meetings, an MMO – IFCA collaboration programme board meeting, and the AIFCA members' forum. The remit of the activities upon which the Authorities were reviewed were broadly as follows and to support these processes individual working groups were established upon which a Chief Officer from one of the IFCAs volunteered to work alongside colleagues from Defra group.

1. Regulatory
  - a. Licensing and Permitting
  - b. Enforcement and Compliance
  - c. Other regulatory activities
2. Advisory
  - a. Planning and Development Control
  - b. Fisheries
  - c. Conservation/Environment
  - d. Emergency Response
3. Science & Evidence
  - a. Monitoring & surveillance
  - b. Assessment & reporting
  - c. Data

- d. Tactical Research to support policy or delivery
- e. Strategic Research
- f. Analysis

### Stage 1 Reporting & Next Steps

Chief Executives from the marine delivery bodies and other senior people in Defra group considered the Stage 1 findings and next steps on 4<sup>th</sup> July. They agreed that the proposed direction of travel was positive and that further work on the marine system will now be taken forward as part of wider transformation work across Defra group. AIFCA and IFCA Chief Executives commented on the material that went to this session and supported the proposals.

The next stage will be looking at how to further improve the way the marine delivery system works, developing options for change based on the findings from Stage 1 and taking forward “no regrets” changes straight away where these are identified.

The team wants to collaborate with all those with whom the marine delivery system has to work. The steering group, including AIFCA, met in the week beginning 18<sup>th</sup> July 2016 to discuss the detailed next steps with a view to provide more information on how to get involved after this.

Noting that the Stage 1 evidence was gathered prior to 23<sup>rd</sup> June 2016, an early step will be to work out the implications for the scope of the work arising from the outcome of the EU referendum. This will take account of wider negotiations on the UK’s changing relationship with the EU, which will soon take place in a number of important areas, including fisheries and the environment. But there will be no immediate changes and we continue to be a member of the EU. This means current arrangements for fishing and our environment remain in place.

### **Risk**

No risks are identified at this stage of the process. Eastern IFCA’s involvement in the MMO – IFCA collaboration work has put the IFCA in a strong place with regards to delivering cost effective management of the inshore marine environment and fisheries and this is reflected in initial outputs of the Defra marine review. Furthermore, recent restructuring (including the ongoing work in relation to the Marine Protection team) has increased organisational robustness to potential changes resultant of the government’s drive for cost effective delivery of its marine and fisheries functions.

### **Conclusion**

Eastern IFCA will continue to engage with the marine review and in particular with the Regulatory working group on which the A/CEO currently sits. The ultimate outcome of the review will be more efficient delivery of marine and fisheries functions across the Defra group and including Eastern IFCA. Noting critical success factor 6 of the review, any changes which are likely to impact on Eastern IFCA at an organisational level will be mitigated as far as is possible to ensure positive buy-in from all staff.

### **Background documents**

n/a

### **Appendices**

1. Marine Review Stage 1 Terms of Reference

## **Appendix 1 – Marine Review Stage 1 Terms of Reference**

### **Marine Review Stage 1 Terms of Reference**

#### **Defra’s Arm’s Length Bodies Transformation Programme**

#### **Marine Review Terms of Reference**

#### **Working Draft for Stage 1**

#### **Introduction and rationale**

Defra is reviewing the form and function of its Arms-Length Bodies (ALBs) as part of its Transformation Portfolio. Such reviews support delivery of Defra’s Single Departmental Plan (SDP) and contribute savings to align Defra with its recent Spending Review (SR) settlement over the 2016-2019 period.

In this context, given the multiple bodies involved in the delivery of Defra’s marine programme, Defra will conduct a review of its bodies with functions relating to the marine environment and fisheries.

The review presents an opportunity to build on existing collaboration across the marine bodies (including interdependences of work carried out under other Defra Directorates such as Chief Scientific Advisor) to improve benefits to customers and stakeholders, seek to explore whether further efficiencies on top of SR15 requirements can be achieved (including assessing the impact of those SR requirements) and address any common issues between marine delivery bodies. We will use this opportunity to assess the marine delivery landscape and its effectiveness in supporting Government’s marine policy goals.

The review provides a framework to brigade work on wider transformation projects and take account of wider initiatives including the Maritime Growth Study; the Department’s work to co-produce outcomes through industry and third sector operators in the marine and fisheries domains, to reduce the role of Government in any areas best delivered by others; opportunities to further commercialise activities<sup>3</sup> and leverage additional funding from other sources; and synergies with Defra’s other environmental priorities.

The review will be conducted in two stages:

Stage 1) to collate baseline evidence on functions, interfaces, and views of key stakeholders and work out promising areas for review, if any, and to fit in with the Defra Group Target Operating Model (TOM) work.

Stage 2) A review to develop options for change as part of the wider change portfolio and scheduling of transformation projects. The mandate and scope of any Stage 2 would be subject to Defra Executive Committee decision in response to recommendations arising from Stage 1.

These Terms of Reference currently cover both Stage 1 and the assumed scope for any Stage 2. They will be refined as part of commissioning Stage 2.

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<sup>3</sup> Noting that some of the bodies already include chargeable services and Cefas undertakes significant work for commercial customers.

## **Objective**

*To establish the most effective and efficient delivery model for the essential marine and fisheries functions delivered by Defra delivery bodies, now and in the future.*

## **Outcomes**

The desired outcomes of this review are to further improve: delivery of services to customers, including clearer definition of responsibilities discharged by bodies; collective delivery between Defra and all bodies to achieve efficiencies across Defra's marine functions; and, the way the structure of the delivery network helps deliver policy outcomes.

## **Scope of Review**

### **Organisations and functions**

For the purposes of this review 'marine' is taken to mean the area seawards from Mean High Water out to 200 nm or the median line. The review will focus on territorial and offshore waters around England only. Any UK-wide responsibilities are out of scope.

Bodies in scope for this review are:

- Marine Management Organisation (MMO)
- Centre for the Environment, Fisheries and Aquaculture Science (Cefas)
- Joint Nature Conservation Committee (JNCC) -marine functions in English offshore waters only
- Natural England (NE) - marine functions only
- Environment Agency (EA) - marine functions only
- Inshore Fisheries and Conservation Authorities (IFCA)

Links to Defra's marine policy functions<sup>4</sup> and to management of governance, risk and assurance will also be considered.

Although the Seafish Industry Authority will not be directly reviewed through this process, we will ask it what opportunities there might be to work more closely with the fishing industry, including co-producing outcomes and use of the levy.

Department for Transport will be asked to comment on any relevant issues for the Maritime and Coastguard Agency and will be represented on the Review Group.

## **Key questions**

The review will ask:

1. How do the marine functions contribute to the objectives and strategic plans of Defra Group – what is going well on which we can build, what could be changed to further improve delivery, are all functions still needed?
2. Can efficiencies be made from how the bodies deliver together?
3. And is the current delivery model the most appropriate or should alternatives be considered?

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<sup>4</sup> This is primarily being delivered through Defra's Policy and Evidence work stream.

The review will develop a baseline assessment of the marine functions of the bodies in the context of Defra's marine policy objectives in the Single Departmental Plan, Defra Business Plan and Marine directorate's 2016/17 Business Plan, as well as the outcomes of the Policy & Evidence Programme's process mapping of Defra's marine policy. This will take into account SR15 reductions and assumptions on transformation savings. The review will need to test, against this baseline assessment, possible changes to functions or how they are delivered. The review will focus on key areas identified by early analysis of evidence and through discussions with the bodies and key stakeholders. A communications strategy will be developed.

### **Timing**

The review will take approximately nine months to complete and the plan is to deliver recommendations to Ministers in December 2016 to March 2017, depending on scope. Stage 1 is planned to complete by 27 June 2016 and Stage 2 would start in July, subject to ExCo mandate.

### **Assumptions**

A starting assumption will be that there is unlikely to be an appetite for primary legislation in the next few years that could lead to substantial change of any of the bodies but the review's recommendations could consider the case for legislation.

The review will consider whether amendments could be made (to, for instance by the Public Bodies Act) that could lead to delegation, transfer or cessation of functions or whether work could be subcontracted between bodies through Memoranda of Understanding.

Defra's key policy goals are to meet the requirements of the 25-year Environment Plan, key domestic, European and international legislation, particularly the Marine Strategy Framework Directive, the Common Fisheries Policy, the Marine and Coastal Access Act and the Natura Directives. How these are delivered will be a key focus of the review.

It is assumed that this review will be used as a tool to brigade elements of Transformation Programmes in Defra that have marine delivery functions (or which relate to the form of marine delivery bodies) in scope. The Defra Group Single Department Plan, Business Plans for 2016/17 and Cluster Plans for 2016/17, as well as the outcomes of the Policy process mapping and team design exercise due to complete in March 2016, and outcomes from previous reviews, will all form part of the baseline of the review.

It is assumed that the governance framework of this review will allow progress on, and the outputs of, other parts of the Defra Change Programmes to be tracked by the Review Group and incorporated by the review team into this review's analysis and recommendations. It is assumed that work on the JNCC Review, on Evidence, Corporate Services, and if applicable, the Cabinet Office Regulators Review, will dovetail with the scope of this review.

### **Critical success factors and criteria for assessing options for future delivery of functions.**

The review will aim to achieve the following critical success factors, which we will use to form the criteria by which we appraise options developed by any Stage 2 and therefore the kind of evidence we will collate in Stage 1:

1. Net costs of Defra's marine delivery functions are as low as feasible.

2. Costs of change are affordable.
3. Progress towards Government's key desired outcomes for marine environment and businesses gathers further pace and certainty.
4. Perception by customers of quality of customer service is further improved.
5. External stakeholders are positive about any changes proposed.
6. Colleagues working in the delivery bodies are motivated by any changes proposed.

## **Governance**

A Review Group will take this work forward with representation from Defra and the marine delivery bodies in scope of the review (see Annex A for details). Paul Rew, Defra Non-Executive Director, will act as an independent member and provide a challenge function. Sonia Phippard will act as Senior Responsible Officer, reporting to Ministers through Defra's Permanent Secretary and Defra's Executive Committee. See Annex 1 for further information on the role of the Review Group.

## **Outline plan**

### **Stage 1: Evidence base**

The review will collate an evidence base, agreed by the Review Group, drawing on evidence from Defra, the marine bodies, and key customers and partners, to develop and evaluate options that fit with the scope. This stage will proceed through:

**Evidence gathering:** In this stage we will focus on gathering the evidence required to assess the baseline of the critical success factors and an ability to judge the impact on these critical success factors of different options for change, including no change (Annex 1). We will adopt a "spirit of positive enquiry", looking for evidence of what is working well and/or already getting better, as well where improvements are needed. We will produce:

- A framework of functions, the activities undertaken by each function, and the outcome that the function is attempting to achieve. The functions will be categorised into the following groups, with a working group for each category:
  - Regulatory Functions: to include, for example, licensing and permitting, fisheries regulation, enforcement and compliance, and conservation regulation.
  - Advisory Functions to include, for example, marine planning, conservation (e.g. Marine Protection Areas), environmental quality advice, and emergency response.
  - Science and Evidence Functions to include, for example, monitoring and surveillance, high level assessments and reporting, data, applied and strategic science, and standards.
- For each function, broken down by delivery body, we will collate the baseline:
  - Volume and type of outputs / transactions, e.g.: boats licenced per year.
  - Net cost.
  - Income generation.
  - Staff numbers involved (FTEs and heads).
  - Confidence in delivery of the outcome.

- Customers<sup>5</sup>, who they are, what they think of the service.

**Initial assessment of evidence:** to develop recommendations for ExCo on the most promising areas for any Stage 2:

- Current trends in any of these factors and any changes implied by SR15 or other commitments.
- Extent of overlap of functions, especially of customers.
- Legal or other constraints of change, e.g.: whether primary legislation would be required to delegate responsibility to another organisation, whether current Ministers have made public commitments about the

**future of a function.**

- Proposals on which functions to investigate for options for changes to further improve achievement of the key success criteria.

**Stage 2) Developing options, subject to ExCo mandate.**

- Options for further improving delivery of the key priorities mandated by Defra ExCo with scope of options to include no change beyond that already committed, cessation of the function, moving responsibilities between organisations, initiatives for incremental improvements, and reconfiguration of delivery bodies.
- Consideration of innovation in funding models.
- An assessment of options, including the likely costs, benefits, risks and opportunities (as well as implementation timelines) associated with these.
- Preparation of report and conclusions for Ministers views.
- Communicating the outcome (internally and externally) and developing an outline plan to handover to implementation.

The review will consider any wider changes to Defra’s requirements for marine regulation, evidence and advice, as well as broader developments across their ALB networks. The review will also consider, together with the bodies’ functions, other related functions currently carried out by other organisations<sup>6</sup>, where relevant. It will also take account of opportunities for bodies to commercialise activities and leverage funding from other sources, where these are viable within the SR period and demonstrate compliance with HMT’s *Managing Public Money*.

The final product of the review will be a business case with recommendations on the future delivery of marine functions and any associated funding and form changes, as well as a communications plan and an outline implementation plan. This will be submitted to Ministers for consideration.

[Version as at: 19th April 2016]

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<sup>5</sup> Defined as:

1. An organisation or individual who pays for goods, outputs, services or deliverables from an ALB;
2. An organisation or individual who pays for goods, outputs, services or deliverables from an ALB which is paid for by someone else on their behalf.

<sup>6</sup> Particularly the Maritime and Coastguard Agency and Ministry of Defence

## **Annex 1** (to Appendix 1. Information Item 13 Defra Marine Review)

### **Proposed role and membership of Review Group**

The Review Group will be responsible for the successful running of the review, ensuring timely delivery against the review objective. It will meet periodically, as needed, to assess progress against the objective of the review, challenge emerging findings and consider risks and ways of overcoming obstacles to the timely completion of the review. The Review Group will make recommendations and report via the Chair to the SRO, Sonia Phippard, and through the SRO to Defra ExCo and Ministers.

Members of the Review Group will be responsible for providing views, evidence and expertise from the organisations they represent. To support this, there will be a series of Working Groups tasked by the Review Group to conduct analysis and report back within defined timeframes to the Group.

Membership of the working groups will be agreed by the Review Group and will comprise of policy representatives and representatives from the relevant marine bodies (note not all working groups might be relevant to all bodies). Working groups will review the baseline data provided by the marine bodies and generate a limited number of scenarios (total number to be agreed by the Review Group) for the future delivery of functions. The Review Group will consider the scenarios and agree which to put forward for further Working Group assessment on the basis of evidence.

Working Group members will respect the sensitive nature of the discussions they will be party to and not share these outside the Working Group membership, except by agreement with the Review Group. Where required, the Working Groups can draw in expertise from the organisations they represent or other relevant organisations, if this is agreed in advance by the Review Group or Defra project team. Communications on the review will be agreed by the Review Group, with support from their communications experts, and led by the Defra project team.

The resourcing of the review will be agreed by the Review Group, with clear allocation of tasks. The Chair of the Group and project management of the review will be provided by Defra officials. Defra officials will also provide secretariat support for the Review Group.

One individual, agreed by the Group, will sit on the Review Group in order to provide a challenge function for the review in line with Cabinet Office guidance.

### **Proposed Membership**

<b>Organisation</b>	<b>Member</b>	<b>Role</b>
Defra	Tanya Arkle	Chair
Defra	Jonathan Capstick	Deputy Chair
Defra	Dominic Driver	Project Manager, Review Team
Defra	Amy Holmes or Gemma Harper	Marine policy
Defra	Zoe Bond	Defra Chief Scientific Adviser's Office

Defra	Jen Ashworth / Rory MacDonald	Review team (secretariat)
MMO	John Tuckett	CEO
Cefas	Tom Karsten	CEO
Natural England	Alan Law / Jonathan Burney	Chief Officer / Marine Director
Environment Agency	Pete Fox	Director, Water, Land & Biodiversity
JNCC	Marcus Yeo	CEO
Seafish	Tom Pickerell	Technical Director
Association of IFCAs	Stephen Bolt	Chief Executive of the AIFCA
DCLG	TBC	TBC
DfT	TBC	TBC
Defra Non-Executive Director	Paul Rew	Independent challenge

### **Vision**

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



## **Information Item 14**

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority Meeting**

27 July 2016

**Report by:** J. Gregory, Acting Chief Executive Officer

#### **Quarterly progress against Annual Priorities**

##### **Purpose of report**

The purpose of this report is to update members on progress towards the objectives established in the Business plan as priorities for 2016/17.

##### **Recommendations**

Members are recommended to:

- **Note** the contents of this report

##### **Background**

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

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

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

##### **Report**

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

##### **Risk**

Eastern IFCA is at an increased risk of not meeting the December 2016 deadline for implementing management measures in Marine Protected Areas, as set by Defra. This is a result in a change in the legal standpoint held by Defra regarding the Regulatory Notice mechanism for implementing management measures which has resulted in the proposed Marine Protected Areas Byelaw 2016 having to be redrafted. Officers are currently liaising with Defra on resolving the issue and Defra are reviewing Eastern IFCA's Protected Areas

Byelaw and proposed Marine Protected Areas Byelaw 2016 with a view to make recommendations on addressing any legal issues.

A potential additional work stream has arisen called Pioneer. This is a Defra initiative which seeks to find new ways of engaging stakeholders regarding Marine Protected Areas in the light of Defra's proposed 25-year Marine Environment Plan and an economic growth agenda. Whilst formal decisions have yet to be taken on the location of sites, the involvement of Eastern IFCA and what resources may accompany new responsibilities, this may represent additional work that was not anticipated when the Business plan was approved.

### **Conclusion**

Authority officers are committed to delivering success across the breadth of our remit. The emphasis on closer coordination and joint working with partner agencies may present opportunities to share or better balance the prodigious work load the Authority is bound to deliver. This is being explored in the context of the Marine Review (lead by Defra) which we are actively participating in.

### **Background documents**

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

### **Appendices**

1. Report on priorities set for 2016-17

**APPENDIX 1**

**Eastern Inshore Fisheries and Conservation Authority**

27 July 2016

**Quarterly Progress against Annual Priorities**

4 key priorities are established for 2016-17.

Financial Year 2016-17		
Priorities 2016-17	Progress	Comment
<p>1. To ensure that the conservation objectives of Marine Protected Areas in the district are furthered by:</p> <p>a. Delivering fisheries management measures for the 'Red Risk' designated features in the Inner Dowsing, Race Bank and North Ridge SCI, and the Haisborough, Hammond &amp; Winterton SCI;</p> <p>b. Delivering fisheries management measures for 'Amber and Green' designated features within European Marine Sites (EMS) within the mandated timeframe (continued from 2015-16);</p> <p>c. Assessing the impact of fishing activities on the Cromer Shoal Chalk Beds tranche 2 Marine Conservation Zone and delivering management measures (if required) by December 2017;</p>		<p>The priority is at risk of missing the December 2016 deadline (set by Defra) as a result of a reviewed legal stance regarding the Regulatory Notice mechanism for implementing prohibited or restricted fishing areas.</p> <p>New legal advice prompted a review of the use of this mechanism and new guidelines have been produced. The current timetable for implementing measures in relation to (1.a) and (1.b) are reliant on the current mechanism and are unlikely to be achievable if the associated byelaw (i.e. the Protected Areas Byelaw and draft Marine protected Areas Byelaw 2016) have to be redrafted.</p> <p>Work is underway to rectify the identified issues and Eastern IFCA is working closely with Defra to achieve this.</p> <p>Notwithstanding the above issues, work to develop protection for red risk features (<i>Sabellaria spinulosa</i> reef) in the two SCIs (1.a) has been started. Scrutiny of the feature data has exposed low confidence in feature presence at the Haisborough, Hammond &amp; Winterton SCI. Officers are in liaison with Natural England in relation to achieving conservation objectives for the site whilst ensuring measures are proportionate to the risk of feature damage. Officers are also in liaison with MMO and JNCC, to consider consistency of management across the two SCIs (the majority of which lie beyond 6nm offshore).</p>

<p>d. Reviewing Regulatory Notices 1-4 (inclusive) issued under the Protected Areas Byelaw, for revocation, amendment or renewal by March 2017 (to include management measures for potting fisheries on <i>Sabellaria</i> and stony reef (boulder &amp; cobble) habitats).</p>		<p>Liaison with Natural England is also continuing in relation to updated advice on the <i>Sabellaria</i> reef feature in the Inner Dowsing, Race Bank &amp; North Ridge SCI. Discussions are ongoing in relation to use of the “core reef approach” and “reefiness” threshold values that trigger the requirement for fishery management. The same advice will inform the review of Regulatory Notice 1 for the Wash &amp; North Norfolk Coast SAC (1.d).</p> <p>Work relating to shrimp management measures within the Wash (1.b) is on-track in relation to effort limitation through a permit scheme. The byelaw has undergone formal consultation. Permit conditions are under development and informal information gathering in relation to them is underway. This element of (1.b) is on track at present but may also be put at risk by the new guidance in relation to the Regulatory Notice byelaws.</p> <p>Also in relation to 1.b, proposals for closed areas for towed demersal gear to protect sensitive subtidal features in the Wash and North Norfolk Coast Special Area of Conservation have been developed through liaison with the fishing industry, Natural England and environmental NGOs. Implementation of these closures is intended to be achieved through the Protected Areas byelaw (new Regulatory Notices), pending the outcome of Defra legal advice as outlined above.</p> <p>An assessment of fisheries in the Cromer Shoal Chalk Bed Marine Conservation Zone (1.c) has been started but is not due for completion until Q4, to allow focus on the Defra deadline and to link with the publication of Conservation Advice for this site by Natural England. This work is on track.</p> <p>Regulatory Notices 1-4 (implemented through the Protected Areas Byelaw) are in the process of being reviewed, as set out in the Byelaw. Updated fishing activity information and conservation feature evidence will inform the review. Natural England has provided updated advice in relation to <i>Sabellaria</i> reef in The Wash; officers are currently working closely with Natural England in this regard. This work is currently on track but may be put at risk as a result of new guidance in relation to Regulatory Notice byelaws.</p>
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<p>2. To ensure that sea fisheries resources are exploited sustainably and in accordance with MSFD requirements by:</p> <ul style="list-style-type: none"> <li>a. Developing fishery sustainability management measures for the brown shrimp fishery in conjunction with priority 1(b) above;</li> <li>b. Developing management measures for unregulated fishing activity (netting);</li> <li>c. Continuing the project to rejuvenate previously productive mussel beds in The Wash and to undertake research to establish the reason for continued decline in stocks;</li> <li>d. Reviewing fisheries management measures for crab and lobster in conjunction with the Defra-led 'stock based' sustainability project;</li> <li>e. Developing mechanisms to improve fisheries data for skates/rays, demersal and flatfish species, particularly in relation to spatial/temporal and effort information.</li> </ul>		<p>The development of shrimp measures in relation to fisheries management (2.a) is on track in that a permit scheme is in development. Permit conditions in relation to fisheries sustainability are in development with a view to have them reflect (as appropriate) the measures identified through the Marine Stewardship Council's accreditation scheme (an industry led initiative).</p> <p>Development of unregulated fishing management (2.b), management measures for crab and lobster fisheries (2.d) and the undertaking of the mussel rejuvenation project (2.c) are underway and on track. External funding opportunities (e.g. European Marine Fisheries Fund) are being considered to support a partnership project with Cefas to investigate the ongoing mortalities in the Wash mussel population.</p> <p>Development of mechanisms to improve fisheries data (2.e) is not yet underway.</p>
<p>3. To ensure that the marine environment is protected from the effect of exploitation by reviewing district wide bio-security measures including management of invasive, non-native species (roll over from 2015-16);</p>		<p>This priority has not progressed as of yet and is planned to start after priorities 1 and 2 have been further progressed.</p>

<p>4. To develop management of the fisheries regulated under the WFO 1992 by:</p> <ul style="list-style-type: none"> <li>a. Reviewing the fishery management policies;</li> <li>b. Reviewing regulations and policy notes;</li> <li>c. Developing options for greater cost recovery</li> </ul>		<p>Elements of (4.b) have been progressed in the light of the court case involving fishers operating in closed areas in the 2015/16 cockle fishery. Some draft regulations have been implemented as licence conditions such that they can have an immediate effect on the present (2016/17) cockle fishery.</p> <p>An initial internal review of management policies, Regulations and policy notes (4.a and 4.b) has been undertaken with a view to incorporate all into a 'long-term' Habitat Regulations Assessment for the Wash Fishery Order cockle and mussel fisheries. This represents a slight change in approach with regards to the original plan for achieving this priority which should result in a more cohesive management approach to the fishery in the long term. Work in this vein has started and is being progressed and is on track.</p> <p>Work relating to the development of further cost recovery (4.c) is underway and on track.</p>
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**Key:**

	<b>Complete</b>
	<b>In progress</b>
	<b>No progress</b>

### Vision

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



## Information Item 15

### 25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority meeting

27 July 2016

**Report by:** Simon Lee – Senior IFCO (Compliance)  
Simon Howard – Senior IFCO (Marine)

### Marine Protection Quarterly Reports

#### **Purpose of report**

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

#### **Recommendations**

Members are asked to:

- **Note** the content of the reports

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

#### **Background documents**

Area Officers and vessel quarterly reports for April to June.

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**From:** Jason Byrne Fishery Officer (Area 1)  
**To:** Julian Gregory  
**Date:** 11<sup>th</sup> July 2016  
**Ref:** Quarterly Report Area 1  
**Monthly Report:** April, May, June 16

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### **Area 1: Hale Sand – Kings Lynn**

#### **General**

Lincshire Re-nourishment Works campaign has been busy around these parts of the coast throughout this quarter starting at Boygriff working round to Trusthorpe Beach, Mablethorpe, Sutton on Sea, Ingoldmells, Wolla Bank and finishing at Chapel Six Marshes. Anglers from Skegness to the Humber have reported that at the start of the quarter high catches of Skate mainly large females, most of these were caught and returned. The cockle fishery re-opened on 23<sup>rd</sup> May for 13 days as an extension on 2015/2016 fishery however tonnage landed will be taken off the 2016/2017 fishery. The TAC for 2016/2017 fishery is 8,609 tonnes and there has been three new measures added to the Wash Fishery Order 1992 these are a transshipping prohibition, a requirement to land catch and a dual fishing prohibition. The 2016/2017 cockle fishery opens on 20<sup>th</sup> June 2016 with the daily quota being upped from 2,000kg to 3,000kg per vessel. Other fishing activities carried out have included potting for Crab, Lobster & Whelks, twin beaming for brown & pink shrimps and handraked Mussels off the Welland Wall.

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### **Port Summary**

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#### **Saltfleet - Chapel point**

A new vessel which replaced another vessel is now up and running and named MFV *Topcat II GY7*, this vessel is a cheetah cat and is 9.98 metres with the capabilities of being launched off the beach which gives the fishermen a bigger window to fish as they are not restricted by tides, this vessel has been potting for Crab & Lobster throughout the month. This vessel also has automatic identification system (AIS) fitted. Two commercial vessels achieved 50 trips between them throughout this quarter potting for Crab, Lobster & Whelks.

#### **Skegness – Gibraltar Point**

33 trips were achieved throughout this quarter by one commercial vessel potting for Crab, Lobster & Whelks. Vessel & shore based anglers have been fishing for Smoothound which were caught and released.

#### **Boston**

Three vessels have handraked Mussels from the Welland Wall fishery this month, two of the vessels are from Brancaster who in turn relayed their Mussels onto private lays in Brancaster, the other vessel was from Boston who relayed their Mussels onto private lays within the Wash. The main fishing activity throughout this quarter has been the handraked cockle fishery, 22 vessels from this port have managed 338 landings between them throughout this quarter.

#### **Fosdyke**

Six commercial fishing vessels have been lifted out of the water at the Marina throughout this quarter for general maintenance to be carried out. Kings Lynn pilot vessel has also been lifted out of the water at the marina for refit & new rubbing strips replaced.

#### **Sutton Bridge - Wisbech**

The commercial & leisure mooring installation at Cross Keys Marina has started and is expected to be finished by late summer/early autumn. Three commercial fishing vessels have been lifted out of the water at Wisbech marina for maintenance to be carried out. EIFCA also lifted their enforcement vessel *John Allen* out of the water for repairs/maintenance to be carried out. Sutton Bridge pilot vessel is still sharing our moorings at Sutton Bridge. Shore based anglers have started to turn up at the end of this quarter to fish the river.

### **Kings Lynn**

A total of eleven vessels twin beamed for brown shrimp throughout this quarter totalling in 93 landings being achieved between them, two of these vessels also landed a few pink shrimp, a further 6 vessels potted for Whelks totalling in 72 landings being achieved. As in Boston port the main fishing activity has been handraking cockles with as many as 32 vessels taking part totalling in 401 landings being achieved.

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### **Species Summary**

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

#### **Saltfleet - Chapel Point**

<b>Number of vessel inspections:</b>		4
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Crab	40,298	48,356.00
Lobster	1,320	14,357.00
Cod	209	609.00
Velvet Crab	150	300.00

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#### **Skegness – Gibraltar Point**

<b>Number of vessel inspections:</b>		1
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Crab	12,810	15,372.00
Lobster	387	4,278.00
Whelk	3,050	2,745.00

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#### **Boston**

<b>Number of vessel inspections:</b>		30
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Handraked Cockles	789,102	471,482.00
Welland Wall Mussels	12,750	0

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#### **Fosdyke**

<b>Number of vessel inspections:</b>		0
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
0	0	0

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#### **Sutton Bridge**

<b>Number of vessel inspections:</b>		0
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
0	0	0

<b><u>Kings Lynn</u></b>		
<b>Number of vessel inspections</b>		55
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Brown Shrimp	11,771	81,087.00
Pink Shrimp	66	102.00
Whelk	63,837	57,453.00
Handraked Cockles	921,846	550,266.00

### **Potting**

#### **Crab and lobster**

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

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

Number of brown crab measured during the month:	84
Number of lobsters measured during the month:	35

#### **Whelk**

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

### **Non Commercial Activities**

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

<b>Number of anglers inspected:</b>	0		
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>	
Skegness	Smoothound	0	
Sutton Bridge	Various	0	

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

<b>Number of vessels inspected:</b>	0		
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>	
Humber	Skate	0	
Skegness	Smoothound	0	

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

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

**Locations fished throughout the month: 0**

### **Fishery Officer Duties**

#### **Training:**

Powers at office with Bob Garnham.  
Onboard TC pot training.

#### **Other duties carried out:**

Onboard TC cockle surveys.  
Onboard ST patrol.

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Attended TCG meetings.  
 Safety certificates for chain brothers.  
 Assisted engineer from French Marine onboard JA.  
 Monitor activities at Horseshoe Point EMS site.  
 S/B maintenance on JA.  
 Attended Industry meetings at Wisbech.  
 Grimsby MMO – joint working.  
 Picked mini bus up from Lowestoft.  
 Onboard TC EHO & DSP samples.  
 Terrington Marsh collect samples drop off KL council offices.  
 Attended KL court.  
 Assisted Sheringham show.  
 Attended weekly ops meetings.  
 Interviewing at MMO offices Grimsby.  
 Attended briefing meeting at office.  
 Onboard TC cockle enforcement.  
 Bio sampling Lincs Coast.  
 Attended staff meeting.  
 Attended Sabellaria meeting at office.

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

Crab	1.20
Lobster	9.50 – 12.50
Brown Shrimp	6.51 – 7.25
Whelks	90p
Handraked Cockles	51p – 60p
Pink Shrimp	1.55
Cod	2.10 – 2.55
Velvet Crab	2.00

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**From:** Ady Woods I.F.C.O (Area: Norfolk Coast)  
**To:** J. Gregory Deputy C.E.O  
**Date:** 11<sup>th</sup> July 2016  
**Monthly Report:** April – May – June 2016

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## **Area 2: Norfolk Coast: Heacham to Great Yarmouth**

### **General**

The majority of activity has been targeted towards the potting industry around the coast of Norfolk during this past quarter, targeting Crab, lobster and whelk. Depending upon whether it's been inshore or offshore the results have been varied throughout, for each fishery fishes at different times.

The weather has been mostly fine, although during early June a gale of wind from the N saw vessels stay ashore for the week, and damage to gear was significant. One vessel reported that new tows taken this year appeared to be two if not three years old through the amount of wear on them.

### **The Fisheries**

**Crabs** – The inshore fishery has continued to fish really well with positive amounts of crab across the ground, this fishery continues to go from strength to strength on year to year. With this fishery producing so much crab, less pots are being hauled or worked as either markets are kept filled or the sales just aren't there.

The buoyancy of the inshore fishery has had a detrimental effect on the offshore fishery, with these vessels keeping the Cromer factory topped up with crab there's been little need for the offshore fleet to put to sea, however once the crabs begin to pop on the inshore grounds this is when the offshore fishery will come into its own.

**Lobsters** – again this fishery is a mixture of two halves, being split between the inshore and offshore, however one doesn't stop the other from operating as there is always a market for lobsters, it's just the price which fluctuates.

The price per/kg has varied from £14 down to £11.50 depending on the amount of fish being landed and the markets requirements.

**Whelks** – this fishery is becoming the backbone for the offshore fleet, more so whilst markets for crab are quiet. Throughout this quarter, vessel have been targeting both the inshore and offshore grounds. However, as the water temperature has begun to rise and the weather improves vessels are advancing further offshore to find new grounds to fish, resting the inshore ground.

**Netting** – For the drifting fleet this has been a difficult time, with their main markets for herring being filled to bursting point, their main outlet being BFP told the vessels that they would no longer be taking Herring until further notice as there wasn't any call for it, during April they had some on the market which they couldn't give away. For the remainder of the netting industry, things have remained relatively quiet, a handful of vessels have had a shoot for bass with few fish being taken.

**Angling** – Has been a mixed bag, with a range of fish coming out, from dabs, butts, whiting, codling, bass, sole, skate, smooth hounds and dogfish, from around the coastline.

**Emerging Issues** – None at this time

**Wind Farms** – the cable for the Dudgeon Shoal Windfarm has been laid from Weybourne seawards, without any issues.

## Port Summary

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### **Brancaster**

Concerns continue to arise in this port for where the next seed mussel is to come from, with the collapse of the Blakeney fishery, Brancaster mussels have become popular to a wider field. A couple of vessels have been fishing the Welland Wall collecting seed mussel to keep them ticking over.

Other activity has seen vessels having over hauls, to include being painted up, and new engines and shrimp gear fitted.

Two vessels have taken part in the cockle handwork fishery.

Other vessels in this port have targeted the crab, lobster and whelk fisheries.

### **Wells-next-the-Sea**

Early on in the quarter the crabbing wasn't at its best here for the offshore fleet, and sales appeared to be worse. However, towards mid-June when the inshore crabs slowed up through seasonal change the offshore industry picked up, feeding the local markets.

Whelking has once again been the main fishery for the majority off vessels, targeting the inshore and offshore fisheries.

This port has seen the arrival of two new vessels, these being the 'Never can tell A - WY341' which has come to fish within the whelk fishery, and the other vessel a catamaran, 'Loyal Friend - PH37' which is to be used mainly for netting.

### **Morston**

This port continues to have just the one active vessel operating from it. Although the owners of this vessel have purchased another vessel to operate from either this port or from the beach, however currently this vessel is unlicensed, due to some problems within the design and build, which Seafish won't currently give it a pass for registration.

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

Cley beach has seen one new vessel this being another tactile named 'Brooke Erin LT1' this vessel joins the other five already at this port, although only 2 others are actively operating from it, these vessels have mainly been potting for crab and lobster. One vessel has shot a few nets on a handful of occasions targeting bass, however catches have been poor.

### **Weybourne**

No real change at this port, the two regular vessels continue to fish from here targeting crab and lobster.

### **Sheringham**

Vessels here now operate from both the east and west end slipways, six vessels in total, although only two of these go on a daily basis, the others are less frequent.

### **East Runton**

Three vessels currently operate from this port, mainly targeting the crab and lobster fisheries, although if there some fish about, one vessel is quite a keen netter.

### **Cromer & Overstrand**

Seventeen vessels are currently working from these ports, targeting the crab and lobster fishery. Throughout the past 2½ months catches of crab have been very good, the remaining ½ month saw catches drop, this being down to the crabs beginning to shoot their shells.

Vessels have been able to fish less pots to catch more crab from off their doorstep, meaning outgoing expenses on fuel have been kept down to a minimum.

The lobster fishery here remained steady throughout April and into May, though come June catches dropped off as the lobsters went to ground to begin their seasonal moult, come the end of June the first new fish were beginning to make an appearance.

### **Mundesley to Caister**

This stretch of coastline varies from month to month, with no. of boats and species targeted. Currently there's 7 vessels who are engaged in potting for crab and lobster, with a further 12 vessels which do a bit of netting from time to time, depending upon what there is to be caught. The main industry for the netters is

herring and sprats hoping to tap into will be the mackerel fishery later in the year, however normally by the time the mackerel reach these parts the quota is normally caught.

### **Yarmouth/Gorleston**

Currently there is just one vessel who is whelking from this port, there is one other vessel who monthly informs me that he is to make a start whelking, as of yet he has to do so.

### **Species Summary**

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

#### **Brancaster**

<b>Number of times port visited</b>		<b>3</b>
<b>Number of vessel inspections:</b>		<b>1</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
<b><u>April</u></b>		
Crab	2,000	6,300
Lobster	225	2,588
Seed Mussel	2,000	
Whelk	170	161

#### **May**

No statistics received for this month

#### **June**

No statistics received for this month

#### **Wells-next-the-Sea**

<b>Number of times port visited</b>		<b>5</b>
<b>Number of vessel inspections:</b>		<b>10</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
<b><u>April</u></b>		
Crab	12,012	14,450
Lobster	1,666	19,160
Whelk	51,972	49,375

#### **May**

Bass	6	84
Crab	16,526	52,883
Lobster	1,597	23,156
Whelk	71,553	64,398

#### **June**

Crab	7,000	8,400
Lobster	300	3,600
Whelk	119,991	107,992

#### **Morston**

<b>Number of times port visited</b>		<b>3</b>
<b>Number of vessel inspections:</b>		<b>1</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Crab	500	1,575
Lobster	75	863
Whelk	50	475

<b><u>Sheringham</u></b>		
<b>Number of times port visited</b>		<b>6</b>
<b>Number of vessel inspections:</b>		<b>5</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
<b><u>April</u></b>		
Crab	3,505	10,866
Lobster	60	690
<b><u>May</u></b>		
Crab	4,347	13,910
Lobster	49	710
<b><u>June</u></b>		
Crab	3,000	5,500
Lobster	200	2,400

<b><u>Cromer</u></b>		
<b>Number of times port visited</b>		<b>10</b>
<b>Number of vessel inspections:</b>		<b>21</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
<b><u>April</u></b>		
Crab	16,500	51,150
Lobster	340	3,910
Whelk	1,100	1,100
<b><u>May</u></b>		
Crab	19,165	61,328
Lobster	641	9,294
<b><u>June</u></b>		
No statistics received for this month		

<b><u>Cley, Weybourne, E Runton, W Runton, Overstrand, Mundesley &amp; Bacton</u></b>		
<b>Number of times port visited</b>		<b>26</b>
<b>Number of vessel inspections:</b>		<b>6</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
<b><u>April</u></b>		
Crab	5,850	18,135
Lobster	300	3,450
<b><u>May</u></b>		
Crab	3,664	11,725
Lobster	394	5,713
<b><u>June</u></b>		
Crab	2,988	9,262
Lobster	284	3,408

<b><u>Sea Palling</u></b>		
<b>Number of times port visited</b>		<b>7</b>
<b>Number of vessel inspections:</b>		<b>3</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
<b><u>April</u></b>		
Crab	2,495	7,735
Lobster	113	1,300
Whelk	750	712
<b><u>May</u></b>		
Bass	90	1,260
Brill	2	18
Cod	50	190
Crab	2,060	6,592
Lobster	190	2,755

Skate	40	140
Sole	5	701
Whelk	360	324
Smooth Hound	160	80

### **June**

No statistics received for this month

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### **Caister & Gorleston**

<b>Number of times port visited</b>		<b>6</b>
<b>Number of vessel inspections:</b>		<b>1</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
<b><u>April</u></b>		
Herring	1,500	375
Spratt	200	600
Skate	40	

### **May**

No statistics received for this month

### **June**

No statistics received for this month

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### **Potting**

#### **Crab and lobster**

Number of pots declared to be fished inside 6nm:	6,904
Number of pots declared to be fished outside 6nm:	5,650

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

Number of brown crab measured during the month:	858
Number of lobsters measured during the month:	150

#### **Whelk**

Number of pots declared to be fished inside 6nm:	550 - 700
Number of pots declared to be fished outside 6nm:	3550

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### **Non Commercial Activities**

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

<b>Number of anglers inspected:</b>		<b>5</b>
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>
Cley	Anything swimming	1.0
Weybourne	Anything swimming	1.5
Cromer Pier	Bass	0.0
Caister	Anything swimming	0.0
Gorleston Pier	Anything swimming	1.0
Weybourne	Various	1
Trimingham	Various	0

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

<b>Number of vessels inspected:</b>		<b>2</b>
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>
Trimingham	Bass	0.0

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## **Fishery Officer Duties**

### **Training:**

1-day enforcement training

18<sup>th</sup> – 29<sup>th</sup> Royal Navy Fishery officer course at Plymouth

### **Other duties carried out:**

#### **April**

4th WFH – landings Morston

5th CRE sample to CEFAS – MMO TCG – vessel checks ST

6th WFH – PC troubles visit office to repair

7th LT market inspection – Joint patrol Suffolk with MMO

8th WFH

11th & 12th cockle surveys on-board Three Counties

13th Report writing

14th Day trip on FPV Sebastian Terelinck

15th Meeting at office

17th Drive to Plymouth

18th – 22nd RN FO course wk1

24th Drive to Plymouth

25th – 29th RN FO course wk2

#### **May**

2nd – 6th May Toil

9th May patrol Sea Palling to Cley

10th May Landings Southwold

12th May meeting at Office

13th May WFH

16th May to office drop of PC for repair, return to base via coast

17th May MMO offices Lowestoft

19th May Landings Cromer to Cley

20th May Landings Gorleston to Cromer

23rd May Move FPV Terelinck from Sutton Bridge to Lowestoft

24th May Landings Southwold on to office.

25th May WFH

26th & 27th Toil

30th Bank holiday

#### **June**

1st – 3rd Annual leave

6th June WFH - Patrol Cromer to Cley and landings

7th June Patrol and landings Cromer to Bacton

8th June Day trip on board Three Counties

9th June Day trip on board Three Counties

10th June Toil

13th June Patrol and landings Cromer to Wells

14th June Day trip on board FPV Terelinck

15th June WFH

16th June Patrol Cromer to Pakefield – Landings, and deliver crab sample to CEFAS

17th June WFH

20th June Office am – Patrol and landings Wells to Cley pm

21st June Patrol Cromer to Cley

22nd June Day trip on board FPV Terelinck

23rd June WFH

24th June Office staff meeting – weekly / monthly TCG

27th June AM landings Cromer and Sheringham – PM WFH

28th June WFH

29th June Day trip on board Three Counties

30th June WFH - Toil

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

Bass	£14.00
Brill	£9.00
Cod	£3.80
Crab	£1.20 - £3.10
Herring	£0.00 - £0.45
Lobster	£14.00 - £11.50
Thornback ray	£3.00
Sprat	£2.00
Whelk	£0.95
Smooth Hound	£0.50

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**Eastern – Inshore fisheries conservation authority**

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**From:** Alan Garnham Fishery Officer (Area 3)  
**To:** Simon Lee  
**Quarterly Report:** April- June 2016

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**Area 3: Pakefield – Felixstowe Ferry**

**General**

During April on the whole many commercial and recreational boats were able to get to sea. Everything seasonal seemed a little backward this year especially with the shellfish. I had reports from some fishermen were 50-70% down on the previous year and many failed to land the crab as many were too soft as were some of the lobster caught. During April bass and cod turned up in numbers fishermen began to target the species and many filled up on their monthly quota. Word got around and fishermen from elsewhere mainly West Mersea came into the area targeting bass. Potters began to place out pots in between the fishing effort ready for summer potting activity.

Thornback ray were here throughout the quarter in huge quantities but with a monthly allowance being 75kgs many fish were returned each day mainly from long lining methods.

Whilst on the subject of long lines a national shortage of squid for bait forced some to change to imported frozen bluey or change methods of fishing.

The month of May came and commercial boats were still targeting bass and cod with many boats targeting around Aldeburgh Napes.

As the month passed fishing effort for bass eased due to lower catches and Mersea boats returned to their home port. Local fishermen returned to drift fishing for sole and some changed their gear and moved over to trawling. Rsa angling was busy on boats and beach with dogfish and Thornback ray being caught in huge numbers on both boat and beach. Some anglers were catching bass on the beaches and having to return the fish due to a no bag limit in force.

Where was flaming June? Weather was very wet with double average rainfall. Temperatures were still down whilst waiting for the summer this affected sea life with most fishing activity a few weeks behind. On the commercial boats some changed over from winter lining to trawling for sole and potting throughout the summer. Bass appear to have moved into the rivers with many reports of bass from usual area in all rivers. Mullet arrived in numbers in the Rivers Stour and Orwell with a huge amount in Shotley marina.

I received a few complaints of netters fishing in the rivers complaining of fish being taken whilst there is a recreational ban on taking bass. A one bag limit takes effect on 1<sup>st</sup> July 2016 till Dec 2016. All complaints were being investigated during routine patrols. At sea fishing was mainly for cod skate sole but numbers of cod fell away. Thornback ray were still around in high numbers with many commercial fishermen trying to avoid catching them by targeting other fish in other areas. Recreational anglers reported smoothound coming in mixing with high numbers of thornback ray and lesser spotted dogfish. The usual cod run close in has just not happened this year.

I had no reports of any catches of tope this year.

I noticed more kayaks around it seem an increasing fishing activity and some anglers were catching smoothound and rays close in to the beach using squid for bait. Beach fishing has been quiet with low reports of fish being taken during the latter weeks.

I received calls from charter boat operators stating bookings are down due to the no take rule on bass as many anglers like a return on their booking cost outlay. Some skippers have reported confrontation when anglers catch and demand to the skipper they are keeping bass. A laminated form has been produced stating the law and handed to skippers in an effort to assist/address the issue with problem anglers.

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## **Port Summary**

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### **Pakefield**

No commercial inspections this quarter on the beach probably due to less boats on the beach causing reduced activity. Main species fished here are small beach boats netting close in to the beach targeting Herring. Fishermen report plenty of herring. On the beach there has only been a few pleasure anglers with flatfish and whiting being caught during April but as the quarter moved along reports were coming in Kessingland beach fished well with anglers taking smoothhound and thornback ray on the beach. I had a report of one kayak angler fought and landed an 18 ½ pound smoothhound in Tramps Alley. Bass have been caught/returned on the beaches from Corton to Benacre.

### **Southwold**

In April a complaint was received of fishermen landing undersize fish at Southwold this was given relevant attention. Commercial fishermen during the early period reported a good month netting for bass and cod with high landings of both species and many taking the opportunity of maximising the large catch quota. A theft of a box of fish was reported at the community chiller and this has forced the fridge to be locked and commercial fishermen to use a key for use.

During the latter quarter fishing eased as it does during the summer with many now using trammel nets for sole and thornback ray. No cod to be seen as the month developed.

On the beaches reports were slow. Charter boat operators in The Blyth report bookings are down and put this down to the new bass rules.

### **Dunwich & Sizewell**

Commercial fishing for bass and cod was extremely good in the area for local boats and boats from neighbouring Essex as reported earlier.

On the beach many fishermen fished during the day with no significant catches. At night it fished well for bass and sole. Thornback ray turned up making it a good sport when landing a fish.

During June fishing by commercial boats eased up with lower catch rate of bass and sole.

### **Thorpeness & Aldeburgh**

Good reports of all species here being caught but all are complaining of lack of quota on the Thornback ray. Again bass and cod were prolific around the Napes and above causing high fishing effort from boats from Lowestoft to West Mersea to fish in the area. It's been quiet on the beaches as everything south of the town telegraph post has been closed to the public due to beach rock armour being placed by the Environment Agency.

Lobster and crabbing landings have been down this quarter but many commercial fishermen report there is healthy juvenile stock for the future.

### **Orford**

Again good reports of fish being landed of mixed species including cod bass thornback ray smoothhound and sole. Lobster and crab catches are down on previous years but a good juvenile stock. In the river alde and Ore good reports of bass being caught and returned all the way up the river to Iken cliffs.

Orford island fishing has been slow this quarter with less anglers making the trip and landings have been low on species of cod whiting and dogfish.

Rsa boat fishing has been similar to previous years with plenty of thornback ray and dogfish and as the quarter finished plenty of smoothhound were being taken. No reports of a tope being caught.

### **Felixstowe**

In April commercial fishermen as in other ports targeted cod and bass around Aldeburgh Napes whilst others continued to trawl for sole.

RSA boats reported catching good quantities of Thornback ray and Dogfish. The cod were feeding mid water on herring making bottom fishing difficult.

Beach reports has been extremely quiet with not a lot of fish being caught with many anglers not catching a sizeable fish.

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Later in the period some commercial fishermen changed over from long lining to trammel net fishing because the cod moving out and also the world shortage of squid for bait is having its effect on supplies. In both Rivers Stour and Orwell, I have good reports of landing of bass and mullet. Rsa boats also report good catches of bass and returning bass. It does appear the no take bass rule is now well known by Rsa anglers with many finding out on social media.

On the beaches I had had reports of bass, smoothhound, dogfish and thornback ray being caught although nothing of notable size.

### **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>Pakefield</u></b>		
<b>Number of vessel inspections:</b>		<b>0</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Herring	450	450.00
Whelks (Lowestoft)	37,870	33,921.10

<b><u>Southwold</u></b>		
<b>Number of vessel inspections:</b>		<b>8</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	17,230	46,704.00
Roker	1,685	3,549.50
Sole	9,780	63,375.00
Flounder	1,020	1,020.00
Dabs	400.00	400.00
Dogfish	1,470	3,315.00
Bass	11,400	160,500.00
Smoothhound	865	2,162.50
Herring	1,425	1,425.00
Lobster	580	5,800.00
Crab	760	2,550.00
Whelks	44,908	44,516.40

<b><u>Dunwich &amp; Sizewell</u></b>		
<b>Number of vessel inspections:</b>		<b>4</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	1,180	3,302.00
Roker	150	312.50
Sole	1,210	7,955.00
Bass	3,100	44,400.00
Flounder	190	190.00
Dab	110	110.00
Lobster	335	3,350.00
Crab	255	893.50

<b><u>Thorpeness &amp; Aldeburgh</u></b>		
<b>Number of vessel inspections:</b>		<b>3</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	11,650	33,102.50
Roker	950	2,002.50
Sole	7,495	48,717.50
Herring	1,050	1,050.00
Dogfish	710	1,605.00
Flounder	740	740.00
Smoothhound	460	1,150.00
Bass	9,000	128,100.00

Dabs	420	420.00
Lobster	659	6,590.00
Crab	685	2,397.50

**Orford**

<b>Number of vessel inspections:</b>		<b>2</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	13,340	35,764.00
Roker	1,150	2,407.50
Sole	18,000	117,000.00
Herring	1,080	1,080.00
Flounder	696	696.00
Dabs	335	335.00
Smoothound	805	2,012.50
Bass	11,050.00	157,800.00
Lobster	750	7,500.00
Crab	635	2,220.00

**Felixstowe**

<b>Number of vessel inspections:</b>		<b>18</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	15,800	42,380.00
Roker	2,150	4,485.00
Sole	19,415	126,197.50
Herring	730	730.00
Dogfish	375	812.50
Flounder	865	865.00
Dabs	340	340.00
Bass	11,640	167,288.00
Smoothound	620	1,550.00
Lobster	615	6,150.00
Crab	295	1,032.50

**Potting**

**Crab and lobster**

Number of pots inside 6nm fished by vessels from within area:	Average 2,033
Number of pots outside 6nm fished by vessels from within area:	Average 140

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

Number of brown crab measured during the quarter:	25
Number of lobsters measured during the quarter:	8

**Whelk**

Number of pots inside 6nm fished by vessels from within area:	500
Number of pots outside 6nm fished by vessels from within area:	1,100

**Non Commercial Activities**

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

<b>Number of anglers inspected:</b>		<b>0</b>
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>
Felixstowe	Any	1
Aldeburgh	Any	1
Kessingland	Any	1

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

<b>Number of vessels inspected:</b>	<b>6</b>
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<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>
Felixstowe	Cod /Thornback ray	16
River Orwell	Bass	nil

**Charter Angling Vessels:**

<b>Number of charter vessels inspected:</b>		<b>0</b>
<b>Number of vessels in area:</b>	<b>15</b>	<b>Number of anglers: 1,572</b>
<b>Species targeted:</b>	<b>Number of trips: 262</b>	<b>Total Landings (kg):</b>
Cod		5,000
Thornback Ray		3,946
<b>Locations fished throughout the month:</b>		
Within area		

**Fishery Officer Duties**

**Training:**

None

**Other duties carried out:**

5<sup>th</sup> April – MMO offices for joint working  
6<sup>th</sup>-8<sup>th</sup> April – planned sickness  
11<sup>th</sup> April – patrol with Sam introduction to Area 3  
12<sup>th</sup> April – patrol with Sam introduction to Area 3  
15<sup>th</sup> April – Kings Lynn for meeting  
19<sup>th</sup> April – Felixstowe Inspection person reported landing u/s crab lobster and obstruction offence  
20<sup>th</sup> April – MMO TCG  
25<sup>th</sup> April – meeting fishermen introduction of “Future of our Fisheries” and issue poster  
27<sup>th</sup> April – Observations on coast re intel reports  
4<sup>th</sup> May – MMO Ops meeting  
17<sup>th</sup> May – Formal interview of fisherman  
23<sup>rd</sup> May – Operations meeting Kings Lynn  
2<sup>nd</sup> June – MMO operations meeting

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

Cod	2.68
Roker	2.08
Bass	14.00
Smoothound	2.50
Sole	6.50
Herring	1.00
Dab	1.00
Dogfish	2.16
Flounder	1.00
Lobster	10.00
Crab	3.50

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

TO: J Gregory  
FROM: S P Howard  
DATE: 11<sup>th</sup> July 2016

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### **Three Counties**

#### **Quarterly Report April - June 2016**

##### April

Cockle surveys took up most of April during which the highest number of cockles covering the sands in the wash for a number of years was revealed. Ranging from buck cockles (10 to 12mm) to large adults (14 to 16mm) cockles around the edges of the sand close to the Lynn Channel and Boston Channel (Dills).

EHO/DSP samples were collected from around the Wash.

##### May

EHO/DSP samples were collected from around the Wash.

Side scan surveys covered the next few weeks covering areas around the Wash looking for suitable seabed for a brown shrimp survey using a new type beam trawl to reduce the foot print on the sea floor when catching brown shrimps. The side scan, camera drops and day grabs were used to confirm the seabed types.

##### June

EHO/DSP samples were collected from around the Wash.

Pot hauler training took place from Three Counties, shooting, hauling and stacking the pots for shooting from the stern.

Habitat mapping took place covering the areas surveyed previously for the brown shrimp surveys. One day was used to deploy net bags of cockle shell from the Data buoy at the end of the Roaring Middle sand, this was carried out by divers who were aboard recover their settlement plate.

Cockle survey where undertaken by foot on the middle sands to observe the disturbance from the cockle fishery.

The last week of the month was taken up with recovery of unmarked pot gear along the coast line.

**EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

TO: J Gregory  
FROM: S P Howard  
DATE: 11<sup>th</sup> July 2016

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**John Allen**

**Quarterly Report April – June 2016**

April

John Allen was taken back to Redbay to have the engines inspected for water ingress in to the oil system.

May

John Allen remained at Redbay waiting for the engines to be repaired.

June

The engines have been inspected ready to be reassembled for return back to Eastern IFCA.

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**EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

TO: J Gregory  
FROM: S P Howard  
DATE: 11<sup>th</sup> July 2016

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**Sebastian Terrelinck**

**Quarterly Report April – June 2016**

April

Patrols took place covering the area around Lowestoft and Great Yarmouth, checking for vessels fishing for bass using drift nets.

May

Again the area around Great Yarmouth and Lowestoft was patrolled to check for Bass fishing and drift netting. Patrols were ramped up because of the Bass fishing around the Lowestoft and Harwich area of the district and a number of vessels were inspected to check for fishing activities.

Reports were received of whelk potting along the Lincolnshire coast with unmarked gear. A number of dhan buoys were seen with no PLN markings on them. These pots where

hauled and found to be whelk pots with no permit tags and brown crab as bait. They were retained and taken back to Kings Lynn and a notice was left explaining who had hauled the whelk pots and why.

## June

North Norfolk patrols took place on the way back down towards Lowestoft. Then a number of patrols took place along the Suffolk coastline checking for fishing activity. Patrolling from Lowestoft up towards Gt Yarmouth, a vessel was boarded to check for permit tags on whelk gear fished just off the Outer Harbour at Gt Yarmouth. A number of unmarked dhan buoys were seen about 1.1Nm from the coast at Cromer and hauled following reports of whelk fishing activity taking place in that area.

### **Vision**

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



## **Information Item 16**

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority meeting**

27<sup>th</sup> July 2016

#### **Reports by:**

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

#### **Marine Environment Quarterly Reports**

- a) **Senior Research Officer's Quarterly Report**
- b) **Senior Marine Environment Officer's Quarterly Report**

#### **Purpose of report**

The Authority runs a year-round programme of research projects and environmental work. This paper enables Members to be kept informed of key activities undertaken by the Authority's Research and Environment team during the previous quarter, April to June 2016, any issues that have arisen either through internal or external drivers, and an indication of up-coming developments that could require future actions.

#### **Recommendations**

Members are asked to:

**Note** the report.

#### **Background**

##### **a) Senior Research Officer's Quarterly Report**

Twelve days were spent in April completing the field work for the spring cockle surveys that had commenced in March. The data generated from these surveys were analysed during May to determine the distribution and densities of cockles on the sands. Detailed results of the surveys were reported at the Authority meeting held in June so won't be repeated here. Briefly, though, the results found the stocks are high, generating a TAC of 8,609 tonnes for the fishery. Although the stocks look good for this year's fishery, past trends indicate large numbers of these cockles will be vulnerable to "atypical" mortality this year. It is planned that members of the research team will continue to monitor the cockle stocks during the summer in order to assess the impact of potential die-offs.

Staff from the research and environment teams have spent a great deal of time over the past year assessing the impact of the shrimp beam trawling fishery in The Wash and North Norfolk Coast SAC. This assessment identified that the fishery could be having an adverse impact on a number of seabed features, including sub-tidal mixed and sub-tidal muddy

sediments. Although the assessment included a comprehensive review of the available literature to determine the sensitivity of the features to the activity's impacts, most of the relevant research had been conducted using heavier fishing gear than is used for the brown shrimp fishery. During consultation with industry representatives, fishermen felt the lighter gear used in the Wash and North Norfolk Coast SAC would not have the same level of impact as the heavier gears. Additionally, many also felt that the natural disturbance and sediment load in the Wash would greatly exceed that caused by fishing. The research team are currently developing a project that will experimentally test the long term impact and recoverability of brown shrimp beam trawls on the sub-tidal mixed sediments in the Wash. It is planned that this project will involve conducting monthly fishing activities in designated areas over a two-year period using standard shrimp beams and a set of newly developed SeeWing beams. The manufacturers of this latter gear claim up to 80% less disturbance has been achieved with these beams, but their claims have not been substantiated within peer-reviewed literature. The impact of these simulated fisheries will be compared with unfished control sites over the two-year period to determine whether the beams do have a noticeable impact. As this project is much larger than the Authority can conduct unsupported, it is planned to conduct the work through a Research Masters Degree that a member of the research team will be conducting. This will enable additional support to be gained from Plymouth University and Cefas. An application for EMFF funding is currently being sought to cover the cost of full biota and sediment particle size analysis of the samples and other costs associated with the project. Because the cost of sampling is significant (approximately £98,000), the project will rely on successfully securing the EMFF funding bid. Although a decision on funding will not be known until August, the Authority has conducted habitat mapping surveys over two sites during the past quarter in order to identify a suitable site in which to conduct the project.

Last year the team commenced a project aimed at determining the size of maturity of whelks in our district to inform the new byelaw. This involves measuring and dissecting numerous whelks, but since the introduction of the byelaw, the fishery within the district has almost ceased, limiting the number of whelks that can be accessed for the study. Having undergone a temporary hiatus, there are now indications that some effort will once again be directed at this fishery within the District. The team are currently seeking derogations from the MMO (and the Authority) for a number of these vessels to provide samples of under-sized whelks for the study.

Each month the Authority collects a number of Environmental Health samples in the Wash on behalf of the local borough councils. Because these samples are distributed at sites across the Wash, two vessel-days are required to collect them all, which incurs a high cost to the councils. Over the past year the Authority has been collecting samples from an additional site on the edge of the River Ouse to determine if it could be used instead of a sample outside the mouth of the river. If suitable, that sample could be collected on foot reducing the necessity for two days' vessel time and thus reducing the cost of sampling. Unfortunately, after collecting the required number of parallel samples from the two sites, the results have shown that the River Ouse sample would not be a suitable proxy for the other sample. Other ways of reducing the sampling costs are now being explored, including combining the Environmental Health sampling with the SWEEP water sampling and collecting one of the samples on foot from shore. In April an additional sample was collected from Wainfleet, close to where a sperm whale had washed ashore earlier in the year. The results from this sample were found to be within safe parameters, indicating the carcass had not contaminated the cockle stocks in the vicinity.

In March the industry helped the Authority to lay 200 tonnes of cockle shell culch near two mussel beds for our mussel regeneration project. It was planned to “seed” parts of these areas with shells that had been suspended in the water column for three months to see if this would enhance mussel settlement. Initial attempts to suspend ten nets of shell from the Authority’s sonde buoy coincided with poor weather, however, and were unsuccessful. These nets were finally deployed during a period of calm weather in June. While this may be too late to coincide with the primary settlement stage of mussels in the Wash, it is hoped some larvae may still be in the water column or that the shells might attract some of the secondary settlement before being moved to the regeneration sites.

Last August Sea Search divers utilised the Authority’s vessels to deploy a colonisation plate array on the seabed near the sonde buoy. In May the divers took the opportunity while we were working near the buoy to check the array again. Unfortunately, in the interim period the array had become partially buried with sediment. The divers attempted to recover the array in June, but on that occasion were unsuccessful. A further attempt to recover the array will be made in the coming quarter when we recover the nets of cockle shell culch from the sonde buoy.

In June two members of staff from the research and the environment teams took the opportunity to spend ten days each conducting habitat mapping surveys aboard Cefas’s research ship, *Endeavour*. This survey, conducted on the North Norfolk Sandbanks, was a joint venture between Cefas, the Environment Agency, Natural England and JNCC. In addition to providing valuable training opportunities from working alongside these groups, it enabled our staff to standardise our survey methods with theirs. This joint venture involved a total of 35 staff from the five organisations and collected data from over 200 mini Hamon grabs, 34 beam trawls and over 900 km of acoustic survey lines from 25 different survey areas across three cSACs. During the course of the trip the opportunity to use the IFCA shared Adaptive Resolution Imaging Sonar (ARIS camera) was taken, giving EIFCA staff valuable field experience in the deployment, operation and interpretation of this relatively new piece of equipment. The camera generated good images during its deployment, all involved being happy with the results.

The creation of a temporary Staff Officer post earlier this year resulted in several staff members temporarily shuffling their posts. As this resulted in one of the research officers moving into the Environment team until next February, a temporary research assistant post was created to support the remaining research officers. This post was taken by Charles Cross, who in the last quarter has assisted with the cockle surveys, EHO sampling, habitat mapping surveys and dissecting whelks to determine size of maturity. In June, however, Charles was offered full-time employment at a fish farm in Anglesey which he has accepted.

## **b) Senior Marine Environment Officer’s Quarterly Report**

### Introduction

The Eastern IFCA Research and Environment Plan 2016/17 reflects the priorities in the Eastern IFCA 2016-2020 Business Plan. Environmental projects and tasks within projects

have each been allocated a level of resource per quarter. In summary, the allocation can be shown as:

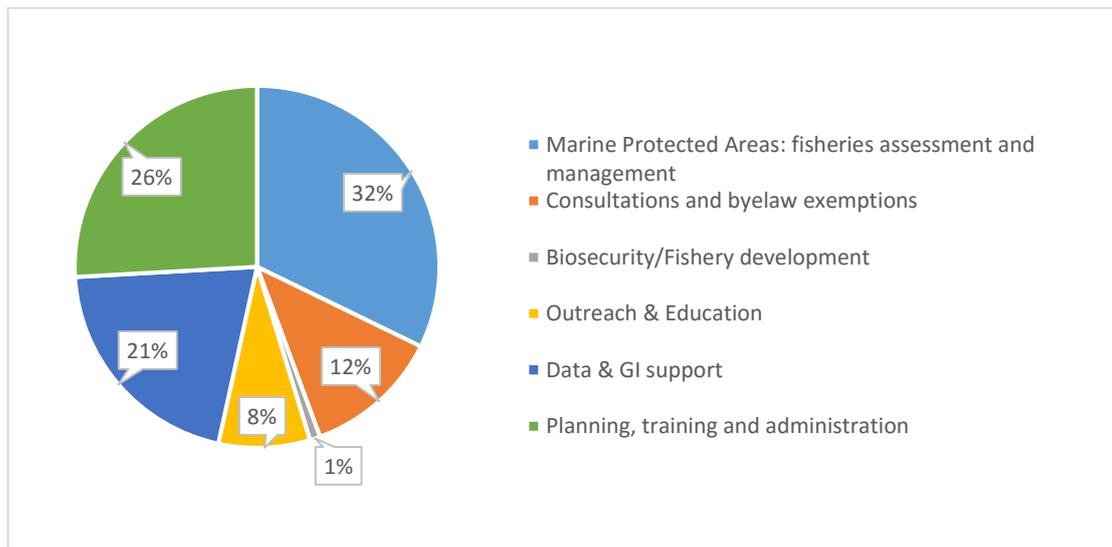


Figure 1. 2016/17 Environment officer resource allocation

The assessment and management of fisheries in marine protected areas (MPAs) remains a key priority for the Authority. This work is led by the Environment team (MPA work is allocated approximately one third of the team’s overall resource in 2016/17), with support from Research and Marine Protection functions. The Environment team includes a lead Data officer, whose remit includes in-house IT support and co-ordination of data management across the Authority’s teams. Similarly, the Geographic Information (GI) lead officer is based in the Environment team; responsibilities include managing incoming GI datasets (e.g. seabed habitat maps) and creating GI outputs for the Authority. Data and GI work have been allocated just over one fifth of the team’s resource for the year.

Responding to consultations on developments affecting the marine environment, for example marine licence or Planning Inspectorate applications remains an important output for the environment team, to ensure inshore fisheries and their supporting environment are fully considered by regulators. [See Agenda item 12 for more information on this work stream.] The environment team also oversees the granting of exemptions from Eastern IFCA byelaws for scientific research purposes. Together, these work streams are allocated 12% of the team’s resource.

Outreach and education work is undertaken by all IFCA teams. The environment team has allocated 8% overall resource to this work, which includes presentations to external bodies, public events e.g. Maritime Festivals, creation of leaflets and posters, website and social media updates, and this year, continuation of the Community Voice project.

Smaller projects for 2016/17 include a biosecurity plan review, being led by the Marine Protection team and for which the environment team will conduct a non-native species risk assessment; and a mussel regeneration study, led by the Research team is requiring some environmental input.

A significant resource (25%) has been allocated to planning, training and administration; this includes individual objective setting and performance review, personal development planning, training, team administration, business planning and risk assessment reviews.

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

### **EU referendum outcome: implications for marine protected areas and wider environmental aspects**

The following note, adapted from an article circulated by consultants Thomson Unicmarine, provides some indication that marine protected areas and other EU-based environmental initiatives are likely to remain functional despite the UK's withdrawal from the EU:

*"All of the EU Directives which relate to wildlife protection (Birds, Habitats, Water Framework, Environmental Impact Assessment and Environmental Liabilities) have been transposed into UK law and it would require new Acts of parliament to repeal any of it. Any new Act would have to be debated in parliament in the normal way, making the watering down of environmental protection unlikely. Tellingly, the UK Law Commission's recent review of protected species legislation recommended strengthening the legislation.*

*"Some protection for biodiversity transcends the European Union, notably the Ramsar Convention (protection of wetlands) and the Convention on Biodiversity, to which the UK is a signatory. Furthermore, the OSPAR convention (the 1992 Convention for the Protection of the Marine Environment of the North-East Atlantic, which includes our MPA targets) was signed and ratified by the UK. This means that we have an international commitment to work towards halting the loss of biodiversity, and protection and conservation of marine ecosystems, regardless of the status of our membership of the EU."*

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

This work remains the key priority for the Environment team, as it directly supports the Authority's fulfilment of obligations relating to MPAs, and must be completed within strict timelines set out by Defra (assessments and implementation of any associated fisheries management measures are to be completed by December 2016).

The assessment stage is nearly complete, subject to final comment from Natural England on several of the lower-risk assessments. Natural England's updated advice on in-combination assessment (i.e. which other activities should be taken into account in the fisheries assessments) is currently being considered, but it is not planned to amend the existing assessments at this stage as this could jeopardise meeting the December 2016 deadline. Instead, the advice will be considered for future assessments.

Key work areas are described below, and summarised in Table 1.

- (i) Shrimp beam trawl fishery/The Wash & North Norfolk Coast:

The review of the shrimp beam trawl assessment (for the Wash & North Norfolk Coast Special Area of Conservation, WNNC SAC) has led to the refinement of fishery management measures (required to ensure this key fishery can continue to operate whilst site conservation objectives are achieved). Officers have developed proposed closure areas for this fishery in parts of the site; these will be formally consulted upon following Authority approval in summer 2016. The proposed closures were developed following engagement with fisheries and environmental stakeholders. The intention is to ensure adequate protection to sensitive seabed habitats (i.e. to meet the conservation objectives) and then to take account of fishery viability considerations. It is intended that the closures will be implemented through the updated Marine Protected Areas byelaw, or alternatively through the proposed shrimp permitting scheme. Issues with the Marine Protected Areas byelaw have been outlined in Agenda Item 13 (quarterly progress report). It is also intended to apply effort limitation through the proposed shrimp permitting scheme. This work should complement ongoing efforts within the shrimp fishery to achieve Marine Stewardship Council accreditation.

Finally, a shrimp beam trawl fishing impact study has been proposed to inform future assessments of the impacts of this fishery on seabed habitats (as described in the Research section of this report).

(ii) Potting fishery/The Wash & North Norfolk Coast:

Further research undertaken during the quarter (into local fishing practices and scientific impact studies) has informed a review of the potting fisheries assessment for this site. This has led to the conclusion of "no adverse effect" being identified – in contrast to the initial, precautionary conclusion that "no adverse effect" could not be assured. At time of writing, officers are awaiting advice from Natural England on the updated assessment.

(iii) Potting fishery/Inner Dowsing, Race Bank & North Ridge:

The Authority is responsible for a small proportion of this straddling site (i.e. it extends beyond the 6nm seaward boundary of the Authority's district). The assessment will be completed during the coming weeks, using updated *Sabellaria* reef advice from Natural England. This advice will also inform the development of measures to manage "red risks" (i.e. towed demersal gear on *Sabellaria* reef – see below) in this straddling site. Officers are currently in discussion with Natural England in relation to the classification of Annex I reef habitat in areas where reef crust or mosaic (mixed) habitat is present.

(iv) Towed demersal fisheries/Inner Dowsing, Race Bank & North Ridge:

The Authority is required to protect the most sensitive features (Annex I *Sabellaria* reef habitat) from towed demersal gear, in the inshore section of this site. [The Authority has already met this requirement in the Wash & North Norfolk Coast via the Protected Areas Byelaw (Regulatory Notice 1) applied in May 2014.] As stated above, officers are in discussion with Natural England in relation to the presence and extent of reef habitat requiring protection.

(v) Towed demersal fisheries/Haisborough, Hammond & Winterton:

This is also a straddling site for which the Authority is required to protect high-risk *Sabellaria* reef habitat. Officers are in discussion with Natural England and MMO in

relation to the presence and extent of reef habitat. The area has not been regularly surveyed, leading to reliance on modelled habitat maps and limited ground-truth data, resulting in low confidence in the feature data. The Authority will need to agree an appropriate course of action – whether to follow the revised approach and act in a precautionary manner to introduce fisheries restrictions to protect a feature with uncertain presence, or whether to apply an evidence-based approach and only introduce measures if improved feature data can be provided. Recommendations will be prepared for a Regulatory & Compliance Sub-Committee meeting to be held later this summer.

(vi) All commercial fishing/Cromer Shoal MCZ:

Although there are concerns amongst local fishermen about potential implications of this designation, this site does not fall within the Defra “revised approach” deadline (December 2016) and therefore will not be considered before the Defra deadline requirements have been met. Undertaking the fisheries assessment for this site in Q4 2016/17 will allow for synchronisation with Natural England’s publication of conservation advice for this site.

**Table 1.** Commercial fishing interactions in Marine Protected Areas requiring (or potentially requiring) Eastern IFCA intervention

Site name	Interaction and matrix risk level	Assessment conclusion	Action required
The Wash & North Norfolk Coast SAC	Beam trawling (shrimp)/subtidal sandbanks (subtidal mixed sediment and subtidal mud)	Adverse effect; mitigation required to reduce impact and research required to improve evidence around light beam trawl impacts	Sign off assessment with NE;  Closed areas (Protected Areas byelaw);  Effort limitation (shrimp permitting byelaw);  Beam trawl impact study
The Wash & North Norfolk Coast SAC	Potting/ <i>Sabellaria spinulosa</i> reef;  Potting/subtidal stony reef	No adverse effect at current levels of activity (based on improved activity data and Defra potting impacts report)	Update assessment and sign off with NE

Site name	Interaction and matrix risk level	Assessment conclusion	Action required
Inner Dowsing, Race Bank & North Ridge SCI	Potting/ <i>Sabellaria spinulosa</i> reef	Not yet assessed (straddling site latterly transferred to EIFCA)	Review updated NE feature advice; undertake assessment
Inner Dowsing, Race Bank & North Ridge SCI	Towed demersal fisheries/ <i>Sabellaria spinulosa</i> reef	High-risk interaction (red risk on matrix) so no assessment required	Agree updated core reef approach with NE;  Apply closed areas: obtain Defra sign-off of updated (2016) Protected Areas byelaw
Haisborough, Hammond & Winterton SCI	Towed demersal fisheries/ <i>Sabellaria spinulosa</i> reef	High-risk interaction (red risk on matrix) so no assessment required	Resolve feature evidence issue with NE;  If required, apply closures via updated (2016) Protected Areas byelaw (obtain Defra sign-off)
Cromer Shoal Chalk Beds MCZ	All commercial fishing within site on all designated features [all risk levels]	To be assessed in Q4 (site designated January 2016; site outside of Defra deadline)	Undertake assessment; ensure liaison with local fishermen

Eastern IFCA's assessments have identified that the majority of fishing activities within marine protected areas in the district are occurring within sustainable limits – i.e. not damaging site integrity. However, there is a need to demonstrate that fishing activity levels are monitored and provide assurance that appropriate action would be taken if required in the future, for example as a result of an intensification of activity or a new fishery emerging. "Monitoring and Control Plans" will therefore be developed for each marine protected area in the Eastern IFCA district. The objective is to set out how fishing activity will be monitored, where feature evidence will be sourced, and how the effectiveness of fisheries management measures will be assessed. The plans will be a formalisation of existing Authority activity, rather than a proposal for completely new Authority actions. However, a new aspect will be the specification of what levels of fishing activity are acceptable within each site, and what intervention could be applied should activity levels increase sufficiently to risk damage to the site features/site integrity. The creation of these plans will help highlight evidence gaps and identify priority areas for

Eastern IFCA research and marine protection activity in relation to marine protected areas. Work on these plans will be undertaken in Q3 and Q4.

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

A member of the environment team, Stephen Thompson, and research team member Peter Welby, participated in a collaborative research cruise on the *RV Endeavour*, Cefas's research vessel, in June 2016. The work included habitat surveys (remote sensing, trawl surveys and ground-truthing) of marine protected areas in the Southern North Sea, including the straddling sites listed above. The trip proved valuable for comparison of best practice in survey techniques and the recording and analysis of data, and enabled topical discussions between partner organisations (Cefas, IFCA, Natural England, Environment Agency and JNCC). Further collaboration with Cefas suggests that enhanced access to survey results will be possible, which will help ensure the Authority's evidence base for marine protected area work is as up-to-date as possible.

#### **EP2016E: Eastern IFCA input to consultations on marine developments**

The Eastern IFCA district is subject to a large number of marine and coastal activities that are regulated through the issuing of consents by authorities such as the Marine Management Organisation, Environment Agency, Defra and the Authority itself. Agenda Item 12 sets out the process used by Eastern IFCA officers in responding to consultations, including use of the Marine Plan policies relating to fisheries and marine protection when responding to informal and formal consultations.

During the last quarter (April to June 2016), a total of 23 responses were produced by the environment team. These included five relating to marine protected area management, four relating to offshore wind farms, and three maintenance dredging licence applications. Two consultations each were received for minor port infrastructure works and estuarine flood defence works respectively. Other consultations included one aggregate extraction licence variation, one pollution plan, and one Marine Plan procedural consultation. In addition, four information requests were received.

Two of the maintenance dredge licence consultations were for the renewal of existing dredge and disposal activities in The Wash. For these cases, officers requested that the current licence condition – to ensure mussel beds are not impacted by dredge spoil – be continued. A request was made to MMO to strengthen conditions for an aggregate extraction licence (prevention of screening during the herring spawning season) to enhance protection of spawning herring. The importance of estuaries, and in particular, saltmarsh habitat for fish spawning and nursery areas was highlighted in response to consultations on estuarine erosion prevention schemes.

The environment team also considered five applications for dispensation from Eastern IFCA byelaws for scientific purposes: two from Cefas, and one each from Natural England, the

Institute of Fisheries Management, and Eastern IFCA's own research department (exemption from whelk byelaw to allow landing of undersized whelk for biosampling purposes). One application did not require a dispensation whilst the other four required dispensations. As the projects were to take place within designated or recommended marine protected areas, the Authority sought Natural England's advice before granting the dispensations. No fisheries or conservation objections were raised so the derogations were granted.

### ***EP2015D – Community Voice (Common Ground) project***

The objectives of this project are to gather opinions on marine protected areas from a diverse range of local people, using innovative interview and video techniques – and in so doing, to identify common values for management of the marine environment. The outputs, to include a video documentary, will support the Authority in producing Impact Assessments for MPA-related regulations, as well as in gauging a wider understanding of stakeholder values throughout the district. The project is a collaboration between Eastern IFCA and Marine Conservation Society.

During the quarter, Marine Conservation Society personnel have been editing the filmed questionnaire footage to produce a thirty-minute film that captures the diverse stakeholders and identifies common ground. Authority officers have assisted with preparations for six workshops to be held in Lincolnshire, Norfolk and Suffolk in September and October 2016, at which the film will be aired and stakeholders' discussions relating to the management of marine protected areas will be captured. Once arrangements for the workshops have been confirmed, details will be placed on the Authority website (see poster – Figure 2 below).

The project has received positive feedback from many involved with the interviews as well as from individuals and organisations who have not been involved to date. Defra has expressed an interest in the project in relation to the Marine Pioneer project (see Agenda Item 11); the Community Voice approach complements the intention to develop a modern, innovative, local and open approach to delivering Defra's Environment Plan.

### **Financial implications**

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

### **Publicity**

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

### **Background documents**

1. Eastern IFCA Research & Environment Plan 2016/17.

# COMMON GROUND

Thanks to all the community members who took part in interviews. We look forward to the workshops this autumn. Get in touch with the Eastern Inshore Fisheries and Conservation Authority (01533 775321) if you'd like to know more or get involved in talking about the management of the marine environment in our district.

COMMON GROUND is a Community Voice film project being delivered by Eastern IFCA, and the Marine Conservation Society (MCS) with the assistance of The Wash and North Norfolk Coast European Marine Site (WNNC EMS) management scheme.



**Eastern**  
Inshore Fisheries and  
Conservation Authority



**marine**  
conservation society



The Wash and North Norfolk Coast  
• Special Area of Conservation •  
Natura 2000 & European Marine Site

Figure 2. Community Voice poster

### **Vision**

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



## **Information Item 17**

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority meeting**

27 July 2016

**Report by:** Nichola Freer, Head of HR

#### **Purpose of report**

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

#### **Recommendations**

**It is recommended that members:**

- **Note** the contents of the report

#### **Background**

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

#### **Update of specific activity**

The key activity for 2016 focuses on:

- Developing line manager capability
- Developing the performance review process
- Review of current organisational structure
- Employee engagement
- Management systems

#### Development of capability

Investments in our people continue with particular focus this quarter being on the Marine Protection team. An external consultant was used to further develop rounded and confident knowledge of the legislative side of their role. The feedback received from the marine protection team who attended the workshops was very positive and will go a long way to supporting their confidence and professionalism going forward.

Two members of the research / environment teams have also been given the opportunity to enhance their knowledge of the North Norfolk seabed features by joining CEFAS's RV Endeavour. Each experienced a 10 day stay aboard to support research activity. This experienced as not only enhanced the knowledge of our employees and developed some industry best practice, but has also supported the development of key networks and stakeholder engagement.

### Job description review

Following the update given to member in January 2016, the review of the job descriptions within the marine protection function has now been completed.

The review saw some modification to the job descriptions which better supports the requirement for a team based, flexible approach to marine protection. There was no major impact as a result of the review and all employees within this function have received the revised job descriptions and had the adjustments explained fully to them.

### Best employers survey

We have again undertaken to complete the 'Best Employers' survey for 2016. This is a biannual survey that we have taken part in during 2012 & 2014. It is a free independent survey set up and supported by ERAS Ltd and Pure Resourcing Ltd (2 local businesses supporting recruitment and management training).

This is a great external benchmark for us to use in terms of measuring our culture and engagement of our employees. It will be interesting to measure this year's results against those achieved during 2012 & 2014. Results will be shared later in the year.

### **Vision**

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



## **Information Item 18**

### **25<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority meeting**

27<sup>th</sup> July 2016

**Report by** Judith Stoutt, Senior Marine Environment Officer

### **Fisheries Economics Evaluation Techniques: A Case Study of Eastern IFCA Fisheries**

#### **Purpose of report**

This paper is to inform Members of the output and outcomes of the fisheries economics internship that was completed in June 2016.

#### **Recommendations**

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

#### **Background**

An unpaid intern was hosted by the Authority between October 2015 and June 2016. The intended outcomes were:

- An understanding of the costs and benefits of using an intern to undertake a project for Eastern IFCA outside of the core business objectives;
- An improved understanding of fisheries economics within the Eastern IFCA district, in order to support fisheries management decisions (in particular to inform impact assessments for new regulations);
- Provision of an undergraduate work placement opportunity.

The internship student, Henry Fenn, is a Geography undergraduate from Sheffield Hallam University. He accepted the internship as a voluntary position, working an agreed three-day week for the eight-month period. A light-touch supervision was provided by the Senior Marine Environment Officer, although the work is not an environmental project, but is of wider relevance across the Authority's function.

#### **Output**

A report was produced, entitled: *Fisheries Economics Evaluation Techniques: A Case Study of Eastern IFCA Fisheries*.

The report starts with a review of the theory of economic evaluation and how this can be applied to inshore fisheries. This includes an examination of the concepts of Maximum Sustainable Yield (MSY) and Maximum Economic Yield (MEY) for fisheries.

The main body of the report presents an analysis of eight years of MMO landings data for the Eastern IFCA district. The metrics described are landings weight and value for species or species group; these are categorised in the same way as in the Eastern IFCA Strategic Assessment, to enable read-across. In this section, a commentary is provided on the relative importance and relative stability of Eastern IFCA district fisheries, based on landings value, price per tonne and annual fluctuations in landings values. For the data analysis, the Eastern IFCA district is divided into three geographical areas based on broad fishery characteristics (The Wash, Norfolk and Suffolk). This section of the report includes an outline of the project's limitations, particularly regarding inshore fisheries landings data. It concludes with recommendations for the gathering and interpretation of fisheries data, opportunities associated with undertaking bio-economic analysis, education of stakeholders with regards to the benefits of improving fisheries reporting, and opportunities with eco-labelling.

Within the project, it was intended to capture fishermen's views on socio-economic and environmental sustainability of their fisheries, and the concept of eco-labelling. However, the lack of appetite to feed into the questionnaire<sup>7</sup> led to a reliance on Area IFCOs for their views on these topics, based on their frequent interactions with fishermen.

The report is appended by annex dedicated to the further consideration of eco-labelling, in the form of a critical review of the Marine Stewardship Council fisheries accreditation scheme, and comment upon its possible application to fisheries in the Eastern IFCA district.

The report will be published on the new Eastern IFCA website (expected to be online within the next few weeks).

In addition to the Eastern IFCA project, the intern also undertook two, voluntary projects for the Wash & North Norfolk Coast European Marine Site Management Scheme project. These related to the ongoing Incident Recording Process for the collation of reports on potential bird disturbance within the site, and research to support the development of a smart technology app to enhance the recording process.

## **Outcomes**

### **1. Understanding the costs and benefits to the Authority of hosting an internship:**

Hosting the internship was not a part of the 2015/16 Eastern IFCA business plan, so costs to the Authority were not planned. The costs incurred were in the form of Executive/Management officer time for initial discussions with the intern, the development of a project plan, supervisory meetings and reviews of draft outputs, liaison with the University with regards to practical arrangements including Health & Safety, and providing verbal and written reports to the University on progress with the project. IFCO time was also provided in the form of liaison with fishermen about the project questionnaire, input to interviews, and comment on fisheries data.

Identified benefits include an improved understanding of fisheries economics within the Eastern IFCA district (detailed below). Further organisational benefits include the establishment of a new academic partnership (Sheffield Hallam University), and the opportunity and support resulting in the successful completion of an undergraduate work placement: Henry proved to be a dedicated and willing member of the Eastern IFCA team,

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<sup>7</sup> Likely to have been affected by "consultation fatigue" as a result of several recent consultations issued by Eastern IFCA regulatory to fishermen within the district.

and has expressed his appreciation for the experience of working for Eastern IFCA as part of his gap year from his Geography degree at Sheffield Hallam University.

2. An improved understanding of fisheries economics within the Eastern IFCA district, in order to support fisheries management decisions:

The internship has provided:

- Bespoke report on recent economic trends in Eastern IFCA district fisheries, designed to complement the Authority's annual Strategic Assessment of issues relating to the district's fisheries;
- An understanding of the complexity of economic valuation and the consequence of data gaps (e.g. fisheries landings and value data) in valuing fisheries;
- An awareness of the economic tools available to identify "optimum" fishing effort for achieving maximum sustainable yield – particularly relevant in relation to Eastern IFCA's current focus on Marine Strategy Framework Directive targets for the crustacean fisheries;
- Dedicated attention to a topic that is peripheral to Eastern IFCA's current priorities but complementary to the Strategic Assessment approach and (economic) Impact Assessment requirements.

The report and its recommendations will be considered by officers over the coming weeks. Actions will be identified to enable appropriate consideration of fisheries economics (including recent values and future potential) in fisheries management at the strategic level as well as during the development of particular fisheries measures.

### **Financial implications**

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

### **Publicity**

The report will be published on the new Eastern IFCA website (expected to be online within the next few weeks).

### **Background documents**

Fenn, H (2016) Fisheries Economics Evaluation Techniques: A Case Study of Eastern IFCA Fisheries. Eastern IFCA, 2016.