



54th EIFCA Statutory Meeting

To Be Held at:

Assembly Room, Kings Lynn Town Hall, Saturday Market Place, Kings Lynn,
Norfolk, PE30 5DQ

**Wednesday
13th December 2023**

1030 hours

Vision

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



Meeting: **54th Eastern IFCA Meeting**

Date: 13 December 2023

Time: 1030hrs

Venue: Assembly Room, Kings Lynn Town Hall, Saturday Market Place,
Kings Lynn, Norfolk, PE30 5DQ

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 53rd Eastern IFCA Meeting, held on 13 September 2023 – *Chair (pg 4)*
- 5 Matters arising (including actions from previous meeting) – *Clerk*
- 6 To receive a report to consider Health and Safety risks and mitigation – *Hd Operations (pg14)*
- 7 To receive a report on the meeting of the Wash Appeals sub-committee held on 16 October 2023 – *CEO (pg 18)*
- 8 To receive a report on the meeting of the Finance and HR sub-committee held on 7 November 2023 – *CEO (pg 23)*
- 9 Budget and levies 2024-25 and Budget Forecast to 2028 – *CEO / Joanne Sams (pg32)*
- 10 Wash fisheries management – *Project Officer (pg41)*
- 11 Mussel surveys 2023 – *Senior MSO (Research) (pg47)*
- 12 Cockle Fisheries Management Plan – *Tim Smith (AIFCA) (pg59)*
- 13 Authority Meeting Dates 2024-25 – *CEO (pg60)*
- 14 Review of annual priorities and Risk Register - *CEO (pg64)*

Information items

- 15 New vessels update (verbal) – *CEO*
- 16 CEO update (verbal) – *CEO*

- 17 Operational update - *Head of Operations* (pg81)
 - a. Marine Protection report
 - b. Marine Science report

Any other business

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

J. Gregory
Chief Executive Officer
28 November 2023

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 on Wednesday 13th September 2023 at 1030 hours in the Assembly Rooms, King's Lynn Town Hall.

Members Present:

Cllr T FitzPatrick	(Chair)	Norfolk County Council
Cllr M Vigo di Gallidoro	(Vice Chair)	Suffolk County Council
Cllr E Back		Suffolk County Council
Mr I Howell		MMO Appointee
Cllr Chenery of Horsburgh		Norfolk County Council
Mr K Copeland		MMO Appointee
Mr J Davies		MMO Appointee
Cllr P Coupland		Lincolnshire County Council
Mr P Gilliland		MMO Appointee
Mr T Goldson		MMO Appointee
Ms J Love		Natural England Representative
Cllr P Skinner		Lincolnshire County Council
Mr S Williamson		MMO Appointee

Eastern IFCA (EIFCA) Officers Present:

Jon Butler	Head of Operations
Luke Godwin	Senior IFCO (Regulation)
Julian Gregory	CEO (& Clerk)
Kristina Gurova	Project Officer
Ron Jessop	Senior Marine Science Officer
James Teasdale	Project Officer

Minute Taker:

Jodi Hammond

EIFCA23/38 Item1: Welcome

The Chair welcomed members to the meeting.

EIFCA23/39 Item 2: Apologies for Absence

Apologies for absence were received from Cllr Adams (Norfolk County Council) Mr Hirst (EA Representative), Mr J Rowley (MMO Representative), Messrs Bagley, Doughty, Garnett & Mogford (MMO Appointees).

EIFCA23/40 Item 3: Declaration of Members Interests

The Chair advised the list of DPIs indicated there were members with an interest in items, 8, 11, 12, 13 and 14 to which the guidance on voting and contributing to discussion would apply.

EIFCA23/41 Item 4: Minutes of the 52nd Eastern IFCA Meeting held on 14th June 2023

Members Resolved the minutes were a true record of proceedings.

Proposed: Mr Goldson

Seconded: Cllr Skinner

All Agreed

EIFCA23/42 Item 5: Matters Arising

EIFCA23/11 WASH SEVERAL ORDER APPLICATION

UPDATE: The CEO advised the draft Order was still awaited. Once received it would go out for Consultation.

EIFCA23/05 Wash Cockle & Mussel Byelaw: It was hoped the Byelaw would be back with the MMO by the end of the following week, at which point it had been inferred the item would be treated as a high priority by the MMO and Defra.

EIFCA23/17 CEO UPDATE – FMPs: The CEO advised the Fisheries Management Plans had resulted in a significant amount of material being provided for consideration. This material had been read and summaries by Officers and were subsequently discussed at the FCMWG. Comments from that meeting would be collated into a response which was due by the end of the month. The CEO was optimistic that with comments from all IFCAs, AIFCA would be able to provide a comprehensive response. Mr Goldson requested the response be circulated to all members.

EIFCA23/43 Item 6: Health & Safety Risks and Mitigation

Members were advised there had been three incidents since the previous report. One was a near miss involving an anchor which resulted in the need for online training in the use of anchor deployment. The other two incidents both involved stakeholders, one incident relating to antisocial behaviour thought to have been brought about by alcohol intake, the other was verbal abuse which had been managed by officers present and reported to local police. As a result there would be no lone working in that area. Stakeholder interaction would continue to be monitored on a case by case basis.

Mr Goldson questioned whether verbal abuse was becoming more serious, the Head of Operations advised historically there had always been elements of verbal abuse but on occasion it was exacerbated. Elements of the industry were unknown and Officers had to proceed with caution. Use of Bodycams had helped to de-escalate some situations, as well as providing graphic evidence. Some IFCOs had chosen to wear stab vests.

Members Agreed to Note the contents of the report.

EIFCA23/44 Item 7: Finance & HR Sub-Committee held on 1st August 2023

The CEO reminded members that following the retirement of Andrew Bakewell there was no longer a Head of Finance & HR so the CEO had taken on the role of producing this report. The report had been produced in a slightly different format, and included a copy of the draft minutes for the meeting as they were self explanatory.

The CEO advised members that the transition following resignation of the Head of Finance & HR had faced one or two hiccups but the new accountant and the CEO were trying to find the best way forward.

Signing off of the Annual Accounts had been delegated to the Chair, Vice Chair and CEO as there had been a query in relation to the Audit report. However' the CEO had met with the Auditors and each issue raised in the report transpired to be relatively minor and the Auditors had no real issues, just small points to tighten up on.

Members Agreed to Note the contents of the report.

EIFCA23/45 Item 8: Wash Fisheries Sub-Committee held 11th April 2023

The Head of Operations reminded members this sub-committee had been formed to consider the applications for permits under the Wash Mussel & Cockle Byelaw. The Byelaw was in the advanced stage of being confirmed and issuing of permits formed part of the transition from the WFO to the Byelaw.

Following consideration of the application one appeal had been submitted which would be dealt with by the Wash Appeals Sub-Committee.

Members Agreed to Note the contents of the report.

EIFCA23/46 Item 9: Annual Report 2022/23

Production of an Annual Report at the end of each financial year was a requirement for all IFCA's under the Marine & Coastal

Access Act 2009. Once approved by the Authority it must be sent to the Secretary of State, via Defra.

The draft Annual Report was available to members in the standard format for their consideration. The content included duties carried out during the year, priorities to be met, case studies of how they had been met and a general overview of the workload.

With the exception of the Financial Section, which required a slight review, the report was ready for members approval.

Members Resolved to:

Approve the Annual Report 2022-23

Direct the CEO to publish the report and distribute to Defra

Proposed: Cllr Chenery of Horsbrugh

Seconded: Cllr Skinner

All Agreed

EIFCA23/47 Item 10: Quarterly review of annual priorities and Risk Register

The appendix to the paper set out where EIFCA were in relation to the main priorities as well as providing a section on Risk Management.

Members were advised progress on the outstanding workstream relating to marine interaction was a little behind as progress had been hindered by staff changes. Attempts had been made to outsource the work but little response had been received. Other areas where progress may appear to be behind the times was due to the workload of high priority areas.

Mr Williamson felt it should be noted that EIFCA kept being asked to do more work but it is not possible to do more when the Officers are already working at full capacity.

There followed discussion on the Defra 'New Burden' funding and whether it was likely to continue. The CEO believed there would be a form of funding for the next two years but any change in government priorities could change that.

At this point Mr Gilliland arrived.

It was noted that concerns had been raised with the County Council Treasures Departments at the previous Annual Meeting, it had been identified that EIFCA could survive from Reserves for a period of time until additional revenue could be found.

Mr Bowell raised the question of whether there were enough staff for the workload, to which the CEO advised there were three members of staff moving on, one leaving for promotion, one going to do a PhD and one taking a different path.

Unfortunately, the latest recruitment process had not produced the number of applicants they had in the past.

Members discussed the issues with recruiting, where to recruit and whether or not the lack of applicants could be due to the financial climate with those in secure roles staying put rather than risking moving to something new, and the private sector being more inviting as the pay scales may be greater.

Members Agreed to Note the contents of the report.

EIFCA23/48 Item 11: Wash Cockle Fishery 2023

Following the previous meeting the industry had been consulted resulting in most being happy with the new method of calculating the TAC, opening of the Thief Sand had result in a split between keeping it closed or opening it so the initial response was to keep it closed subject to review.

NE were not initially content with the method of assessing the TAC and therefore would not agree to the opening of the fishery with the full requested TAC, but did agree to a small TAC to allow fishing to begin which additional surveys were carried out to prove the anticipated growth rates. Following the surveys NE agreed to the full opening of the fishery as proposed initially. Additional surveys also showed cockle on the Thief Sand had grown considerably resulting in the bed being opened for fishing.

Based on the number of vessels taking part in the fishery and the landings being recorded it was suggested the fishery might last into October, but landings would be carefully monitored.

Mr Williamson advised the season had been successful with good prices being paid, and the cockles landed being of a consistent size with little evidence of spat being caught. He acknowledged the new method of calculating the TAC was a risk with the impact of it probably not being known until the following year at the earliest.

Mr Skinner noted the paper included reference to 'typical die-off rate' and questioned if this meant the situation was now considered the norm and had there been any progress on eliminating the parasite sinch 2008. Senior MSO Jessop advised that work was ongoing with CEFAS who had identified the parasite responsible for the A-typical mortality. Additional research was being carried out with fresh cockles and sampling had been extended to additional areas. It was noted even the stock at Horsehoe Point was found to have the parasite present, as this area had not been fished for a considerable time the method of fishing could not be to blame for the presence of the parasite. Evidence of the same parasite was also found in the Burry Inlet.

It was hoped research would be able to breakdown the DNA of the parasite and water sampling may identify a secondary host. Regrettably there was no quick cure. It was possible a strain of more resilient cockles had been identified in Spain which the Spanish were trying to breed in greater numbers. The drawback to a more resilient strain could be that it would be more susceptible to other issues further down the line.

Ms Love questioned whether Cefas had any samples of cockle prior to the die-offs or whether they only had evidence since it began. Senior MSO Jessop advised that part of their research was to look into previous stock photographic evidence.

Members Agreed to Note the contents of the report.

EIFCA23/49 Item 12: Horseshoe Point Cockle Fishery

This report was to update members on the status of the potential cockle fishery at Horseshoe Point (HSP) and the obstacles which would need to be overcome for a fishery to open.

There had been no fishery since 2002 due to issues with accessing the fishery which involved gaining permission from the landowner and not causing damage to the saltmarsh whilst getting to and from the fishery.

There had been no water classification since 2015. The local council had carried out the sampling in 2015 but as no fishery had subsequently taken place they would not now be incurring the expense of sampling until there was evidence in the form of a Business Plan that fishing was likely to take place. Prior to a fishery opening there was a need for sampling to have taken place over a period of 16 weeks.

Mr Skinner questioned whether this unfished area could be a reference point for Cefas when working on the Wash cockle mortality.

Senior MSO Jessop acknowledged that it could be a controlled undisturbed site but that was not a good reason to keep a viable fishery closed.

In his absence, Mr Garnett had provided written comments with regard to the opening of this fishery. In his view and that of the industry he felt EIFCA should do all they could to get this fishery opened, he believed it was possible to access the site from the sea which would eliminate the need for landowner's permission and damage to salt flats.

The CEO acknowledged Mr Garnett's sentiment but felt that from a business perspective it was not a prospect for the current year and by the following year the stock could be lost to A-

typical mortality. The opening of this fishery was not part of the current Business Plan so it was a question of whether Members wanted the priorities to be reviewed. The CEO believed the Wash cockle fishery was going well this year and there were encouraging reports from the shrimp fishery so he felt there would be a relatively low level of demand for the Horseshoe Point fishery. The CEO felt the question was should the fishery be considered for opening in future years, if so it would have to be considered when considering priorities for the next year.

Members discussed the concerns re access to the fishery and whether the County Council had been contacted with regard to maps of Public Rights of way. There was also discussion around the historic Byelaw which applied to the fishery permitting only half a tonne per day to be taken, the cost of sampling in the area and whether the stock fluctuation in the area made it a viable option for a fishery in the future, particularly as regular sampling had stopped when there became insufficient cockles to make up the sample.

Mr Goldson remained resolute that if the industry wanted to fish there it should be opened, and they get to make the decision of whether or not to fish the stock that could be lost before next year. The CEO re-advised it was not a matter of just opening the fishery there was the need for water quality sampling and it was a lottery if there was sufficient stock each year. The area was surveyed annually the result of which was that there was insufficient stock to support a fishery.

Mr Williamson felt there were two issues time and money. However, in the future is there was no fishery in the Wash Horseshoe Point could provide a lifeline for desperate fishers so he suggested that if the time and money could be found to do the work it would be good.

The CEO advised there were also issues regarding a HRA before a fishery could be opened. It was suggested some consideration could be given to reviewing the obstacles for a future fishery but the work would be done in between the High Priority work.

Members Agreed to Note the contents of the report.

EIFCA23/50 Item 13: Cromer Shoal Byelaw 2023 Update

Project Officer Gurova provided a presentation on the proposed changes to the Cromer Shoal Chalk Beds management. Although authority had been delegated to the CEO on this

matter he felt Authority members should be given the opportunity to comment.

Mr Skinner acknowledged that it was difficult to protect the environment and enable activity at the same time, however he still felt there had been no evidence as to why the condition monitoring had been brought about in the first place, he felt EIFCA should be enabling fishing rather than preventing it.

Mr Davies advised there may be issues around the definition of a lost pot/gear as it is unlikely he will check all of his 1000 pots on a daily basis and if one tag went missing it was unlikely to be noticed. Would a pot they couldn't get to be classed as lost? The CEO advised there would need to be a proportional approach to enforcement of lost gear, if a fisherman knows where their gear is then it isn't lost.

Gear which had no known whereabouts needed to be reported, the Byelaw was about Adaptive Risk Management to enable the best opportunities for fishing in the long term.

Mr Davies felt there was concern about EIFCA Officers interfering with fisher's livelihoods when hauling their gear, not shooting it back properly, he was concerned Officers were interfering with something when they were not qualified to do it which could have dangerous repercussions. The CEO felt he may have a different perspective on whether officers were qualified but took on board the comments and accepted there may be other alternatives to hauling gear, however they would retain the right to haul pots where necessary.

There was further discussion around the amount of work and financial input brought about by a request from NE, and how would tags be funded. Members were advised that funding for tags was being sort and the byelaw was being carefully developed with input from the industry. The intention of the byelaw was to prevent a blanket ban whilst more research into potential damage by fishing was undertaken.

It was noted there was nothing written down to suggest what the penalty would be for gear that could not be recovered, to which members were advised this may be a written warning or a fine, details of this nature would not be set out in the byelaw.

When asked what the current state of the site was the CEO advised there were videos showing consistent small scale damage but there was no indication as to whether this had a long term effect. It was hoped a survey taking place in the next month would provide more evidence.

Mr Howell acknowledged the Officers were trying to conform to legal requirements but felt he would like some evidence of

damage caused by weather compared to damage caused by fishing. It was hoped the forthcoming surveys would provide evidence of the effects of natural occurrences.

Damage by cabling and dredging were also considered, it was inevitable that damage would have occurred and contributed to the current state of the site.

Members were advised there were videos of the site on the website which the Project Officer would send members a link to.

Mr Davies felt there was a need for a management byelaw, he felt the current approach was going in the right direction but was wary the goalposts may be moved in the future. He felt the location of reference sites may work against the fishermen but he felt if there were going to be any changes he hoped fishers would be contacted – working and talking together would be the way forward.

Members Agreed to note the content of the report.

EIFCA23/51 Item 14: Crab & Lobster Byelaw 2023 Update

Members were reminded this Byelaw was to consolidate four crab & lobster management byelaws, which EIFCA had inherited, into one byelaw. Following consultation, it had become apparent there was some ambiguity about the meaning of wording referring to the landing of parts of a shellfish. There was no intention to prevent a sizeable crab being landed if it was missing limbs. The intention was to prevent the landing of parts of a shellfish would prevent compliance checking to be carried out. As a result of this consultation members were advised changes had been made to the proposed byelaw.

Members Agreed to note the content of the report.

EIFCA23/52 Item 15: CEO Update - verbal

AIFCA Members Forum: The CEO had circulated the Minutes to members, and advised that in future he would also circulate the papers so members would know what the minutes referred to.

WASH BARRAGE: Mr Garnett raised the matter of the proposed Wash Barrier and asked that members give it some consideration. Whilst he was aware this matter had been raised historically and came to nothing he felt this time it should be given more credence. The CEO advised that until there were more details available EIFCA would continue to maintain a neutral stance. It was accepted individual members may have a different view but until more facts were known it would be hard

to make a well informed opinion. Mr Garnett asked that officers attend a meeting taking place in Hunstanton after which they could provide members with their thoughts on whether there should be a formal request for a presentation to be made to members.

Protector IV: Members were advised the vessel was slightly behind schedule and was unlikely to be ready before the end of September. It was anticipated the vessel would be put in the water during October at which time there would still be work to do and sea trials would need to be carried out, suggesting a realistic handover timeframe of the end of November. It was hoped a naming ceremony would be organised for Spring 2024.

Members Agreed to note the verbal report.

EIFCA23/52 Item 16: Head of Operations Update

Marine Protection Updates continued to be circulated to members on a monthly basis. The cockle fishery had proved to be quite resource intensive, with other significant work taking place on shingle beaches and RSA inspections. A number of reported incidents had resulted in additional enforcement trips taking place.

Marine Science: A very informative document providing details of the work being carried out by the Marine Science Team had been provided. Members were asked to email any questions so that appropriate responses could be provided. It was intended to provide a more succinct summary of the work taking place in future.

Members Agreed to note the content of the report.

EIFCA23/37 Item 19: Any Other Business

The Chairman advised that MMO appraisals were still outstanding, if any MMO appointees were available to stay behind the Chair would be able to carry out their appraisal.

There were no other matters to discuss.

There being no other business the Chair thanked members for attending, the meeting closed at 1323 hours.

Vision

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Action Item 6

54th Eastern Inshore Fisheries and Conservation Authority meeting

13 December 2023

Health and Safety update

Report by: Jon Butler, Head of Operations

Purpose of report

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

Recommendations

It is recommended that members:

- **Note** the contents of this report.

Background

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

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

Incidents

The table in *Appendix 1* summarises the incidents that have occurred since the last authority meeting:

There have been two incidents to report during this period, one being reportable under RIDDOR.

Risks/Mitigation

Both incidents have been reviewed and report made where applicable in relation to the reportable incident which resulted in the officer being absent for more than 7 days due to his leg injury.

The landing stage being used at the time has since been repaired and our risk assessment for quayside operations will be reviewed by our H&S advisor at NCC.

Ongoing monitoring of stakeholder behaviours towards officers, refresher conflict resolution training booked for January 2024

Appendix 1

Date	Nature of incident	Injury / damage occurred	Action Taken	RIDDOR MAIB Y/N	Investigation complete Y/N	Name of investigating Officer	Follow-up action required Y/N. If Y then what?
23/10/2023	Injury	Minor cut to hand	First Aid and tetnus. Door handles greased	N	Y	Ron Jessop	Consider repainting container in spring 2024
07/11/2023	Injury	Bruising to leg	Officer attended A&E, rested and off work for 7 days	Yes	Yes	Simon Lee	Review of risk assessment. Landing stage repaired by 3 rd party owner

Appendix 2

Eastern IFCA Health and Safety risks

Risk	Intervention	Residual Risk	Risk rating* (Current)	Risk rating* (Previous)
1. Whole Body Vibration	<ul style="list-style-type: none"> Risk awareness training to manage impacts. Health monitoring process to be developed. 	<ul style="list-style-type: none"> Personal injury from boat movement owing to lower resilience as a result of individual physiology 	Tolerate	Treat
2. Staff stress through exposure to unacceptable behaviour of stakeholders	<ul style="list-style-type: none"> Introduction of Unacceptable Behaviour policy Stakeholder engagement plan and activity delivered in pursuit of corporate communications strategy. Dialogue with Stakeholders to ensure appropriate tone of communications Conflict resolution training for “front line” Officers Introduction of Body worn Camera’s and Sky Guard Alarms. 	<ul style="list-style-type: none"> No change in behaviour of some stakeholders. Long term sickness caused by stakeholder hostility 	Treat	Treat
3. Damage to vehicles, trailers and/or equipment through inappropriate operation.	<ul style="list-style-type: none"> Formal trailer training for unqualified officers Refreshers for those with previous experience Periodic vehicle maintenance checks training In-house assessment for drivers using unfamiliar vehicles (crew transport, 4x4) 	<ul style="list-style-type: none"> Failure to adhere to training Mechanical failure of vehicle or trailer 	Tolerate	Treat
4. Physical fitness of personnel to undertake arduous duty	<ul style="list-style-type: none"> Staff briefing Management overview to ensure rostered duties are appropriate and achievable 	<ul style="list-style-type: none"> Individual health fragilities Individual lifestyle choice 	Tolerate	Tolerate

	<ul style="list-style-type: none"> Reasonable work adjustments Routine periodic medical assessment (ML5) 			
5. COVID 19	<ul style="list-style-type: none"> Information Guidance Staff Briefing Risk Assessments 	<ul style="list-style-type: none"> Developing understanding of COVID 19 and rapidly changing guidance 	Terminate	N/A
6. Working at Height	<ul style="list-style-type: none"> Staff briefing Scoping of all quayside ladders Risk Assessment Training to be provided if required 	<ul style="list-style-type: none"> Failure of quayside ladders 	Treat	Treat

*

Risk Rating
High
Medium
Low

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

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Action Item 7

Eastern Inshore Fisheries and Conservation Authority Meeting

13 December 2023

Wash Appeals sub-committee update

Report by: Julian Gregory, Chief Executive Officer

Purpose of Report

To inform members of the key outputs and decisions from the Wash Appeals sub-committee meeting held on 16 October 2023.

Recommendations

It is recommended that members:

- **Note** the content of the report

Background

Chapter 4 of the Authority's Constitution and Standing Orders sets out the extent to which the Authority's functions are:

- the responsibility of the full Authority.
- the responsibility of the Chief Executive Officer.
- the responsibility of Sub-Committees of the Authority.

The Wash Cockle and Mussel Byelaw 2021 (WCMB), which is at an advanced stage in the byelaw making process, is intended to manage the cockle and mussel fisheries of The Wash.

Eligibility for permits under the WCMB is set out in a policy approved by the Authority and this includes a section that addresses the transition from WFO licences to WCMB permits. Decision making for such matters falls to the Wash Fisheries sub-committee.

The Eligibility Policy also provides a right of appeal against decisions taken by the Wash Fisheries sub-committee. Decision making for such appeals fall to the Wash Appeals sub-committee.

Report

The Wash Fisheries sub-committee meets as required and held its first meeting on 16 October 2023. The purpose of the meeting was to consider appeals against four

decisions taken by the Wash Fisheries sub-committee at their meeting held on 11 April 2023.

Unconfirmed minutes of the meeting can be found at Appendix A.

Financial Implications

The meeting was attended by the Authority's legal advisor, Mr Andrew Oliver of Andrew Jacson Solicitors LLP, and a cost was incurred as a result. Further legal costs may be incurred in the event that the decisions taken result in litigation against the Authority.

Legal Implications

There is potential for decisions of the sub-committee to be challenged, which may ultimately result in litigation. This risk is mitigated as far as possible by the adherence to due process.

Appendices

Appendix A – Unconfirmed minutes of the meeting of the Wash Appeals sub-committee held on 16 October 2023

Appendix A - Unconfirmed minutes of the meeting of the Wash Appeals sub-committee held on 16 October 2023

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Wash Fisheries Appeals Sub-Meeting

A meeting of the Wash Fisheries Appeals Sub-Committee took place on Monday 16th October 2023 at 1000 hours in the EIFCA Offices, King's Lynn.

Present:

Cllr T FitzPatrick	(Chair)	Norfolk County Council
Mr E Back	(Vice Chair)	Suffolk County Council
Mr T Goldson		MMO Appointee (substitute for Cllr Vigo Di Gallidoro)
Mr A Oliver		Solicitor representing Eastern IFCA

Officers Present:

Mr L Godwin	Senior IFCO Compliance
Mr J Gregory	CEO/ Clerk
J Hammond	Note taker

The name(s) of those in attendance to make appeals in relation to Action Item 7 (Appeal 1) are excluded from the minutes on the basis that such is information relating to an individual and information likely to reveal the identity of an individual which is exempt information as defined in Paragraphs 1 & 2 of Schedule 12A of the Local Government Act 1972 respectively and which the Clerk considered likely to result in exclusion of the public by way of resolution by the Sub-committee.

WFA23/01 Election of Chair of the sub-committee

The Clerk asked for nominations for the role of Chair.

It was Resolved that Cllr FitzPatrick be appointed the role of Chair.

Proposed: Mr Goldson

Seconded: Cllr Back

WFA23/02 Welcome

The Chair welcomed all those present.

WFA23/03 Apologies for Absence

There were no apologies for absence.

Prior to the meeting commencing the Clerk had advised that Cllr Vigo Di Gallidoro had been unable to attend so Mr Goldson had been proposed as a substitute member of the sub-committee. He had explained that Mr Goldson had not had any part in the Wash Fisheries sub-committee when permits had previously been discussed and he did not have any pecuniary interest in the fishery.

WFA23/04 Election of Vice Chair of the sub-committee

Nominations for the role of Vice-Chair were requested.

It was Resolved that Cllr Back be appointed the role of Vice-Chair of the sub-committee.

Proposed: Mr Goldson

Seconded: Chair

WFA23/05 Declaration of Members Interest

There were no Declarations of Interest.

At this point all individuals present introduced themselves.

WFA23/06 Exclusion of the Public

It was Resolved that under section 100A(4) of the Local Government Act 1972, that the public be excluded from the meeting on the grounds that it involves the disclosure of information relating to an individual, information which is likely to reveal the identity of an individual and information relating to the financial or business affairs of any particular person (including the authority holding that information) which is exempt information as defined in Paragraphs 1, 2 & 3 of Schedule 12A of the Act respectively and which the Clerk considered likely result in exclusion of the public by way of resolution by the Sub-Committee.

Proposed: Chair

Seconded: Vice Chair

All Agreed

WFA23/07 Appeal 1

This item included information relating to an individual, information which is likely to reveal the identity of an individual and information relating to the financial or business affairs of any particular person (including the authority holding that information) which is exempt information as defined in Paragraphs 1, 2 & 3 of Schedule 12A of the Local Government Act 1972 respectively and which the Clerk considered likely to result in exclusion of the public by way of resolution by the Sub-committee. The following is a written summary of proceedings to provide a record without disclosing the exempt information in accordance with subsection 100c(2) of the Act.

Prior to the information being put forward the Clerk advised that the meeting was being both audio and video recorded at the request of the appellants representatives. Attendees were asked that if required, would they agree to the recording being shared amongst those in attendance. There were no objections.

The Clerk then explained the process that would be followed and advised that once all discussion had been completed the Members would adjourn to consider their decision.

Appeals against decisions relating to four permit eligibilities made by the Wash Fisheries Sub-committee on 11 April 2023 was heard. The grounds for appeal were discussed by all parties present.

The meeting was adjourned at 1135hrs to enable members to consider the appeals. During the break members asked to see the Clerk to seek advice on matters pertaining to the appeal.

The meeting reconvened at 1210 hours, and audio/visual recording recommenced.

On resuming the meeting, the Chair asked the Clerk to recount the advice sought from him during the adjournment, including the information provided to members as a consequence. The Clerk informed the meeting about the advice requested and what had been provided, which related to the application of the Eligibility Policy under which the appeals were being considered.

The decision was made to allow three of the four appeals and to grant eligibility to the appellant for three permits under the Wash Cockle and Mussel Byelaw 2021.

The Clerk asked for clarification that it was eligibility for three permits that was being granted under the pending byelaw and that these did not relate to any particular vessel. He also asked on what grounds the decision was based.

The Chair advised that the eligibility was not granted with respect to any specific vessel, and that ultimately issuing a permit would be subject to proof of beneficial ownership of the vessel associated with an application. The chair also advised that the most important ground considered was Business Continuity. All four appeals were considered, three of which were upheld based on business continuity and the members had not considered it necessary to delve any further into the other grounds for appeal.

WFA23/08 Any Other Business

There being no other business the meeting closed at 1218 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 8

54th Eastern Inshore Fisheries and Conservation Authority meeting

Report by: Julian Gregory, CEO

Meeting of the Finance & HR Sub-committee held on 7 November 2023

Purpose of report

To inform members of the key outputs and decisions from the Finance & HR Sub-Committee meeting held on 7 November 2023

Recommendations

Members are asked to:

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

Background

Chapter 4 of the Authority's Constitution and Standing Orders sets out the extent to which the Authority's functions are:

- the responsibility of the full Authority.
- the responsibility of the Chief Executive Officer.
- the responsibility of Sub-Committees of the Authority.

Decision making powers for all strategic and operational financial matters are delegated to the Finance & HR sub-committee except for approving and adopting the Annual Budget and setting the levy to the County Councils, which is the responsibility of the full Authority. The full Authority also retains oversight of finance and HR matters by receiving and approving reports from the Finance and HR sub-committee.

Report

The Finance & HR sub-committee meets quarterly, and the last meeting was held on 7 November 2023. Unconfirmed minutes of the meeting can be found at Appendix A.

Appendices

Appendix A - Unconfirmed minutes of the Finance and HR sub-committee meeting held on the 7 November 2023.

Appendix A – Unconfirmed minutes of a meeting of the Finance & HR sub-committee held on 7 November 2023

Vision

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Finance & HR Sub-Committee

A meeting of the Finance & HR Sub-Committee took place at the EIFCA Offices, King's Lynn on 7th November 2023 at 1030 hours.

Members Present:

Cllr T FitzPatrick	Chair	Norfolk County Council
Cllr T Adams		Norfolk County Council
Cllr E Back		Suffolk County Council
Cllr P Skinner		Lincolnshire County Council
Ms I Smith		MMO Appointee
Mr S Williamson		MMO Appointee

Eastern IFCA Officers Present:

J Butler	Head of Operations
J Gregory	CEO

Joanne Sams – Aston Shaw Accountants (joined by Teams link)

FHR23/23 Welcome

The Chairman welcomed members to the meeting. Members were advised Ms Sams was joining the meeting via video link due to having a virus which she did not want to spread to members.

FHR23/24 Apologies for absence

Apologies for absence were received from Cllrs Chenery of Horsburgh (NCC), Coupland (LCC) & Vigo Di Gallidoro (SCC).

FHR23/25 Declarations of Members Interest.

No Declarations of Interest were received.

FHR23/26 Minutes of the Finance and Personnel Sub-committee meeting held on 1st August 2023

Members Agreed to accept the Minutes as a true reflection of the meeting.

FHR23/27 Matters Arising

FHR23/20 - ANNUAL STATEMENT OF ACCOUNTS: Members were reminded this item had been delegated to the Chair, Vide-Chair and CEO. This had been signed off and the accounts sent out to the External Auditor for their reporting process to be completed.

The CEO advised that whilst the initial report from the Auditors had appeared concerning, having had a meeting with representatives from Norfolk Audit Service there were no systemic issue that were of concern, but it was mainly relatively minor points that would be addressed prior to the next audit. .

FHR23/28 Quarter 2 Payments and Receipts

The CEO reminded members it was a requirement of the Standing Orders that payments and receipts be reported on a quarterly basis.

Notable expenditure and receipts included legal fees incurred as a result of a lengthy HR matter, payment for the surveyor to provide advice on the new vessel and income from shrimp permits which had been introduced in this financial year.

Cllr Adams queried payments for harbour dues, at which point the CEO explained there was an agreement in place whereby EIFCA made a capital contribution to new mooring facilities in exchange for peppercorn rent. The Capital contribution had not yet been paid as the lease agreement was still being finalised, but the money was held in reserves in readiness for payment to be made. Other mooring costs included a fixed fee at Wells, annual membership and fee at Royal Norfolk & Suffolk Yacht Club and a similar arrangement at the Suffolk Yacht Club.

Miscellaneous Income was queried, this was largely due to a contribution from Blue Marine Foundation towards work on the Cromer Shoal MCZ.

Members Agreed to Note the contents of the paper.

FHR23/29 Quarter 2 Management Accounts

The paper was provided with a slightly different layout than that used historically, which would be continued in forthcoming quarters. Included in the new layout was a breakdown of income which would make up the anticipated £85k of miscellaneous income for the year.

It had been identified that a payment of Defra funding which should have been paid in the last financial year had not been received until this financial year. As the money was for workstream funding and purchase of a daughter vessel for the new vessel, £100k had been moved to an

'Operational Reserve' and £45k moved to the Vessel Replacement Fund.

Members Agreed to note the content of the report and the movement in reserves to reflect income which should have been received in the previous financial year.

FHR23/30` Provisional Budget for the period 1 April 2024 to 31 March 2025 and Forecast to 2028/29

The CEO advised members there had been quite a bit of work to reach this point, which began with the annual meeting with representatives of the three County Council Finance Directors. The CEO was pleased to report the meeting had concluded with agreement of a 3% increase on both levies and the Capital Replacement contribution. Even though this represented less than half the current rate of inflation it was better than had been indicated was likely to be the scenario during the previous year's meeting.

Members were advised the projection for the year showed a deficit, but the Authority were fortunate to be in a relatively healthy position due to Reserves.

The projection for Forecast years showed annual increases of a 2% inflationary effect on budget and the same on levies. These figures were intended to be indicative.

For the purpose of preparing the budget it had been assumed 'New Burden Funding' would continue to be paid in some form. It was anticipated the Wash Cockle & Mussel Byelaw would be in place to generate income from permits and the £150k from Defra for workstreams, which was indicative for the next financial year, would also be forthcoming.

The report provided to members was slightly different to previous years, and it was hoped it provided clarity.

A 3% increase on salaries had been applied, however, it had been implied unions may press for more, but this was only speculation. Cllr Skinner noted that should a greater increase be agreed, it could lead to remodelling. The CEO advised that figures used for the budget assumed a full complement of staff for the whole of the financial year and included the provision to retain the third Executive Post.

General Expenditure took account of outsourcing accountancy, payroll, and HR support as well as increased charges for rent, electricity and legal fees.

With the purchase of two new vessels it was anticipated fuel costs would be higher, but the additional expense would be offset by lower refit costs.

Income for 2023/24 was projected to be lower than hoped as a result of the delay in the Wash Cockle & Mussel Byelaw coming into force, however it was anticipated this would be fully operational by 2024/25.

An Inflation Contingency was included in the 2024/25 proposed budget.

Members were advised that Reserve headings had been slightly altered for clarity and the Operational Reserve had been added to take account of the £100k Workstream Funding from Defra. The IVMS National Fund was a contribution for the implementation of IVMS from Defra which was initially to be disseminated amongst all IFCAs when needed, members were advised this was not EIFCA funds it was money held on behalf of DEFRA for all IFCAS.

It was also noted the ICT fund was shown twice – which would be revised.

The projection did not include projected income from the sale of *RV Three Counties* or any vehicles that may be sold.

The CEO advised members that at this point VAT had not been claimed back on stage payments made for Protector IV. Once this money was reclaimed it would be put back into the Vessel Replacement Fund Reserve.

Ultimately the proposed budget for 2024/25 showed a shortfall of £98k which could be covered by the Defra Workstream for last year funding that had been transferred to reserves. The CEO was reasonably comfortable with the perspective for the next financial year, however, he was concerned about subsequent years. It was anticipated AIFCA would put in a collective bid to Defra for additional funding for all IFCAs alongside continuation of new Burdens funding, but it might be necessary to consider higher increases in levels than has previously been the case. Officers would continue to scrutinise expenditure to see where EIFCA could be more efficient.

Members discussed the potential issue of funding going forward, whether a modest levy increase could address the shortfall, and the realisation that substantial savings would mean a cut in posts. However, it was also noted that there was always more work to do than resource available to achieve it all.

Members felt it was imperative that Defra be pushed for additional funding and whilst income could be generated through permit schemes it was not an additional burden the Authority wanted to place on the industry.

Members were advised prior to the proposed budget going before the full authority there may be some minor administrative changes or small financial changes.

Members Resolved to:

Note the content of the report and that there may be relatively minor revisions to the budget and budget heading prior to consideration by the full Authority.

Approve and recommend the Draft Budget 2024/25 to the full Authority at their next meeting on 13th December 2023.

Approve and recommend the Levies for 2024/25 to the full Authority at their next meeting on 13th December 2023.

Approve the Forecast for the following 4 years to 2028/29 for presentation to the full Authority at their next meeting on 13th December 2023.

Proposed: Cllr Skinner

Seconded: Cllr Adams

All Agreed

FHR23/31 Asset Disposal Vehicles

The Head of Operations advised members that the Audit had highlighted that the accounting method did not show depreciation of vehicle values, consequently the sale of vehicle assets was not made in accordance with the Constitution and Standing Orders, which stated approval needed to be sought from the Finance & HR Sub-Committee. With this in mind, Members had been provided with a list of vehicles which may potentially need to be replaced during the current financial year for which their approval was sought.

Members Resolved to:

Note the contents of the report.

Approve disposal of vehicle assets in line with the Authority's Constitution and Standing Orders.

Proposed: Cllr Skinner

Seconded: Cllr Back

At this point there were no further financial matters to discuss so Ms Sams left the video link.

FHR23/32 Resolution

Members Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for:

- a) Item 11 on the ground that it involved the likely disclosure of information which was likely to reveal the identity of an individual as defined in Paragraphs 2 of Schedule 12A of the Act and**
- b) Item 12 on the grounds that it involved the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information) which is exempt information as defined in Paragraph 3 or Schedule 12A of the Act.**

Proposed: Cllr FitzPatrick
Seconded: Cllr Skinner
All Agreed

FHR23/33 HR Update

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

The Head of Operations advised members one new member of staff had started work in August, and three MSOs had handed in their resignations, all of them would be leaving by the end of the year having found opportunities for career development. Whilst exit interviews would seek to identify any underlying or systemic issues, it was understood that there were reasons for each individual moving on that did not reflect upon employment by the Authority. . One of the Project Officers had also resigned and gone to work for Defra, this post had been recruited for and it was hoped the successful applicant would be able to start relatively soon.

One IFCO had moved on to pastures new, having been recruited during lockdown and the return to hybrid working he had identified the cost of travel as one of the reasons for seeking employment elsewhere. As the Authority were already working with one IFCO over compliment this post was not going to be replaced.

Recruitment to replace the departing MSOs had commenced, there were 4 vacant positions but in view of budget constraints the CEO was considering recruiting for 3 at this time in order to help with balancing this and next year's budget. Members discussed this scenario and the difficulty already being faced with keeping on top of workloads. Working with one post down would only add to the pressure on staff and might contribute to them looking elsewhere for employment when EIFCA needed to be encouraging them to stay. The consensus was that recruiting the full complement would be preferable.

Members discussed ways to encourage staff to remain in post, as well as the cost incurred each time a new recruit was taken on with training them up and providing correctly fitting PPE etc. Members spent time considering ways of providing incentives to Officers to stay in post.

Members also discussed the impact the loss of the third Exec incumbent was having on the remaining two. The CEO outlined his thoughts that the third Executive post be retained at some level, to look after the Marine Science and Projects Team, as experience had shown these two teams were closely aligned and greater efficiencies could be driven that way.

It was suggested the Exec Team would consist of:

CEO,
Deputy CEO – responsible for Marine Protection/Seagoing facilities/Support
Assistant Chief Officer - responsible for Marine Science/Projects/Business planning and Delivery.

In order to make this happen there would need to be a re-designation of existing Exec posts, the responsibility for which sat with this sub-committee, but was permanently delegated to the Chair, Vice Chair and CEO.

Members discussed the best way forward, the cost of already outsourced finances and the potential cost of outsourced HR provision and the overall clarity a revised structure would provide.

The decision was made to leave the matter for the Chair and CEO to consider and a report on action taken would be made to the next sub-committee.

Members Agreed to note the content of the report.

FHR23/34 New Vessels Update

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

The CEO provided members with a verbal update.

Protector IV had been put into the water and was undergoing final fit out. Engine testing would begin the following week.

It was noted work on the bridges which could potentially stop the vessel leaving the yard had been completed but unfortunately one of the bridges had been lifted once and subsequently failed, therefore the intention was to move the vessel as soon the bridge was lifted again to prevent it getting stuck in the river.

C-Fury – daughter vessel for Protector IV, delivery was anticipated in March 2024

Potting Vessel – the Chair, Vice Chair and CEO had been considering a relatively new but second-hand vessel and the merits of refitting it to make it fit for purpose. It was noted that subject to completion of an application form the majority of the expense to purchase the vessel had been earmarked from Defra funding.

Members Agreed to note the verbal report.

FHR23/22 Any Other Business

No other urgent matters had been brought to the attention of the Chair.

There being no other matters to discuss the meeting closed at 1213 hours, the Chair thanked members for attending.

DRAFT

Vision

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Action Item 9

Eastern Inshore Fisheries and Conservation Authority Meeting

13 December 2023

Report by: Julian Gregory, CEO and Joanne Sams, Aston Shaw Accountants

Budget for the period 1 April 2024 to 31 March 2025 and Forecast to 2028/29

Purpose of report

To present the proposed Budget and levies for the 2024/25 financial year together with the Forecast for the following 4 years to 2029.

Recommendations

Members are asked to:

- **Note** the content of the report.
- **Approve** the proposed Budget 2024/25.
- **Approve** the Levies for 2024/25.
- **Approve** the Forecast for the following 4 years to 2028/29.

Background

It is a requirement of the Authority's Constitution and Standing Orders (Financial Regulations) that detailed estimates of income and expenditure on revenue services, and receipts and payments on capital account, shall be prepared as directed each year by the Responsible Finance Officer (RFO). Proposals in respect of revenue services and capital projects in a rolling five-year forecast shall also be prepared as directed each year by the RFO.

It is the responsibility of the Finance and HR Sub-Committee to review the estimates and make a recommendation to the Authority not later than the end of December in each year on the precept to be levied for the ensuing financial year. At its meeting of 7 November 2023 the estimates detailed below were approved for recommendation to the full Authority at their next Statutory meeting.

Report

It is noteworthy that this is the first budget that has been prepared by the RFO and officers in conjunction with the Authority's new accountant, whereas previously it would have been prepared by the Head of Finance & HR. As a consequence the process can be described as being 'under development' and it is likely that lessons learned during the process may result in some revisions to process and to accounting methodology.

It should be noted that the introduction of new vessels means that there is not a firm evidence base upon which to project likely costs, so a degree of professional judgement is involved.

Development of the draft Estimates of Expenditure for the financial year 2024/2025 was informed by the annual meeting between officers and the Finance Directors, or their nominated representatives, held on 5 October 2023. At this meeting it was agreed that a 3% inflationary uplift on the general levy and the previously agreed annual uplift of 3% on the contribution to asset replacement was considered acceptable by each of the three funding county councils. The 3% uplift on the general levy is slightly higher than the previously agreed annual uplift of 2% but reflects a cut in real terms given that inflation rates are currently at least double the percentage increase.

As a consequence of this and pending potential changes in assets and staff structures it proved difficult to provide a balanced budget and it may be necessary to draw upon reserves at year end. This is mitigated by the availability of additional revenue funding for last year received from Defra and placed in an Operational Reserve, the inclusion of a contingency fund of £40k and the relatively healthy state of reserves, which benefit from annual contributions from funding authorities for asset replacement. The latter can be viewed in the context that the replacement of the Authority's largest vessel is nearing completion and the planned procurement of a 'potting vessel' to replace FPV *John Allen* is likely to attract virtually full funding from Defra.

Draft estimates of expenditure for the financial year 2023-24 against budget and income are summarised under the main budget headings in Table 1. It should be noted that projections are based upon Quarter 2 expenditure being doubled to reflect the year, which doesn't necessarily reflect accurately the spend profile under various budget headings or account for one-off expenditure such as insurance policies. The final column in Table 1 shows the 2024-25 draft budget for expenditure under the main budget headings and anticipated income. More detailed expenditure for both 2023-24 and 2024-25 is shown in Table 2.

Assumptions

An amount described as Defra Base Funding (New Burdens Funding) has been included for 2024-25 and in the projections for subsequent years. Whilst future Government spending reviews might re-consider this funding it has long been argued by the IFCA's, and to date accepted by Defra, that the 'New Burdens' were a permanent addition of responsibility and that the funding should continue permanently. Additional funding for specific work streams has been confirmed for 2023/24 and is indicative (i.e. subject to confirmation) for 2024/25 and is included in the Draft Budget for next year. It is anticipated that the next spending review will consider whether similar funding should continue, and it is likely that the Association of IFCA's will coordinate a bid for consideration at the time.

Table 1.

EXPENDITURE	2023/2024 Budget £	2023/2024 Projection £	2024/2025 Draft Budget £
Salaries & Wages	1,217,500	1,206,279	1,356,370
General Expenditure	230,000	268,522	288,291
Departmental Op Costs	40,250	35,000	40,500
Vessels	118,000	129,000	140,500
Vehicles	41,500	44,210	45,840
Contingency	40,000	0	40,000
TOTAL	1,687,250	1,723,011	1,911,501
INCOME			
Other income	85,000	41,830	112,000
Levies	1,122,700	1,122,700	1,156,380
Defra core funding	394,145	394,145	394,145
Defra workstream funding	150,000	150,000	150,000
TOTAL	1,751,845	1,708,675	1,812,525
SURPLUS / (SHORTFALL)	64,595	(14,366)	(98,976)

Notes on Expenditure and other income

Members may find the notes below helpful in relation to tables 1 and 2.

Salaries & Wages	
2023/2024 projection £11,221	2024/25 Draft Budget £138,870
The original budget estimate appears to have been insufficient had all posts been occupied all year but vacancies throughout the year are likely to result in a slight underspend. Projection based upon LGA pay rise being implemented.	All posts filled and accounted for with an estimated 3% cost of living pay rise. Includes provision for retention of third executive officer post.

General Expenditure	
2023/2024 Projection (£38,522)	2024/2025 Draft Budget £58,291
Higher expenditure than projected in rent (increased), electricity charges, legal and professional fees and uniform/equipment.	Outsourced payroll, accountancy, and HR support and inflationary increases.

Departmental Operational Costs	
2023/2024 Projection £5,250	2024/2025 Draft Budget £250
Likely underspend	Slight increase to reflect media expenditure

Vessels	
2023/2024 Projection (£11,000)	2024/2025 Draft Budget £22,500
Increased insurance and certification costs associated with new vessels	Introduction of two new vessels will result in fuel, maintenance and insurances increase partially offset by refit savings following disposal of RV <i>Three Counties</i>

Vehicles	
2023/2024 Projection (£2,710)	2024/2025 Draft Budget £4,340
Increases in insurance and vehicle tracking	Reflects inflationary costs

Income	
2023/2024 Projection (£43,170)	2024/2025 Draft Budget £27,000
WFO fees not realised due to expiry of the regulating order and delayed implementation of the new byelaw.	Inclusion of permit fees associated with the new Wash Cockle and Mussel Byelaw 2021 and the implementation of the Shrimp Permit Byelaw 2018

Inflation Contingency

An inflation contingency of £40,000 was included in the 2023/24 budget and is also included in the 2024-25 Draft Budget with a further £20,000 in the 2026/27 estimate.

Levies

As agreed with the County Councils' finance representatives, levies have been increased by 3% for 2024/25. The Levies on the constituent County Councils including the 3% increase and asset replacement funding for 2024/2025 are as follows:

	Norfolk County Council	Suffolk County Council	Lincolnshire County Council
	38.5%	28.9%	32.6%
	£	£	£
County Council Levies	445,205	334,19	376,982
Asset replacement	66,948	50,255	56,689
Defra Funding (base)	151,746	113,908	128,491
Total Levy	663,901	498,357	562,160
Defra Workstream Funding*	150,000		

*Funding for MPA Management, Licensing/Consents/Permitting and Fisheries Management Plans. The current expectation is £50,000 per workstream with 2024-25 being the last of the three years for which this funding was approved.

Reserves

Although reserves are healthy the cost of the replacement of RV Three Counties is valued at c.£1.7million, with circa £1.3m in stage payments having been made. The reduced reserves will be further augmented by annual asset replacement contributions from the three funding Authorities. The amounts held in EIFCA's ear-marked reserves are based upon the figures as of 30 September 2023, and are set out below¹:

	£
Operational Reserve	100,000
ICT fund	10,000
Fixed Penalty Fund	22,500
Legal and Enforcement Fund	75,000
Office Improvement Fund	10,000
Moorings Fund	150,000
Research Fund	62,251
Vehicle Renewals	60,000
Environment Grants – called Defra grant last year	18,292
Vessel Replacement Fund	1,448,562
Wash Fishery Order Fund	85,429
TOTAL	2,042,034
<i>IVMS National Fund - held for national projects on behalf of all IFCA's so not available to Eastern IFCA.</i>	<i>221,000</i>

¹ An error in showing the ICT fund twice in the paper to the Finance & HR sub-committee has been rectified and figures adjusted accordingly.

Table 2**Estimates of Expenditure 2023/2024 and Draft Budget**

	2023/2024 Budget	2023/2024 projection	2024/2025 Draft budget
<u>STAFF COSTS</u>			
Salaries	914,000	916,897	1,027,156
Pension	214,500	208,655	231,557
Employers NI	89,000	80,727	97,657
TOTAL	1,217,500	1,206,279	1,356,370
<u>GENERAL EXPENDITURE</u>			
Accommodation			
Rent	37,500	44,198	45,524
Rates	16,750	16,305	16,794
Electricity	6,000	10,000	10,500
Water	800	800	824
Service charges	3,750	4,000	4,120
Insurance unit A	1,250	1,250	1,288
Cleaning	1,000	1,000	1,030
Maintenance & redecoration	7,500	7,500	7,725
Insurance office & General	9,650	10,569	10,886
TOTAL	84,200	95,622	98,691
General establishment			
Advertising & Subscriptions	19,000	23,000	23,000
Recruitment	1,000	1,000	1,000
Legal & Professional fees	22,000	33,000	37,000
Telephones	7,500	16,000	16,000
Postage & Stationery	8,500	8,700	8,700
IT Support	35,000	35,200	37,800
Uniforms & Protective Clothing	8,000	16,000	8,400
Medical costs	1,800	1,200	1,200
Sundry costs (inc meeting costs)	2,500	5,000	5,000
TOTAL	105,300	139,100	138,100
Officers Travel & Subsistence			
General Travel – Fares, Taxis etc	5,000	5,000	5,000
Subsistence Payments	2,000	3,000	3,000
Overnight Subsistence	2,000	2,000	2,000
Hotel – Accommodation & Meals	5,000	7,300	5,000
TOTAL	14,000	17,300	15,000
Members expenses	1,500	1,500	1,500
Training	25,000	15,000	35,000
GENERAL EXPENDITURE TOTAL	230,000	268,522	288,291

OPERATIONAL COSTS

Media	750	1,500	1,000
Marine Science	18,000	12,000	18,000
Marine Protection	21,500	21,500	21,500
TOTAL	40,250	35,000	40,500

VESSELS**Mooring & Harbour Dues**

Rent - Sutton Bridge Moorings	-	-	-
Maintenance	500	500	500
Berthing & Harbour Dues	6,000	6,000	6,000
TOTAL	6,500	6,500	6,500

Research Vessel**Three Counties / P4**

Maintenance & Repairs	10,000	10,000	10,000
Refit	25,000	25,000	12,000
Insurance & certification (all vessels)	24,000	35,000	42,000
Fuel (all vessels)	27,500	27,500	40,000
TOTAL	86,500	97,500	104,000

Enforcement Vessels - Ribs

Maintenance & Repairs	TOTAL	25,000	25,000	30,000
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VESSELS TOTAL	TOTAL	118,000	129,000	140,500
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VEHICLES

Insurance	13,000	14,370	16,000
Fuel & Sundries	23,000	23,000	23,000
Servicing	4,500	4,500	4,500
Vehicle tracking	1,000	2,340	2,340
TOTAL	41,500	44,210	45,840

Contingency	40,000	40,000	40,000
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<u>EXPENDITURE TOTAL</u>	1,687,250	1,723,011	1,911,501
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Forecast to March 2029

The inflationary uplift in levies for 2024-25 is 3% on the previous year. Prior to this the agreement with funding authorities was for a 2% annual inflationary uplift and reversion to this agreement is assumed for the purposes of the projection. Similarly, 2% inflation on all expenditure is assumed based upon current Bank of England projections that their target of 2% inflation will be achieved by the first part of 2025.²

	<u>2024/25</u>	<u>2025/26</u>	<u>2026/27</u>	<u>2027/28</u>	<u>2028/29</u>
Income					
Levies	1,156,380	1,191,071	1,226,804	1,263,608	1,301,516
Defra Funding	544,145	394,145	394,145	394,145	394,145
Other	112,000	112,000	112,000	112,000	112,000
Total Income	1,812,525	1,697,216	1,732,949	1,769,753	1,807,661
Expenditure					
Staff cost	1,356,370	1,383,497	1,411,167	1,439,391	1,468,179
Administration	278,291	283,857	289,534	295,325	301,231
Operations	40,500	41,310	42,136	42,979	43,839
Vessels	140,500	143,310	146,176	149,100	152,082
Vehicles	45,840	46,757	47,692	48,646	49,619
Contingency	40,000	40,800	41,616	42,448	43,297
Total	1,911,501	1,939,531	1,978,322	2,017,888	2,058,246
Surplus/(Shortfall)	(98,976)	(242,315)	(245,373)	(248,135)	(250,585)

Forecasted Movement in Reserves to March 2029

	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>	<u>2026/27</u>	<u>2027/28</u>	<u>2028/29</u>
Opening	1,937,034	1,631,861	1,676,777	1,075,886	974,995	876,876
Revenue	370,000*	0	0	0	0	0
Asset rep	168,827	173,892	179,109	184,482	190,016	195,716
Utilised	(844,000)	(128,976)	(780,000)	(285,373)	(288,135)	(290,585)
Balance	1,631,861	1,676,777	1,075,886	974,995	876,876	782,007

*Includes £100k Defra revenue funding & £45k Defra vessel funding received and £225k Defra vessel funding anticipated

The projected expenditure from reserves includes the following:

- 2023-24 – ‘utilised’ includes final stage payments for *FPV Protector IV*, procurement of a ‘potting vessel’ replacement for *FPV John Allen*, the tender for *FPV Protector IV*, replacement vehicles and covering the projected insufficiency of the revenue budget.
- 2024 to 2029 ‘utilised’ includes addressing the projected insufficiency of the revenue budgets and £40k per year on vehicle replacement (likely to be an over-estimate).
- 2025-26 – ‘utilised’ additionally includes projected replacement of *FPV Sebastian Terelinck*. It is possible that a major refit may be undertaken instead, or a smaller cabin RIB procured with outboard motors, both of which would likely notably reduce expenditure.

The projection does not include revenue from the projected sale of *RV Three Counties* or vehicles.

²[When will inflation in the UK come down? | Bank of England](#) 01/11/2023

Background documents
Eastern IFCA Constitution and Standing Orders

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 10

Eastern Inshore Fisheries and Conservation Authority Meeting

13 December 2023

Wash Fishery Order 1992 Transition

Report by: James Teasdale (Project Officer)

Purpose of Report

To report on management of the 2023 Wash fisheries under interim measures during the transition between the Wash Fishery Order 1992 expiry and the Wash Cockle and Mussel Byelaw 2021 coming into effect, and to seek delegated authority to continue to manage the Wash fisheries through the interim measures.

Recommendations

It is recommended that members:

Note the contents of this report.

Agree in principle and subject to consideration of the formal consultation on the matter to close the cockle and mussel fisheries in The Wash, as defined by the boundaries of the Wash Fishery Order 1992 (WFO) and the Wash Restricted Area, using Byelaw 8 (Temporary Closure of Shellfish Fisheries) and to issue exemptions in relation to 'entitlement' holders and lay holders. The period of the closure being for 12 months or until the replacement management mechanisms come into effect, whichever occurs first.

Agree to delegate authority to the CEO in consultation with the Chair or Vice-Chair, having considered the results of the consultation on the matter, to close the cockle and mussel fisheries in The Wash, as defined by the boundaries of the (WFO) and the Wash Restricted Area, and to re-open the same when the new management systems are in place.

Agree to delegate authority to the CEO to:

- Grant exemptions to persons who held entitlements under the WFO or exemptions under the 2023 Interim Measures to fish wild cockle and mussel stocks within the Wash.
- Grant exemptions to persons who held a lay under the Wash Fishery Order 1992 to fish within their lays.

- To issue conditions under which the exemptions (above) are granted that reflect WFO licence conditions and regulations and lay-holder lease conditions.
- To revoke exemptions in consultation with the Chair and Vice-Chair for the purpose of closing a fishery in accordance with agreed management measures.

Background

The Wash Fishery Order 1992 (WFO), under which the wild shellfish fisheries and private 'lays' (several fishery) of the Wash have historically been managed, expired on 3 January 2023.

Regulation to replace the WFO (the Wash Cockle and Mussel Bylaw 2021 (WCMB) and a separate Several Order) has been developed in consultation with industry and approved by the Authority. Both are at an advanced stage in the process for approval and the policy on access to the cockle and mussel fisheries has been approved by the Authority (at the 49th Eastern IFCA meeting, 14 September 2022), with subsequent Wash Fisheries and Wash Appeals sub-committee meetings having processed and decided on permit eligibility applications under the access policy.

For the intervening period between the expiry of the WFO and the introduction of the WCMB, the Authority approved the use of Byelaw 8 (at the 50th Eastern IFCA meeting, 14 December 2022), to close the Wash fisheries for a period of 12 months from the expiry of the WFO and manage access to the public and private (lays) fisheries by issuing exemptions. This temporary management has been referred to as the 'Interim Measures'. This closure will expire on 3 January 2024.

Report

The Interim Measures enabled the successful administration the 2023 Wash fisheries, including a mussel relaying fishery (albeit with limited uptake from fishing industry) and a cockle fishery which provided approximately 2700 tonnes of cockles, with positive industry feedback as noted in Item 11 of the 53rd Eastern IFCA meeting, 13 September 2023. However, as Byelaw 8 is specifically for temporary closures, it is appropriate that the closures last no more than 12 months, and so require renewal to allow continued management of the 2024 fisheries.

Once the current temporary closure expires as of 3 January 2024, and in the absence of a closure or other regulation, the shellfish fisheries of the Wash would be unmanaged, and the private lays would revert to the public fishery. This poses a risk to stock sustainability, the conservation objectives of the Wash Marine Protected Areas and the viability of industry.

While work is ongoing, neither the byelaw (to manage wild stocks) nor the new Several Order are likely to come into effect on or before 3 January 2024. To continue to manage the gap between the WFO expiring and the new measures coming into effect, the Authority can extend the temporary management of the fisheries using Byelaw 8 (Temporary Closure of Shellfish Fisheries) as follows:

1. Close the cockle and mussel fisheries in The Wash, as defined by the boundaries of the Wash Fishery Order 1992 (WFO) and the Wash Restricted Area with effect from 3 January 2024.
2. Re-issue existing exemptions to open fisheries taking wild stocks on the condition that they fish in accordance with the management measures for the fishery.
3. Immediately re-issue exemptions to lay holders to fish in their lays on the condition that they fish in accordance with their lease conditions.

The effect will be that the *status quo* is maintained inasmuch as those who had access to the fisheries at the expiry of the WFO and throughout 2023 will continue to do so, that wild and private stocks would be protected from third parties, and that any fishing activity would be in accordance with the management measures currently in place to mitigate risks to the MPAs and the stocks. The Interim Measures enabled fishery management in the same manner as was previously the case under the WFO i.e., having undertaken stock assessments, Habitat Regulation Assessments and consultation with industry, and the intention is to continue to do so.

To bring the closure into effect, the byelaw requires consultation with stakeholders (which closed on 11 December 2023) and that ‘the Committee has been advised by fishery scientists who appear to them to be suitably qualified, as to the need for such action’.

Senior Marine Science Officers Ron Jessop and Judith Stoutt have provided advice (Appendices 1 and 2 respectively) with regards to the need for the closure, updated where relevant for the 2024 fishery. Both are considered ‘suitably qualified’ for the purpose of the byelaw because of their experience of advising on such matters on behalf of the Authority. In summary, unmanaged fishing activity poses well established risks to the Wash stocks and MPAs which is well evidenced through annual stock assessments and Habitats Regulation Assessments and a closure is therefore advised, with exemptions granted on the basis that established management measures are adhered to.

The period of the closure is recommended as 12 months (from 3 January 2024) or until replacement management mechanisms come into effect, whichever occurs soonest. In the case of the WCMB coming into effect, the intention would be to protect the lays using that byelaw, and so the temporary closure would not be needed, although this would be subject to legal advice. If the Several Order comes into effect first, the temporary closure would still be needed to manage the wild capture fisheries. If neither mechanism is likely to come into effect within 12 months, then the temporary closure would be reviewed with a view to renewing it. In any case, it is intended that the closure is only kept in place for as long as is necessary to accommodate the transition.

Next steps

It is recommended that authority is delegated to the CEO in consultation with the Chair or Vice-Chair, to implement the temporary closure and to the CEO to issue exemptions as required. As set out above, the intention is to re-issue exemptions to

enable continued access to the fisheries on the condition that the management measures under which they currently operate are adhered to.

Such delegated authority includes in relation to setting new conditions in relation to future fisheries as required (e.g. a mussel relaying fishery which is likely to open in 2024) which would be in accordance with the measures issued ordinarily having undertaken a stock assessment and Habitats Regulations Assessment. Further, delegated authority is also required to revoke exemptions to effectively close the fishery in accordance with the established process (e.g. because the Total Allowable Catch is exhausted).

Financial Implications

There are no direct financial implications of implementing this closure. However, exemptions may not be charged for under Byelaw 8. The closure is anticipated to be replaced within 2024 by the WCMB, which does allow for charging for permits.

The Authority should therefore be aware that should the WCMB not come into force when expected, there may be a resultant loss of some or all budgeted income from permit fees, projected at approximately £60,000. However, this should not be considered a consequence of the proposed closure, which is solely intended to maintain fishery management until the WCMB comes into force.

Legal Implications

There is an inherent risk of legal challenge associated with closing any fishery, however, the risk is mitigated by written legal advice received for the original closure, adherence to the requirements of Byelaw 8, the beneficial impact of the Interim Measures, and the lack of challenge during their implementation during 2023.

Conclusion

The proposed measures to manage any gap between the expiry of the WFO and the introduction of the new Byelaw and Several Order using Byelaw 8 will provide surety for industry, will maintain the transitional arrangements between expiry of the WFO and introduction of the WCMB, and have been proven effective during their use in 2023.

Appendices

Appendix 1 – Recommendation from Senior Marine Science Officer Ron Jessop
Appendix 2 – Recommendation from Senior Marine Science Officer Judith Stout

Background Documents

- Papers and Minutes for the 49th Eastern IFCA Meeting (14 September 2022)
- Papers and Minutes for the 50th Eastern IFCA Meeting (14 December 2022)
- Papers and Minutes for the 53rd Eastern IFCA Meeting (13 September 2023)

Appendix 1 – Recommendation from Senior Marine Science Officer Ron Jessop

In addition to being a valuable resource for the local fishing industry, the intertidal cockle and mussel stocks in The Wash are also an essential food resource for the internationally important communities of birds that reside or over-winter in The Wash, while the sandbanks and mudflats on which they are situated are an important habitat for invertebrate communities. The environmental importance of The Wash is recognised in the number of environmental designations it has, including being a SAC, SSSI, SPA and Ramsar site. It is important, therefore, that these fisheries do not have an adverse impact on the natural environment as well as remaining sustainable for future fisheries. To this end, since 2008, these two fisheries have been managed using a suite of policies detailed in the 2008 Wash Shellfish Policies, which were updated for the cockle fishery in the 2018 Handwork Cockle Fishery Management Plan. Both fisheries are also subject to annual Habitats Regulations Assessments before they can be opened. Strong management is fundamental to passing the HRA process.

Periods of heavy fishing activity in the 1980s and 1990s showed how vulnerable both stocks could be to fishing pressure, mussel beds in particular being slow to recover from overfishing. Both fisheries are subject to measures that minimise the risk of overfishing causing their decline. For the cockle fishery, these include policies whereby an annual Total Allowable Catch (TAC) limits the size of the fishery, historically to a third of the adult stock but a sixth of the total stock is currently being trialled, plus minimum thresholds that maintain the total cockle stock above 11,000 tonnes and the spawning stock above 3,000 tonnes. For mussels, similar measures aim to keep the total mussel biomass above 12,000 tonnes and the adult spawning stock above 7,000 tonnes. Further, to ensure sufficient shellfish are available to support the overwintering wader populations, the cockle and mussel stocks are required to remain above a target calculated through a “Bird Food Model” to meet their needs. For both species, juvenile stocks are protected, either by using a 45mm Minimum Landing Size (MLS) for mussels, or by protecting dense patches of juvenile cockles with spatial closures.

Recognising how evolving fishing practices and/or vessel and gear technologies could easily lead to unsustainable fishing, policies are also currently in place to prevent this happening. These include limiting the size of vessels that can partake in the fishery to 14m, limiting the size and number of dredges allowed to be used in the mussel fishery to a maximum of two 1m wide dredges and making the cockle fishery handworked only. Both fisheries are also subject to maximum daily quotas that restrict harvesting. Importantly for local vessel owners, the current regulations also restrict the fishery to those that had access under the WFO 1992 licencing system. Without management in place, these fisheries would be legally open to all vessels without restrictions. Such an occurrence would have a significant impact on the sustainability of the stocks and the Conservation Objectives for the site.

Appendix 2 – Recommendation from Senior Marine Science Officer Judith Stout

The Wash fisheries operate within one of the most important marine protected areas on the East coast of England. The area has multiple conservation designations, including Site of Special Scientific Interest, Special Area of Conservation, Special Protection Area and Ramsar site, which afford legal protection to internationally important populations of wild birds and harbour seals and to the range of habitats that supports them. As well as providing a vital food source for protected birds, cockle beds and mussel beds are protected in their own right as attributes of *intertidal mudflats and sandflats*, a designated feature of the Wash and North Norfolk Coast Special Area of Conservation.

As the inshore fisheries regulator, the Authority must consider the impact of fishing on protected habitats and species. The Authority can only authorise fishing activities where it has been ascertained that they will not have an adverse effect on the integrity of the designated sites. The Authority achieves the required certainty of “no adverse effect” by identifying acceptable thresholds, and applying management measures that limit the severity, extent and duration of impacts from fishing activities to levels that the environment can withstand. Measures include fishing gear specification, spatial restrictions on activity and effort controls. In the absence of such management, the Authority would not be able to authorise fisheries because it would not be able to ascertain “no adverse effect” on the integrity of the designated sites. It is therefore essential that the Authority has the ability to manage fisheries, in order to enable their continuation within designated sites.

Vision

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Action Item 11

Eastern Inshore Fisheries and Conservation Authority Meeting

13 December 2023

Wash Mussel Fisheries

Report by: Ron Jessop – Senior Marine Science Officer (Research)
Luke Godwin – Senior IFCO (Compliance)

Purpose of Report

The purpose of this report is to summarise the findings of the 2023 autumn inter-tidal mussel surveys in The Wash and recommended fishery management measures to support a fishery; namely a re-laying seed fishery with a maximum Total Allowable Catch of 3,031 tonnes focused on 10 beds. Further, it is recommended that the stocks on the Welland Wall, which are considered discrete to those on the inter-tidal beds, should remain open to the fishery.

Recommendations

It is recommended that members:

- **Note** the findings of the 2023 Autumn Mussel surveys and specifically that the Conservation Objective target for total mussel biomass has been achieved but the target for adult biomass (mussels $\geq 45\text{mm}$ length) has not been achieved.
- **Agree** subject to consultation, to open a re-laying mussel fishery with a maximum TAC of 3,031 tonnes on the beds highlighted in Appendix 1 and with maximum exploitation rates for each bed as set out in table 2 of the below report.
- **Agree** to delegate authority to the CEO in consultation with the Chair or Vice-Chair to set and/or vary the TAC and / or the beds open to the fishery for both the dredged and hand-worked mussel re-laying fishery based upon the outcome of consultation and if judged to be necessary, during the period that the fishery is open.
- **Note** the proposed management measures for the fishery including the associated rationale and the mechanism for implementing management under the interim measures.
- **Agree** to delegate authority to the CEO in consultation with the Chair or Vice-Chair to introduce, vary or revoke flexible management measures referred to in Schedule 4 of the Wash Cockle and Mussel Byelaw 2021 to manage a cockle fishery in the event that the byelaw comes into effect.

- **Agree** to delegate authority to the CEO in consultation with the Chair or Vice-Chair to introduce, vary or revoke flexible management measures with less than 12-hours' notice as may be required, in accordance with the provisions of the Wash Cockle and Mussel Byelaw 2021 should the byelaw come into effect.
- **Agree** that the dredge and hand-worked relaying fisheries will close on 31st August 2024 or when the respective quotas are exhausted, whichever is the sooner.

Background

Until it expired in January 2023, the Authority managed bivalve mollusc fisheries within The Wash, including the intertidal mussel (*Mytilus edulis*) fisheries, under the Wash Fishery Order 1992 (WFO). The Authority is seeking to replace the expired fishery order with a Wash Cockle and Mussel Byelaw but until its introduction, the Wash cockle and mussel fisheries will be managed using Byelaw 8, Temporary Closure of Shellfish Fisheries in conjunction with specific exemptions from the closure that will allow approved fishing activities to occur as they would have proceeded under the Wash Fishery Order 1992.

There are two district fisheries within The Wash relating to mussels; one at Welland Wall, where the mussels are situated on a bank of the River Welland, and the fishery which occupies the rest of the Wash's mud and sand banks. The latter is further divided into a harvestable fishery, which targets adult mussels for landing directly for market, and a seed relaying fishery, which collects juvenile mussels from the intertidal beds for relaying onto private lays.

Mussel stock surveys are undertaken annually during autumn to determine if a fishery can be opened and to identify what management measures are required. Since 2010, high mortalities combined with poor recruitment have contributed to an overall decline in the inter-tidal mussel beds. This has left the majority of the older beds in poor condition, in which the mussels are heavily encrusted in barnacles and the ground covered in dead shell. In recent years, however, a small number of new beds have settled which have helped the total stock biomass to hover around the Conservation Objective target of 12,000 tonnes and small relaying fisheries to be opened.

The Welland Wall mussel fishery is considered discrete from the other inter-tidal beds, and the relative stability of the mussel stocks, supported by its rocky substate, generally enable it to remain open to a small-scale, hand-worked fishery. The majority of mussel removed is relayed onto lays within The Wash or the adjacent North Norfolk Coast.

Report

Summary of the 2023 Wash intertidal mussel stock assessment surveys

Introduction

The 2023 Wash inter-tidal mussel surveys were conducted between September 16th and October 19th, during which 17 inter-tidal beds, plus the Welland Bank were surveyed. These surveys included all of the known inter-tidal beds apart from three of

the smaller beds that had previously supported less than 50 tonnes of mussels. These included the Roger and Pandora sands which had previously been removed from the survey programme due to their small stock size and general deterioration, plus a small bed close to the Dills disposal site. The small East Mare Tail bed was not surveyed independently, but the mussels present at this site were incorporated into the adjacent North Mare Tail survey. Figure 1 shows the beds surveyed during the 2023 programme.

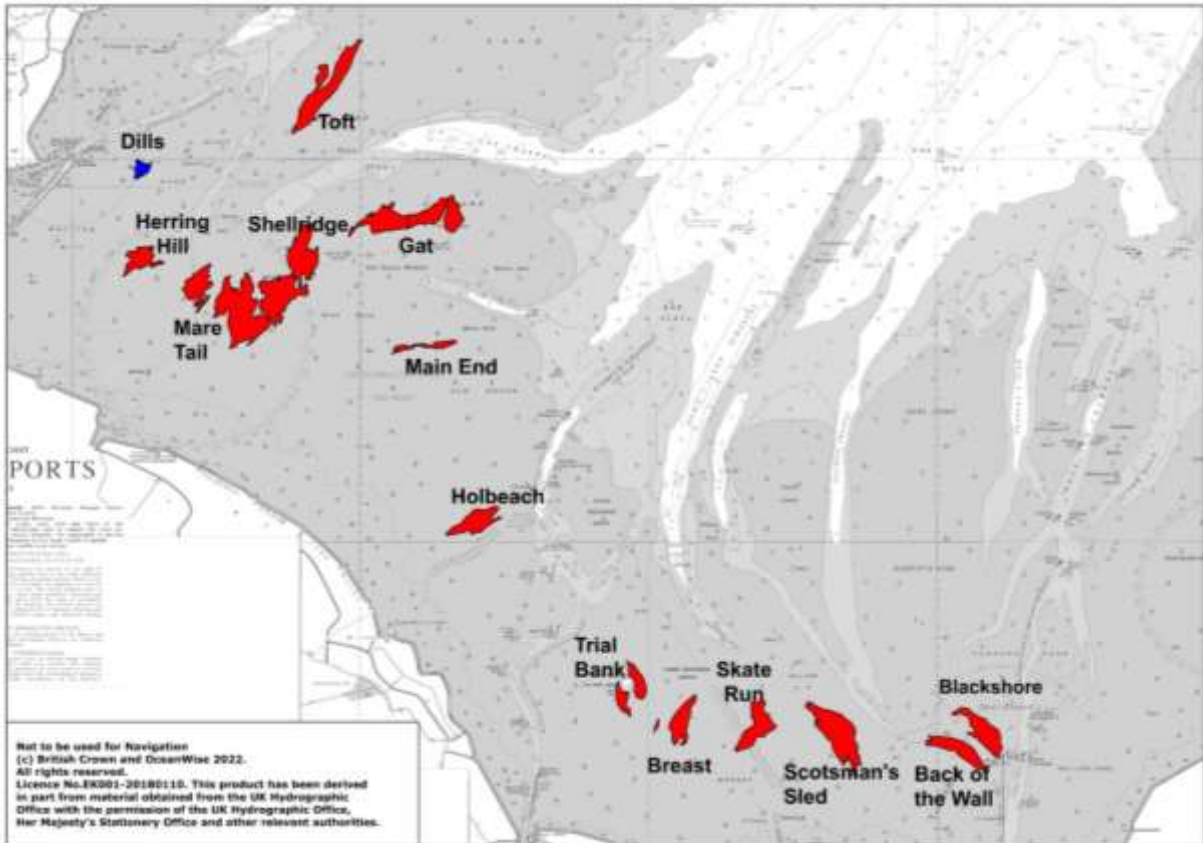


Figure 1 – Mussel beds surveyed during the 2023 inter-tidal surveys

Survey results

Excluding the Welland Wall, which is managed separately to the other beds, the total inter-tidal mussel stock biomass was found to be 20,597 tonnes. Despite a small relaying fishery in 2023, this is a significant increase from recent years, and as can be seen from figure 2, is the highest recorded figure during the period from 2002 onwards. This is actually the highest recorded total stock since 1945, but it should be pointed out that there were few surveys conducted between 1955 and when a programme of annual surveys commenced in the early 1980s. It is possible, therefore, that higher stock levels went unrecorded during that period.

Of the total stock, 6,533 tonnes were found to have attained the adult size of 45mm length, the highest figure recorded since the mussel stocks crashed in 2010. However, while the total mussel stock easily exceeds the 12,000 tonnes Conservation Objective target required to open a relaying seed fishery, the current level of adult stock is still below the 7,000 tonnes threshold required to open a harvestable fishery. Figure 2 shows how the current stocks compare to those from 2002 onwards and against the conservation objective targets.

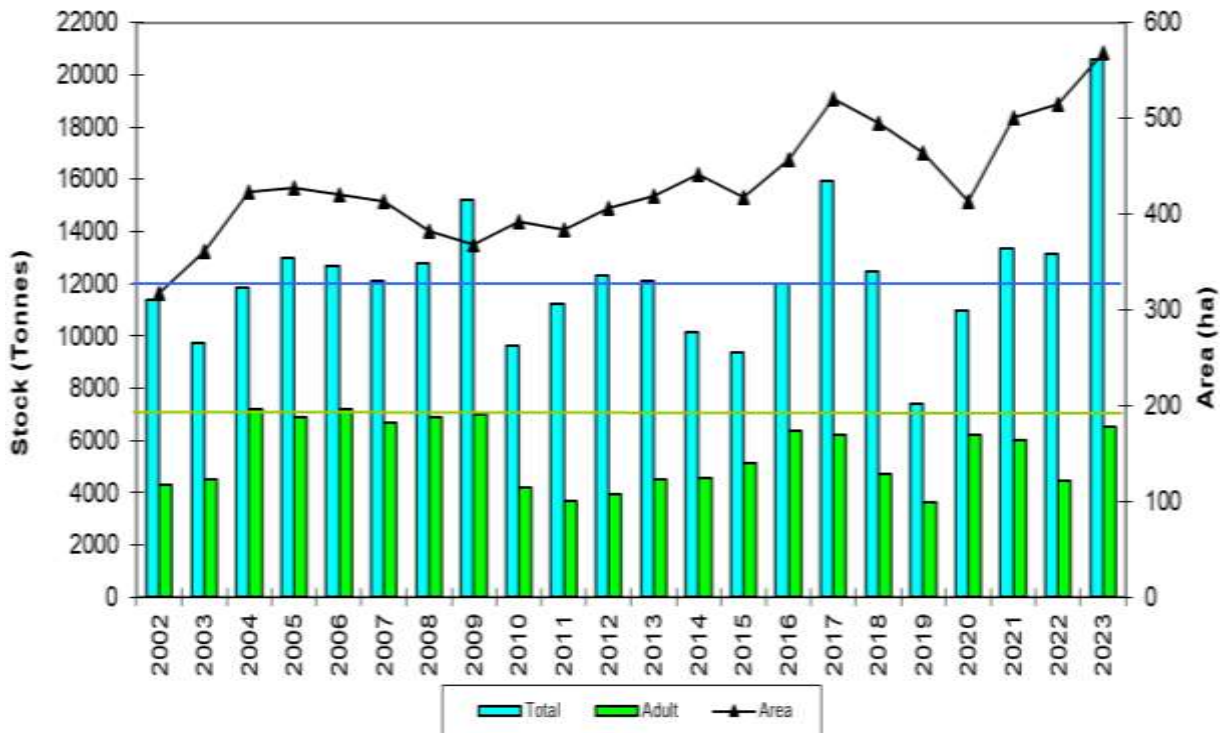


Figure 2 – Intertidal mussel stock levels in The Wash since 2002 and the Conservation Objective targets

Table 1 provides a summary of the stocks present on each of the beds at the time of the surveys. Unlike most years in which some beds are found to have increased in mussel biomass while others have declined, this year the biomass on the Shellridge bed remained stable while all of the others increased. On several, these increases were quite large, boosting the stock biomass on individual beds by over 50% from last year’s figures, while the Main End, Holbeach and Blackshore beds more than tripled in biomass. As the majority of these mussels are still below 45mm width length, however, the adult stock is still relatively low.

Following over a decade of poor recruitment and high mortality, the majority of the beds had fallen into poor condition; typically supporting low densities of barnacle-encrusted mussels amidst lots of dead shell. This is still the case on several of the beds, particularly on the Gat and parts of the Mare Tail, but on many of the beds, there are now areas which appear to be rejuvenating, with patches of younger, clean mussels burying the dead shell beneath pseudo-faeces.

Table 1 – Summary of the stocks present on the inter-tidal mussel beds at the time of the 2023 autumn surveys.

BED	AREA (ha)	COVERAGE (%)	DENSITY (t/ha)	TOTAL STOCK (tonnes)	STOCK >45MM (tonnes)
Mare Tail North	47.8	35	1.19	1984	1127
Mare Tail Relay	0.5	39	0.91	38	11
Mare Tail South	78.8	26	0.84	1700	296
Mare Tail West	24.9	29	0.79	575	102
Shellridge	41.1	31	0.78	976	205
Toft	55.3	37	0.97	1998	313
Gat, West	31.7	51	1.12	1792	950
Gat, Mid	20.4	31	1.24	793	527
Gat, East	17.3	40	1.07	745	346
Main End	9.1	26	1.22	290	67
Holbeach	27.1	43	1.09	1273	268
Herring Hill	19.8	41	1.13	913	136
Trial Bank	22.1	39	1.29	1125	242
Breast, East	23.9	18	0.63	264	11
Scotsman's Sled, East	58.3	24	1.35	1925	755
Blackshore	32.1	29	1.58	1482	483
Back of the Wall	26.7	44	1.5	1746	339
Skate Run	31.3	22	1.4	978	355
TOTAL	568.3			20,597	6,533
Welland Bank	2.4	60	2.6	382	225

An increase in stock biomass of this magnitude was not anticipated. In fact, past trends of 2-3 year-old mussels being particularly vulnerable to die-offs, had suggested that some of the younger beds such as Back of the Wall and Skate Run would have suffered from high mortalities this year. The surveys picked up very little evidence of mortalities this year, however, either in the overall stock figures or physical evidence of recently dead mussels within the beds. The cause of the past die-offs has yet to be determined but is likely to be a combination of factors. If a pathogen is involved, it is unlikely that the mussel stocks will have become immune to its effects so suddenly, suggesting other environmental factors are also at play. Whilst the strength of the juvenile stock could result in significant recruitment next year, given the instability of the stock over the past two decades and the uncertainty surrounding the cause of the die-off and poor recruitment, this may not be the case. As highlighted in figure 2 (below), peaks in biomass have recently preceded significant declines (for example in 2009 and 2017) and a failure of juvenile mussel to recruit into the adult fishery. This should not prevent a relaying fishery from benefitting from this year's success, however.

Prospects for the 2023-2024 mussel fishery

The stock assessment is considered in the context of the 2008 Wash Shellfish Policies³ which guides management decisions to ensure mussel fisheries are managed within environmental parameters. These include measures that aim to:

³ https://www.eastern-ifca.gov.uk/wp-content/uploads/2016/03/WFO_Shellfish_management_policies_2008.pdf

- Maintain stocks above the Conservation Objective targets of 12,000 tonnes total stock and 7,000 tonnes adult stock,
- Limit the Total Allowable Catch of the dredged harvestable fishery to 20% of the “adult” stock biomass, and the dredged relaying fishery to 20% of the juvenile stock biomass, with an additional 2% added to each for the hand-worked fisheries.
- Restrict exploitation so that fisheries do not reduce stock densities on individual beds below a minimum density of 25 tonnes/hectare (Note – this measure does not apply to vulnerable/ephemeral beds).
- Protect adult stocks from the relaying fishery and juvenile stocks from the harvestable fishery by opening the most appropriate beds for each fishery based on their stock composition.

Harvestable and relaying fisheries

If the stocks allow, the inter-tidal beds support two fisheries; a harvestable fishery, in which adult (≥ 45 mm length) mussels are landed directly for market, and a relaying fishery, in which seed (< 45 mm length) mussels are re-laid onto private lays for growing-on.

Given that the adult biomass was, at the time of the survey, below the target of 7,000 tonnes, removal of such via a harvestable fishery would further hinder achieving the conservation objectives of the site and would impact site integrity. As such, it is recommended that a harvestable mussel fishery is not opened.

The total stock biomass is 8,597 tonnes above the 12,000 tonnes Conservation Objective target and the juvenile stock biomass exceeds the 5,000 tonnes threshold required to open a seed fishery. A seed relaying fishery can, therefore, be opened with an appropriate Total Allowable Catch (TAC) without hindering the conservation objectives of the Wash MPAs.

Total Allowable Catch (TAC) for relaying fishery

The mussel stock would support a TAC of 3,031 tonnes with 2,813 allocated to a dredge fishery and 218 tonnes allocated to a hand-worked fishery in accordance with the Wash Shellfish Policies. A fishery of this size would not reduce total mussel biomass or juvenile mussel biomass below the Conservation Objective targets (of 12,000 and 5,000 tonnes respectively).

Because both cockles and mussels contribute towards the calculations used in the Bird Food Model when determining food availability for the over-wintering wader populations, many industry members have raised concerns in recent years about the size of the proposed mussel relaying fisheries, fearing they could impact on the size of the subsequent cockle fisheries. It is, therefore, recommended that the TAC for the relaying mussel fishery should be determined after consultation with the fishing industry.

Beds to be opened to relaying fishery

To minimise disturbance to adult stocks, the Wash Shellfish Management Policies limits beds open to a relaying fishery to beds that are composed predominantly of

juvenile mussels. To prevent over-fishing occurring on individual beds, average mussel densities should also be maintained above 25 tonnes/hectare within each bed (consequently excluding beds where density is below 25 tonnes/hectare).

Taking into account the above conditions, 10 beds could potentially be opened to the 2024 relaying fishery. These are listed in table 2, which also shows the maximum mussel harvest that could be taken from each without their average densities falling below the 25 tonnes/hectare threshold. A total of 4,993 tonnes could potentially be removed from these beds, sufficient to satisfy the maximum available TAC of 3,031 tonnes (should both the dredge and hand-worked TACs be fully exploited). Charts highlighting the areas proposed to be opened to the relaying fishery are shown in Appendix 1.

Table 2. Beds that could be opened to the 2024 relaying seed fishery and the maximum harvest rates that the policies would allow

Bed	Maximum Harvest (t)
Tofts	615
East Gat	312
Main End	62
Holbeach	595
Herring Hill	418
Trial Bank	572
Scotsman's Sled	467
Back of the Wall	1,078
Skate Run	195
Blackshore	679
TOTAL	4,993

Fishing methods

While both dredging and hand-working methods can be used for prosecuting the mussel fishery, the majority of the fishery is usually targeted using dredges with a minority favouring hand-working. Ordinarily, the TAC for the dredge fisheries has been set at 20% of the stock biomass, with an additional 2% reserved for the hand-worked fisheries. In recent years, however, there has been a preference from those targeting the fishery for a larger hand-worked TAC than the usual 2%. Therefore, it is recommended that the allocation of the TAC between the two fisheries is determined following consultation with the industry and could be varied during the fishery depending on uptake of either method.

Opening date

Because mussels tend to partially bury themselves and form a firmer attachment to the substrate in winter, relaying activities usually take place between March-May once the sea temperatures increase. It is intended that the opening date is determined following feedback from industry via a consultation but is anticipated to open around the 'normal' time.

Closing date

Mussel surveys ordinarily commence in September each year at which time the fishery will need to be closed if any quota remains. It is recommended, therefore, that the fishery closes on the exhaustion of the TAC or on 31st August 2024 whichever is soonest.

If it is judged necessary for the protection of the Marine Protected Area or for fisheries management purposes, the fishery may be closed prior to the exhaustion of the TAC as per the 2008 Shellfish Management Policies.

The Welland Wall Mussel Fishery

The cracks and crevices between the rocks of the man-made Welland Bank training wall provide shelter for mussel seed to settle and protection for juveniles. This protection, and the fact that the rocks cannot be dredged mean overfishing is unlikely to occur. Differences in habitat mean the mussels growing on the Welland Wall are considered to be discrete and independent to those on the inter-tidal beds and, as such, are managed separately. The mussels on the Welland Wall do not contribute towards the Conservation Objective targets so are not constrained by them. Because there is a very low risk of overfishing occurring, the Welland Wall mussel fishery is usually left open.

The 2023 survey found that while the mussel biomass on the wall had decreased slightly from the previous year, their mean density was 159 tonnes/hectare; the highest in The Wash, so supporting the continued opening of the fishery and to maintain the management measures currently in place for this fishery.

Habitat Regulation Assessment

Natural England will be formally notified of the Authority's intentions through the submission of a Habitats Regulation Assessment detailing the proposed mussel fishery activities. The opening date for the fishery may depend on the time taken for Natural England to provide a response to the Authority's proposals and whether Natural England agrees that the proposal would not have an adverse effect on the integrity of the Marine Protected Area. Additional management measures may be required to facilitate a fishery which does not adversely impact the conservation objectives of the Wash MPAs.

Mechanism for managing the 2024 fisheries

Action Item 10 of this meeting deals with delegating authority sufficient to implement required management measures for the mussel fisheries (i.e. through issuing exemptions to the temporary closure and attaching conditions). Management measures for re-laying mussel fisheries are well established and those applied this year are intended to be consistent with those in previous years and be the subject of consultation with fishery stakeholders. These include for example, restrictions imposed previously through the WFO Regulations and Licence Conditions.

In the event that the Wash Cockle and Mussel Byelaw comes into effect prior to or during mussel relaying fisheries it is recommended that the CEO is delegated authority, in consultation with the Chair or Vice-Chair, to implement the same management measures as permit conditions using the provisions of that byelaw. This will ensure business continuity and avoid disruption to fishing operations through the transition.

Financial Implications

The interim measures currently being used to manage Wash bivalve fisheries do not facilitate charging fees and therefore none of the cost to the Authority in managing this fishery can currently be recovered. In the event that the Wash Cockle and Mussel Byelaw 2023 comes into effect prior to the closure of the fishery, up to 50% of the cost can be recovered via permit fees. The financial implications of this are considered in Action Item 10 of this meeting.

Legal Implications

Given the scrutiny on the protection of Marine Protected Areas (particularly the Wash and North Norfolk Coast) and the high-risk associated with the primary fishing gear (i.e. dredges) mitigation is required to ensure that the conservation objectives of the Wash MPAs are furthered to avoid legal challenge.

Legal risk is further mitigated through the recommendation that the CEO is delegated authority to implement management measures to ensure that site integrity is not significantly impacted during the fishery.

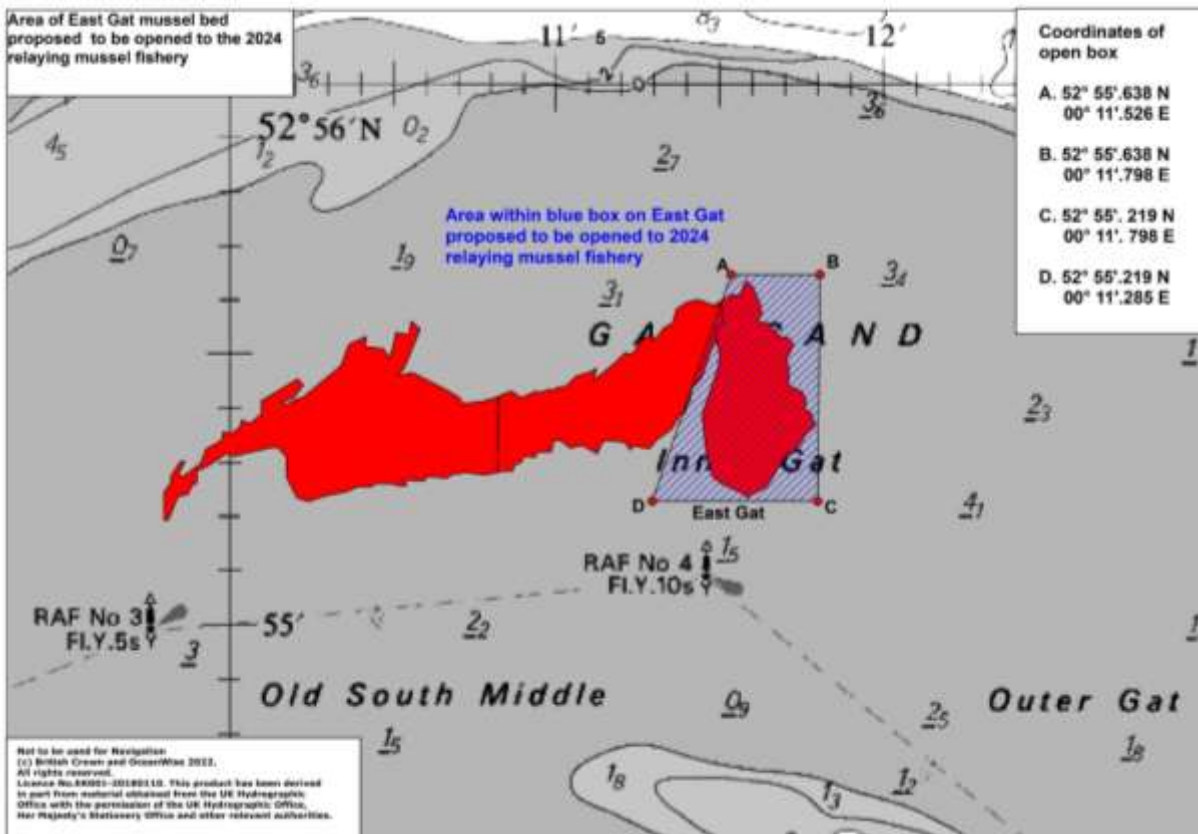
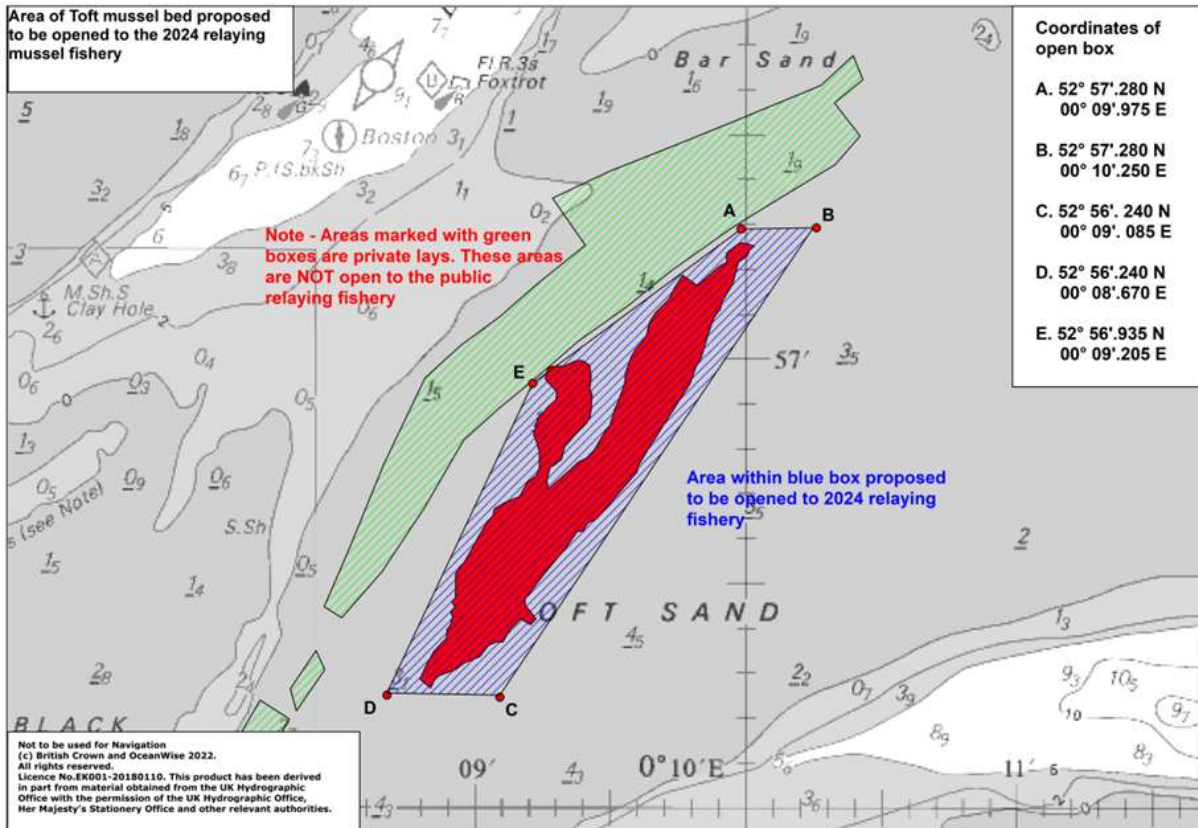
Appendices

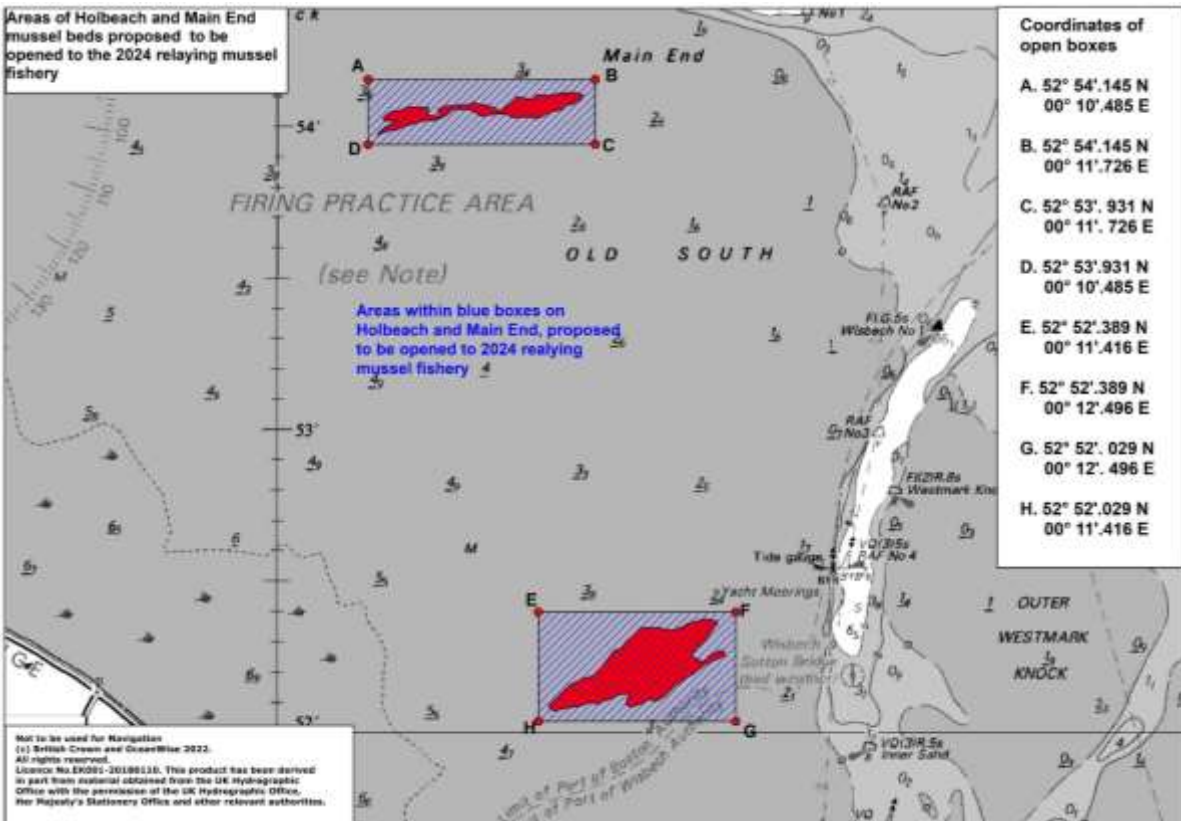
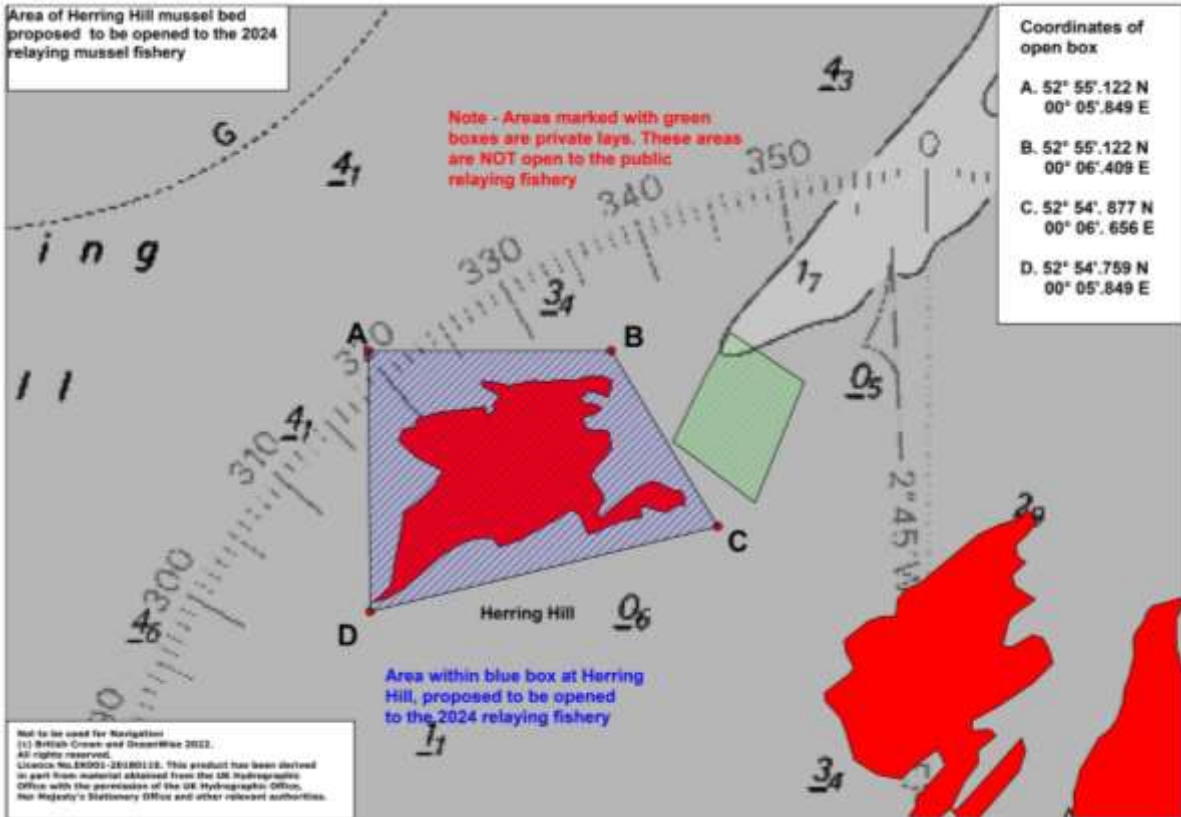
Appendix 1 - Charts showing the beds proposed to be opened to the 2024 fishery.

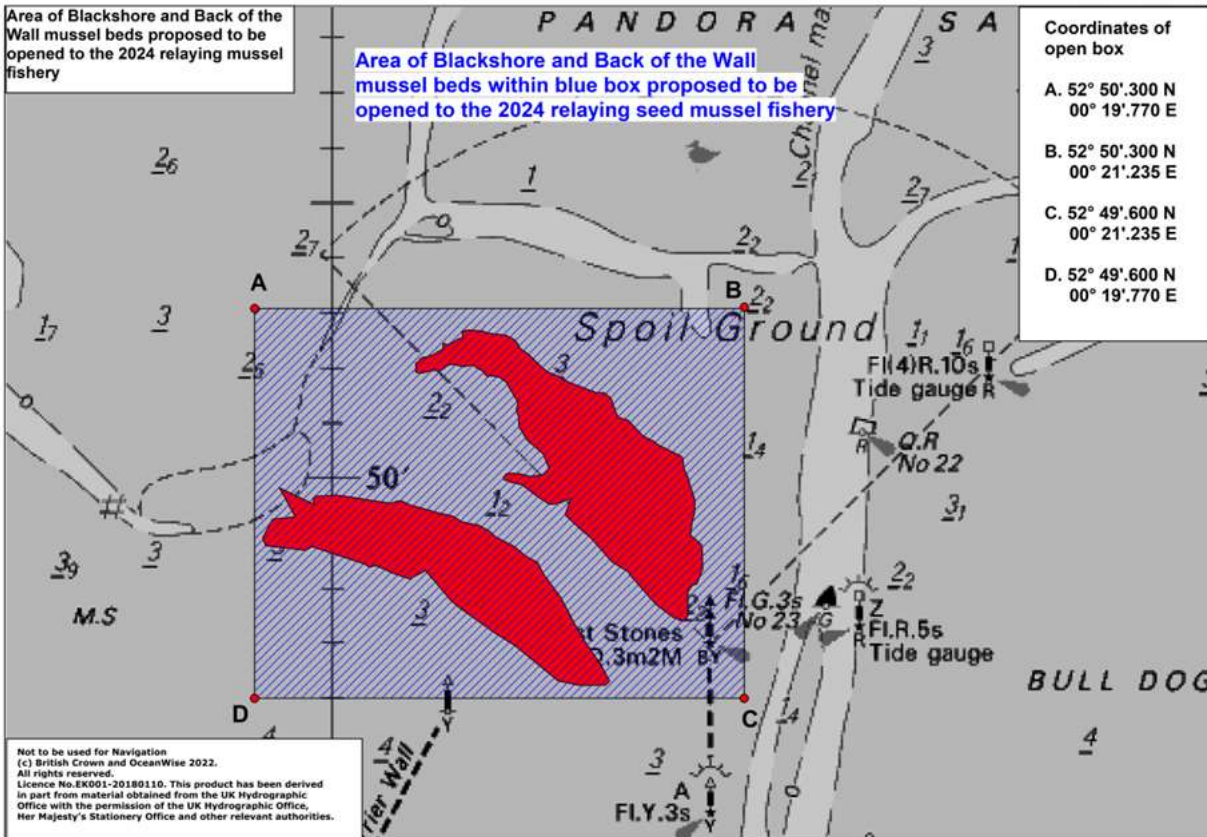
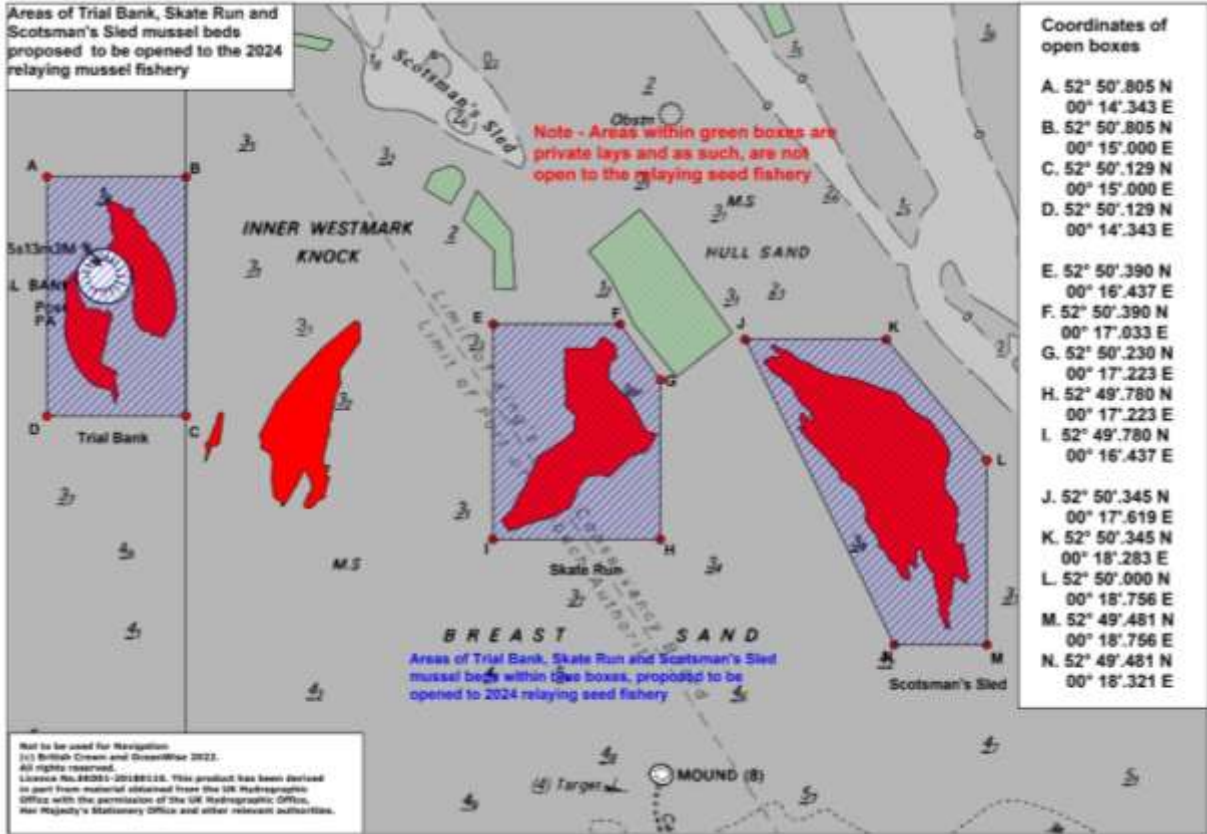
Background Documents

Not applicable

Appendix 1:- Charts showing the beds proposed to be opened to the 2023 mussel relaying fishery







Vision

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



Action Item 12

Eastern Inshore Fisheries and Conservation Authority Meeting

13 December 2023

Cockle Fisheries Management Plan

Report by: Julian Gregory, CEO

Purpose of Report

To brief members on progress with the Cockle Fisheries Management Plan and provide the opportunity for comment to the officer leading development of the plan.

Recommendations

It is recommended that members:

Note the content of the presentation

Background

In the Joint Fisheries Statement (JFS), Defra set out a commitment to deliver a Cockle Fisheries Management Plan (FMP) in English waters by the end of 2024. The evolution of management, harvesting methods and market forces has created four distinct and locally specific cockle fisheries. Working with the regional IFCAs and through consultation with stakeholders, the ambition is for the FMP to work alongside long-established management regimes.

Report

The Association of IFCAs has been commissioned as the project delivery lead. Tim Smith from the Association will provide a presentation on the draft objectives of the plan, which will enable members to comment and contribute on.

Officers are working closely with AIFCA and other IFCAs who have cockle fisheries within their districts Any member who wishes to register interest in the plan, please contact cocklefmf@association-ifca.org.uk

Financial Implications

None identified for the Authority aside from committing resource to support development of the plan.

Legal Implications

None identified.

Vision

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Action Item 13

54th Eastern Inshore Fisheries and Conservation Authority meeting

13th December 2023

Report by: Julian Gregory, CEO

Authority Meeting Dates 2024-25

Purpose of report

The purpose of this report is to propose dates for meetings of the Authority and sub-committees thereof in 2024-25.

Recommendations

It is recommended that members:

- **Approve** the calendar of meetings at Appendix 1.

Background

Meetings of the full Authority, the Finance and HR sub-committee and the Fisheries and Conservation Management Working Group are scheduled a year in advance and are approved at the December Authority meeting. The agreed pattern for meetings is as follows:

- Full Authority - quarterly, ordinarily on the second Wednesday in March, June, September, and December.
- Finance and HR sub-committee - quarterly, ordinarily on the first Tuesday in February, May, August, and November.
- Fisheries and Conservation Management Working Group - quarterly, ordinarily on the third Tuesday in January, April, July and October (albeit the October meeting is usually the second Tuesday to avoid the half-term week).

Meetings of the Wash Fisheries and Wash Appeals sub-committees are arranged by the CEO as required to fulfil their functions.

The annual scheduling of meetings is intended to facilitate workflows and the scheme of delegations and to give members, stakeholders, and the public advance notice to aid forward planning for Authority decisions.

Report

Quarterly meeting dates are proposed for the full Authority, Finance and HR sub-committee meetings and the Fisheries and Conservation Management Working Group.

Meetings of the Wash Fisheries sub-committee will be arranged separately as required to facilitate the transition from the WFO 1992 to the Wash Cockle and Mussel Byelaw 2021.

The calendar of meetings to March 2025 is attached as Appendix 1.

Appendices

Appendix 1 – Meetings Schedule 2024-25

Appendix 1

Eastern IFCA Meetings Schedule 2024-25

Meeting	Date	Time	Proposed venue
Fisheries and Conservation Management Working Group*	Tuesday 16 th January 2024	14:00	Online or venue to be advised
Finance & HR Sub-Committee	Tuesday 6 th February 2024	10:30	Eastern IFCA office, Kings Lynn
55th Eastern IFCA	Wednesday 13th March 2024	10.30	Town Hall, Kings Lynn
Fisheries and Conservation Management Working Group*	Tuesday 16 th April 2024	14:00	Online or venue to be advised
Finance & HR Sub-Committee	Tuesday 7 th May 2024	10:30	Eastern IFCA office, Kings Lynn
56th Eastern IFCA	Wednesday 12th June 2024	10.30	Town Hall, Kings Lynn
Fisheries and Conservation Management Working Group*	Tuesday 16 th July 2024	14:00	Online or venue to be advised
Finance & HR Sub-Committee	Tuesday 6 th August 2024	10:30	Eastern IFCA office, Kings Lynn
57th Eastern IFCA	Wednesday 11th September 2024	10.30	Town Hall, Kings Lynn
Fisheries and Conservation Management Working Group*	Tuesday 15 th October 2024	14:00	Online or venue to be advised
Finance & HR Sub-Committee	Tuesday 5 th November 2024	10:30	Eastern IFCA office, Kings Lynn
58th Eastern IFCA	Wednesday 11th December 2024	10.30	Town Hall, Kings Lynn
Fisheries and Conservation Management Working Group*	Tuesday 21 st January 2025	10:30	Online or venue to be advised
Finance & HR Sub-Committee	Tuesday 4 th February 2025	10:30	Eastern IFCA office, Kings Lynn
59th Eastern IFCA	Wednesday 12th March 2025	10.30	Town Hall, Kings Lynn

*Membership of the F&C Working Group comprises all MMO appointed members with all Local Authority appointed members being welcome to attend at their own discretion.

Vision

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Action Item 14

54th Eastern Inshore Fisheries and Conservation Authority Meeting

13 December 2023

Review of Annual Priorities and Risk Register

Report by: J. Gregory, CEO

Purpose of Report

The purpose of this report is to update members on progress against 2023-24 priorities and to review the Risk Register.

Recommendations

It is recommended that members:

- **Note** the content of this report

Background

The Authority is mandated to produce an annual plan each year to lay out the expected business outputs for the year ahead.

The Authority has a rolling five-year Business Plan that incorporates annual priorities informed by the annual Strategic Assessment. The plan also includes the high-level objectives agreed with Defra.

The rolling five-year business plan reflects the need to engage in longer term planning in the context of high levels of demand and the requirement to be flexible with priorities to reflect the dynamic nature of inshore fisheries, the marine environment and the policy landscape.

The Risk Register is contained within the Business Plan, and it captures key issues that are judged to pose potential risks to the organisation. The matrix sets out the magnitude of the risk to Eastern IFCA from an organisational viewpoint, incorporating amongst others reputational and financial risks. It also sets out the likelihood of an identified risk occurring.

Report

This update encompasses the period September 2023 to end of November 2023 (inclusive).

The tables at Appendix 1 detail the progress against the key priorities for 2023-24, as set in the Business plan for 2023-28.

The Risk Register is set out at Appendix 2 and the current status of each risk area is shown at Appendix 3.

Appendices

Appendix 1 – Update on priorities set for 2023-24

Appendix 2 – Risk Register

Appendix 3 – Update on Risk Register

Background Documents

Eastern Inshore Fisheries and Conservation Authority Business Plan 2023-28.

APPENDIX 1 - Progress against Annual Priorities – September 2023 to November 2023 (inclusive)

Four key priorities are established for 2023-24.

Financial Year 2023-24		
Priorities 2023-24	Progress	Comment
1. To ensure that the conservation objectives of Marine Protected Areas (MPA) in the district are furthered by:		
a) Implementation of management measures for 'red-risk' gear/feature interactions.		<p>1.a) Delayed. Work has been ongoing since 2018 to develop and implement additional closed areas (to fishing with bottom-towed gear) within various MPAs in the district, pursuant of meeting the requirements of the Conservation of Habitats and Species Regulations 2017. This workstream has suffered significant delays as a result of conflicts with other priorities and resource requirements to undertake additional surveys to inform the location of the closures.</p> <p>Following survey work in 2021 and 2022, it is considered that the previous position not to create additional closures in certain discrete areas of one marine protected area (Inner Dowsing, Race Bank & North Ridge Special Area of Conservation) should be maintained. This is on the basis that the protected feature, Biogenic reef: <i>Sabellaria spinulosa</i> is not present in these areas. This position is pending a decision, as part of the Closed Areas Byelaw 2021.</p> <p>Further survey work was completed in spring of 2023 in two other areas, and informed further dialogue with Natural England who consequently provided formal conservation advice (October 2023) in support of proposed amendments. These amendments include the reduction in the size of one closure and the removal of one closure entirely, both within The Wash.</p> <p>The byelaw and associated Impact Assessment are being finalised to include these amendments and will be submitted to the MMO imminently for formal quality assurance before being submitted to the Secretary of State (SoS) for the Environment, Food and Rural Affairs to seek confirmation.</p>

<p>b) Continued implementation of the Adaptive Risk Management approach for the Cromer Shoal Chalk Beds MCZ</p>		<p>Ongoing - Since 2021, Eastern IFCA has been applying an Adaptive Risk Management (ARM) approach, in line with Natural England advice, to mitigate the risk of the potting fishery hindering the achievement of the MCZ’s conservation objectives. This approach requires the application of proportionate management measures alongside research to address uncertainties and assess the effectiveness of interventions. Under the direction of a Project Board, two Task and Finish groups oversee the research and management workstreams and a Stakeholder Group enables wider engagement.</p> <p>Progress on the research workstreams over the last six months is summarised below:</p> <ul style="list-style-type: none"> (i) Mapping the extent of the sensitive habitats: ROV and side scan habitat mapping surveys have continued throughout the summer with the purpose of informing the extent and location of peat and clay exposures, as well as rugged chalk. Data collected will be processed and analysed over winter and will be used to inform an updated review of both sensitive features in 2024. (ii) In-situ gear surveys: data collected during 2022 ROV potting gear surveys have helped inform the development of a longer-term Natural Disturbance Study (see below) designed to provide the quantitative data needed to be able to assess the level of impact across the site and compare areas exposed to potting with areas closed to potting activities. (iii) Natural Disturbance Study: this workstream has taken high priority over the summer months. Voluntary closures have been in place since September and ongoing monitoring has shown high compliance to date. Buoys to demark these areas have not yet been deployed due to delays in receiving the Marine Licence for the works. However, this has now been received and buoys will be deployed over the winter months.
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		<p>Officers have been working with fishermen to ensure they are able to locate and avoid the closed areas over winter in the interim by loaning hand-held GPS plotters to those who don't already have plotters on board. Baseline data collection has commenced, with ROV tows completed in September and baseline multibeam surveys planned over winter when a suitable weather window presents. Poor weather and visibility meant that dive surveys planned in September and October were not able to be completed, but the feasibility of the proposed dive methods were successfully tested. This work has so far been funded by contributions from Blue Marine Foundation and Natural England as well as in kind contributions from the Authority and University of Essex. Securing funding for the remainder of the project will be a high priority over winter.</p> <p>(iv) Mapping fishing activity: officers are continuing to collect data from trackers and iVMS (voluntarily used by the fishermen) to provide information on the spatial extent of fishing activities. A trial was completed in July 2023 by an external contractor to identify whether aerial imagery and artificial intelligence could be used to identify and map pot buoys in order to assess potting density levels. The data collected from this trial will be reviewed over winter to determine if further work would be beneficial.</p> <p>(v) Chalk value study: Whilst a handful of on-board bio-sampling trips have been completed this summer, this workstream has been put on hold due to staff shortages, high workloads and being of lower priority than other core aspects of the study.</p>
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		<p>(vi) Management measures: The Cromer Shoal Chalk Beds Byelaw 2023, made by the Authority at the 51st Authority Meeting, has been submitted to the Marine Management Organisation for formal quality assurance before being submitted to the SoS to seek confirmation. Consultation on permit conditions, which are intended to come into effect once the byelaw is confirmed, is in development with a view to start prior to Christmas to inform measures that will be brought to the Authority for consideration. In addition, the monitoring of compliance with the voluntary code of practice, developed with industry to reduce the risk of pots being lost at sea and causing damage to rugged chalk features, is still in place and compliance / effectiveness is being monitored. It was intended that the voluntary measures would be reviewed in spring of this year, however abstraction from the projects team and commitments to other priority workstreams have delayed such.</p>
<p>c) Completion of amber/green gear/feature interactions and development / Implementation of management measures where required.</p>		<p>1c). Delayed Management has been agreed for the highest risk amber/green gear/feature interactions, i.e. towed demersal fishing on subtidal sediment habitats (Closed Areas Byelaw 2021 and previous iterations). Progress is ongoing with amber/green assessments (and subsequent identification of management if required) for the suite of MPAs across the Eastern IFCA district, including three straddling sites that extend beyond 6nm, for which the offshore areas will be assessed and managed by MMO. Officers are liaising closely with MMO over assessment and management of fisheries in the three straddling MPAs. The amber/green assessment and management is a substantial task that has been a priority since March 2023, but progress has been delayed because of vacancies within the team and recruitment, induction, and training requirements. Marine Science team resource has also needed to be focused on other priority work including MCZ research and management, and “business as usual” surveys / Habitats Regulations Assessments for the Wash mussel fishery, the Wash cockle</p>

		fishery, for Eastern IFCA drone usage and for Eastern IFCA's own intertidal activities. The departure of four Marine Science team members in October/November 2023 will further set back progress with this core workstream.
2. Management of Wash cockle and mussel fisheries (wild capture and private)		
a) Confirmation of the Wash Cockle and Mussel Byelaw to enable management of wild capture fisheries		Delayed: The Wash Cockle and Mussel Byelaw 2023 was submitted to the MMO to continue the formal QA process on 11 October of 2023 following significant delays in receiving independent legal advice on the amendments made to the byelaw. It is understood that the byelaw is still considered a priority workstream for the MMO, who have indicated that they intend to submit the byelaw to the SoS following this latest submission, however confirmation of such is yet to be received.
b) Implementation of Wash Cockle and Mussel Byelaw access policies (transition).		On track: Following the completion of Phases 1 and 2 of the transition under the Eligibility Policy (which manages access to Wash cockle and mussel fisheries) a Wash Appeal sub-committee considered and decided on an appeal against four decisions made during the transition. The outcome of the appeal is considered in more detail in Action Item 7 of this meeting but in summary, the sub-committee decided to grant eligibility with respect to three out of the four appeals with the effect of increasing the number of permits to be issued under the byelaw from 60 to 63, with 1 further permit being held in abeyance pending a further decision by the Wash Fisheries sub-committee.
c) Develop appropriate management of private shellfish aquaculture within The Wash.		Delayed: Defra have yet to provide a final draft of the several order to facilitate a formal consultation and this is now significantly delayed. In addition, written legal advice in relation to the implications of issuing leases under the order (as raised by the professional representatives of the lay holders) is still pending and is also significantly delayed.
3. Obtaining better fisheries data		
Implementation of I-VMS for all fisheries specifically the Wash Shrimp fishery (dependent on partnership		Delayed. The national roll-out of I-VMS units is underway and it is anticipated that legal requirements to have I-VMS onboard fishing vessel and report once in every 3 minutes will be in place during 2024. Further, because the contents of the draft statutory instrument which will be about these requirements is in draft and IFCA's

working with MMO led project).		are not privy to its content, it is unknown whether such requirements will extend to vessels operating in hand-work fisheries (such as the Wash cockle fishery) and whether the reporting requirements will extend VMS units (which are distinct from I-VMS units and have been required to be fitted to vessels of 12m and over since circa 2015 but only report once in every two hours). Until such time as the draft SI is understood, it is unlikely that the IFCA will be able to bring into effect any I-VMS measures for the purposes of managing fisheries within the district.
4. Fisheries Management Plans		
a) Contributing to the development of Fisheries Management Plans.		Ongoing: Following widespread consultation, the first tranche of FMPs are now being reviewed by Defra. A Cockle FMP is currently being written, with the IFCAs playing a lead role in its development under the direction of the AIFCA. Development of this plan is complex, as the four largest cockle fisheries in England are managed very differently to each other. The FMP will need to encapsulate each of these distinct fisheries. An officer from AIFCA will be presenting on the Cockle FMP at agenda item 12 of this meeting.

Key:

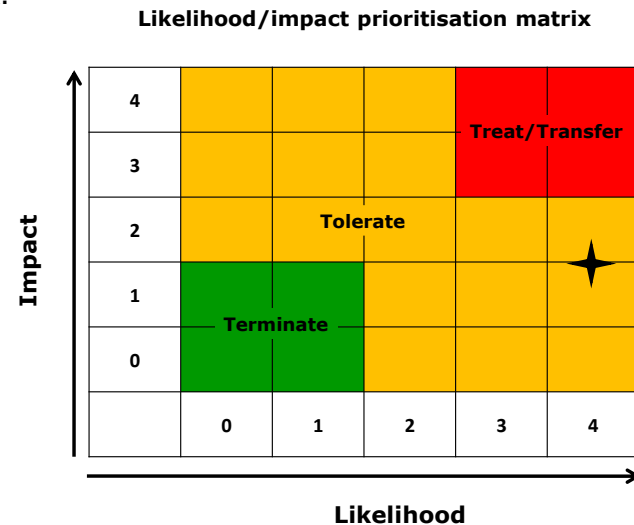
Complete	
In progress	
Progress stalled / delayed	
Not started	

APPENDIX 2 – Risk Register

The risk matrix sets out the magnitude of the risk to Eastern IFCA from an organisational viewpoint incorporating amongst others reputational and financial risks. The matrix also sets out the likelihood of an identified risk occurring. Mitigation which is in place or to be introduced is identified. Risk is ranked on an arbitrary scale from 0 (low risk – coloured green) to 4 (high risk – coloured red). The average of the combined financial and reputational risk is taken and plotted on to the matrix below, the likelihood of that risk occurring is also plotted. Mitigation action is noted. It should be noted that in most cases there are already many actions being undertaken as part of routine working practices to reduce the risks to the Eastern IFCA.

The four actions that can be applied are:

Treat	Take positive action to mitigate risk
Tolerate	Acknowledge and actively monitor risk
Terminate	Risk no longer considered to be material to Eastern IFCA business
Transfer	Risk is out with Eastern IFCA's ability to treat and is transferred to higher level.



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Risk matrix with worked example

Risk A poses a financial threat (2) to the organisation and a reputation threat (1) generating a combined impact level of 1.5. The likelihood of the threat occurring is determined as 4. The resultant risk to Eastern IFCA is therefore plotted using the matrix and is identified as a risk that should be tolerated.

Description ^α	Owner ^α	Implications ^α	Organisational-impact [¶] (Reputation→Financial/2) ^α		Likelihood ^α	Risk ^α	Mitigation [¶] ^α	Action ^α
Eastern IFCA fails to secure funding to replace assets ^α	CEO ^α	Substantial reduction in Eastern IFCA mobility particularly seaborne activities with consequential inability to fulfil full range of duties ^α	4 ^α		2 [¶]	α	<ul style="list-style-type: none"> → Current level of reserves provides sufficient funding to cover replacement of RV Three Counties[¶] → The open RHIB, FPV Seaspray, was procured using EMFF funding[¶] → Seek efficiencies and promote cost effectiveness.[¶] → Demonstrate value for money.[¶] → Advertise/promote Eastern IFCA output and effectiveness to funding authorities through regular engagement with Council leaders and Financial Directors.[¶] → Engage with partner agencies to identify alternative funding sources[¶] → Explore asset sharing initiatives[¶] → Agreement in place with funding authorities for capital funding contributions each year. Confirmed at the annual meeting with representatives of the Finance Directors on Friday 19th November 2021[¶] → Scheduled asset replacement takes into account expected lifespan of assets which is reviewed regularly to account for unexpected depreciation and alignment of capital funding contributions; [¶] → Assets managed and maintained to reduce the likelihood of early retirement or unexpected depreciation.[¶] → Alternative sources of funding sought where appropriate e.g. capital funding is available from Defra with indicative amounts nominally allocated to Eastern IFCA for a daughter RIB for the new build vessel and a 'potting vessel' to replace FPV John Allen^α 	Tolerate ^α
			Reputation ^α	Financial ^α	α			
			4 ^α	4 ^α	Finance Directors agreed to annual capital contributions from 2019-20 onwards to cater for the cost of asset replacement as an alternative to requests for a lump sum amounts as assets are replaced. No guarantees were given or implied. Eastern IFCA will explore all avenues for funding. [¶]			
			Drive for savings may impact County Councils' decisions regarding Eastern IFCA funding. Visible presence reduced, enforcement and survey activities compromised. ^α	Inability to generate sufficient reserves to meet asset replacement schedule would threaten Eastern IFCA's ability to function. [¶] Closure costs could result. ^α	¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ α			

Description	Owner	Implications	Organisational-impact (Reputation--Financial/2)		Likelihood	Risk	Mitigation	Action
Eastern IFCA fails to maintain relevance amongst partners	CEO	If Eastern IFCA fails to maintain relevance amongst partners Eastern IFCA's utility will come under scrutiny potentially resulting in re-allocation of duties	4		2	High	<ul style="list-style-type: none"> → Provide a leadership function. → Be proactive and identify issues early. → Engage with all partners routinely. → Operate transparently and utilise effective communications approaches. → Use Business Plan to prioritise and communicate outputs, Measure progress/deliver outputs → Represent community issues to, and support their engagement with, higher authorities → Recent revisions undertaken to the ARM project for the MCZ to address wider stakeholders concerns about engagement → Effective business planning process in place. → Leading role where appropriate e.g. Op-Blake. → Proactive approach to raising issues with Defra (e.g. Bass management, proposals for effort management trial). Participation in Parliamentary Review 2019. 	Tolerate
			Reputation	Financial	Possible -- Whilst positive relationships have been established the existence of disparate partner aspirations introduces complexities which may drive perceptions of bias or inefficiency.			
			4	4				
			Loss of confidence in the organisation	Withdrawal of LA and Defra funding for the organisation				
Negative media comment	CEO	Negative perceptions of Eastern IFCA utility and effectiveness created at MMO/Defra Loss of Partner confidence Media scrutiny of individual Authority members	3		3	High	<ul style="list-style-type: none"> → Actively and regularly engage with all partners including media outlets. → Review use of social media and web-based information noting its unavoidable use to misinterpret and spread misinformation. → Embed professional standards and practices. → Deliver change efficiently and effectively. → Promulgate successful outcomes → Assure recognition and understanding through clear and concise publications and effective promulgation of such as appropriate → Routine updating of news items on website. → Monitor media presence and engage where appropriate. → Targeted and meaningful dialogue with stakeholders which caters for intended audiences to reduce likelihood of misinterpretation or misrepresentation. 	Treat
			Reputation	Financial	Possible -- disenfranchised partners seek to introduce doubt as to Eastern IFCA professionalism, utility, and effectiveness			
			4	2				
			Eastern IFCA perceived to be underperforming	Negative perceptions introduce risk to continued funding				
		Eastern IFCA considered poor value for money						
		Eastern IFCA perceived as irrelevant						

Description ^α	Owner ^α	Implications ^α	Organisational impact [¶] (Reputation → Financial/2) ^α	Likelihood ^α	Risk ^α	Mitigation [¶] ^α	Action ^α
Degradation of MPAs due to fishing activity [¶] ^α	CEO ^α	Loss or damage of important habitats and species within environmentally designated areas. [¶] ^α	3.5 ^α	2 ^α	High ^α	<ul style="list-style-type: none"> → Fishing activities authorised by Eastern IFCA are assessed per Habitats Regulations and MaCAA; management routinely includes mitigation to prevent adverse effects on MPA integrity.[¶] → Eastern IFCA is fully engaged in national fisheries/MPA project, prioritising management of highest risk fisheries in MPAs and implementing new management measures[¶] → Effective monitoring of fishing activity and enforcement of measures[¶] → Adaptive approach to fisheries management – i.e. engagement with fishing and conservation interests in the development of management measures, and appropriate review of measures to respond to changing environmental and socio-economic factors[¶] → Ongoing, close liaison with Natural England regarding conservation matters[¶] → Review of management in accordance with Defra guidance[¶] → Utilising I-VMS as a management tool by the Authority.[¶] → Continue to progress research into the impact of fishing activities on MPA features to ensure the Authority has an up-to-date evidence base to inform its management decisions.[¶] → MPA management has been a high priority since 2012 with substantial progress made. Current workstreams (e.g. Cromer Shoal MCZ, remaining 'red risk' sites and Closed Areas Byelaw 2021) are a high priority and are being progressed.^α 	Tolerate ^α
Reputation ^α			Financial ^α	Possible – Eastern IFCA's approach to managing sea fisheries resources actively addresses our environmental obligations [¶]			
4 ^α			3 ^α	¶			
Eastern IFCA is not meeting statutory duties under conservation legislation. [¶]			Legal challenge brought against Eastern IFCA for failing to meet obligations under environmental legislation (including MaCAA) ^α	¶			
Eastern IFCA not achieving vision as champion of sustainable marine environment. [¶]		¶					
Degradation of marine habitats which lead to economic, social or cultural impacts. ^α							

Description ^α	Owner ^α	Implications ^α	Organisational impact [¶] (Reputation ↔ Financial/2) ^α		Likelihood ^α	Risk ^α	Mitigation [¶] ^α	Action ^α
Shellfish and fish stocks collapse [¶] ^α	CEO ^α	Risk of significant negative impact upon industry viability with associated social and economic problems ^α	3 ^α		3 ^α	High	<ul style="list-style-type: none"> → Annual stock assessments of bivalve stocks in The Wash[¶] → Annual review of the level of threat via the Strategic Assessment[¶] → Ability to allocate sufficient resources to monitoring and effective enforcement[¶] → Consultation with industry on possible management measures[¶] → Review of management measures in accordance with Defra guidance.[¶] → Develop stock conservation measures as required for crab, lobster and whelk fisheries through engagement with the FMP programme and fishing industry and continue support for industry led Fisheries Improvement Plan[¶] → SWEEP research into primary productivity levels within the Wash[¶] → Regular engagement with the industry to discuss specific matters[¶] → Continued research into the cockle and mussel mortality events[¶] → Whelk research is ongoing to identify level of risk posed and potential mitigation for sustainability concerns.[¶] → Introduce shrimp management measures[¶] → Annual surveys of Wash cockle and mussel stocks alongside innovative approach to management of the cockle fishery.[¶] → Consideration given to an engagement plan to educate and inform about small cockles, including engagement with processors for officers to better understand the market context.[¶] → General engagement with FMP programme^α 	Treat ^α
Reputation ^α			Financial ^α	Possible -- Bivalve stocks have high natural variation; "atypical mortality" affecting stocks despite application of stringent fishery control measures [¶]				
3 ^α			3 ^α	Crustacean stocks not currently subject to effort control [¶]				
			Loss in confidence of the Eastern IFCA ability to manage the sea fisheries resources within its district ^α	Resources directed at protecting alternative stocks from displaced effort [¶]	Regional whelk and shrimp fisheries effort becoming unsustainable. [¶]			
				Additional resources applied to research into the cause of collapsed stocks and increased engagement and discussion with partners ^α	Regional crab and lobster stocks being exploited beyond maximum sustainable yield. [¶]			
					Active monitoring of 2021 cockle fishery identified small cockles being landed with potential impact on stock sustainability. ^α			

Description	Owner	Implications	Organisational impact (Reputation + Financial/2)		Likelihood	Risk	Mitigation	Action
Failure to secure data	CEO	Non-compliance with UK General Data Protection Regulations (GDPR)	4		2		<ul style="list-style-type: none"> All computers are password protected. Individuals only have access to the server through their own computer. Secure wireless internet Remote back up of electronic files Access to electronic files is restricted Up to date virus software installed on all computers Important documents secured in safes ICT equipment and policies provided by public sector provider – including encrypted laptops/secure governmental email system All Eastern IFCA personnel undergo DPA training Electronic backup of all Eastern IFCA documents held by ICT provider offsite Policies and processes developed to ensure data security and compliance with data protection legislation. 	Tolerate
			Reputation	Financial	Possible - Limited staff access to both electronic and paper files,			
		4	4	Office secure with CCTV, keypad entry system and alarm				
		Prosecution casefiles compromised	Partners no longer believe that confidential information they have supplied is secure		Eastern IFCA open to both civil and criminal action regarding inability to secure personal information			
Loss of data in the event of fire or theft	Personnel issues arise over inability to secure information							
New Burdens Funding discontinued	CEO	Substantial reduction in Eastern IFCA capability with consequential inability to fulfil full range of duties	4		2		<ul style="list-style-type: none"> AIFCA engagement with Defra has led to an indicative three year settlement with 'New Burdens' funding continuing at the same level and additional funding of £150k for each IFCA to address three specific work-streams. County Council Finance Directors representatives have been kept appraised of the situation and the potential for increased levies in the event that funding from Defra is discontinued. 	Tolerate
			Reputation	Financial	Defra have continued to roll over new Burdens funding in recognition of the value that IFCA's provide in meeting national policy objectives.			
		4	4	Circa 25% of the annual budget is provided by Defra under the New Burdens doctrine so its loss would have a significant impact.				
		or additional burden on funding authorities.	Inability to meet all obligations would have a significant impact upon reputation.					

Description	Owner	Implications	Organisational impact (Reputation + Financial/2)		Likelihood	Risk	Mitigation	Action
The Wash Fishery Order 1992 is not replaced in time when it expires in January 2023	CEO	Inability to manage the fishery with consequential impact upon industry viability and associated social and economic issues	4		3		<ul style="list-style-type: none"> • Early decision taken to replace the WFO 1992 with a byelaw • Engagement with industry to address concerns about the use of a Byelaw • Engagement with industry to develop policies that will sit under the Byelaw • Byelaw has been 'made' by the Authority (Sept 2021) and submitted for QA to MMO and Defra legal teams. • Dialogue maintained with Defra teams about short-term solutions for the replacement Several Order. 	Treat
			Reputation	Financial				
			4	4	<p>The Authority agreed to replace the WFO 1992 with a byelaw in March 2020 and work is underway to introduce such a byelaw. There is judged to be sufficient time to get a byelaw approved but industry opposition may adversely affect this. If a replacement Regulating Order were applied for then the likelihood rating would increase to 4 and it is thought that it would be very unlikely that a new Order would be in place in time.</p> <p>The risk associated with the development of the Several Order is more prescient. Development of the several order and the FMP has been delayed.</p>			
		The effective management of all fisheries within the Wash is important in terms of industry viability, sustainability of stocks and managing the impact of fishing activity in a heavily designated MPA. Loss of confidence in Eastern IFCA's ability to manage the cockle and mussel fisheries is likely to be significant if the WFO 1992 is not replaced in a timely way	Potential for legal challenge against Eastern IFCA					

Appendix 3 – Risk Register Update April 2023 to end of August 2023

Risk Description	Change in risk-rating / update
Eastern IFCA fails to secure funding to replace assets	No change in risk rating or mitigation since publication in Business Plan 2023-28. Continuation of the capital contributions for 2024-25 was confirmed at a meeting with the Heads of Finance (or their representatives) from the three county councils in October 2023.
Eastern IFCA fails to maintain relevance amongst partners	No change in risk rating since publication in Business Plan 2023-28. Participation in the Development of Fisheries Management Plans is likely to function as mitigation of this risk and to that end, a proactive approach is taken to engaging with such.
Negative media comment	No change in risk rating or mitigation since publication in Business Plan 2023-28
Degradation of MPAs due to fishing activity	<p>An additional risk is identified in failure to have completed assessments of so called ‘amber/green’ interactions (Habitat Regulation Assessments) of fishing activities within MPAs. This workstream is a priority, however where management is needed there is a risk that this will not be in place in accordance with Defra timescales to meet the targets in the 25 Year Environment Plan. By way of mitigation, a risk-based approach has been taken to assess and manage fishing interactions with MPA features and the highest risk ‘amber/green’ interactions (e.g. Shrimp fishery in The Wash) have been assessed and management is in place. It is therefore unlikely that the remaining assessments reflect a risk to MPAs as a result of fishing activity.</p> <p>The above does not change the associated risk rating, however.</p>
Shellfish and fish stocks collapse	No change in risk rating or mitigation since publication in Business Plan 2023-28

Failure to secure data	No change in risk rating or mitigation since publication in Business Plan 2023-28
New Burdens funding discontinued	No change in risk rating or mitigation since publication in Business Plan 2023-28
The Wash Fishery Order 1992 is not replaced in time when it expires in January 2023	No change in risk rating since publication in Business Plan 2023-28. Implementation of interim measures to enable fishing in the public fisheries and protect stocks in private fisheries is in place via Eastern IFCA byelaws.

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

54th Eastern Inshore Fisheries and Conservation Authority Meeting

13 December 2023

Operational Update

Report by: Jon Butler, Head of Operations

Purpose of Report

To provide members with an overview of the work carried out by the Marine Protection and Marine Science teams during the period of Sept, October and November 2023.

Recommendations

It is recommended that members:

- **Note** the content of the reports.

Financial Implications

None

Legal Implications

None

Appendices

Appendix 1 – Marine Protection Report

Appendix 2 – Marine Science Report

Background Documents

Not Applicable

Appendix 1: Marine Protection Report: September – November 2023

Enforcement and engagement priorities throughout the district:

September:

Area 1 (Hail Sand Fort to Gibraltar Point) - Gather intelligence regarding crab fishing activity. Visit ports such as Grimsby, increasing sea patrols along the Lincolnshire Coast around Donna Nook. Commercial landings with compliance inspections of gear and catch, engage with both recreational and commercial fishers.

Area 2 (The Wash and North Norfolk Coast to Brancaster) - Gather intelligence on bass and cockle fishery, with a high priority specific focus on drug and alcohol related issues. Conduct cockle fishery inspections and fishing activity compliance. Fill intelligence gap regarding current intelligence activities relating to tender netting in Boston. Complete hold and gear inspections for mussel fishery applicants. Shrimp permits conditions to be enforced from 1st September.

Area 3 (Brancaster to Great Yarmouth) - Conduct crab and lobster inspections on land and sea, as well as inspection of catch at restaurants, tanks, shops etc. Gather intelligence, specifically that related to berried lobsters and RSA bass fishing. Targeted shore patrols as planned, evening and weekend inspections with engagement and education. MCZ engagement.

Area 4 (Suffolk Coast) – Compliance inspections of bass landings, both commercial and charter, with targeted evening and weekend RSA inspections specifically in the Southwold and Walberswick areas. Fill intelligence gap specifically RSA bass, and anything in the Southern area. Vessel presence in rivers.

October:

Area 1 (Hail Sand Fort to Gibraltar Point) - Gather intelligence regarding crab fishing activity. Visit ports such as Grimsby, increasing sea patrols along the Lincolnshire Coast around Donna Nook. Commercial landings with compliance inspections of gear and catch, engage with both recreational and commercial fishers.

Area 2 (The Wash and North Norfolk Coast to Brancaster) – Gather intelligence to fill intel gap. Conduct cockle fishery inspections and fishing activity compliance, with a presence at sea.

Area 3 (Brancaster to Great Yarmouth) - Conduct crab and lobster inspections on land and sea. Gather intelligence, specifically relating to RSA bass fishing and bass inland. Targeted evening and weekend RSA inspections, with engagement and education. Joint patrols with other agencies related to RSA activity inland. MCZ engagement.

Area 4 (Suffolk Coast) - Compliance inspections of bass landings, both commercial and charter, with targeted evening and weekend RSA inspections. Vessel presence in the rivers. Whelk inspections with all active vessels inspected once per month.

November:

Area 1 (Hail Sand Fort to Gibraltar Point) - Gather intelligence regarding crab fishing activity. Prioritise port visit to Grimsby with MMO/NE IFCA. Increasing sea patrols along the Lincolnshire Coast around Donna Nook. Commercial landings with compliance inspections of gear and catch, engage with both recreational and commercial fishers.

Area 2 (The Wash and North Norfolk Coast to Brancaster) - Gather intelligence to fill intel gap. Conduct cockle and shrimp fishery inspections and fishing activity compliance, with a presence at sea.

Area 3 (Brancaster to Great Yarmouth) - conduct lobster landings inspections. Gather intelligence, specifically relating to RSA bass fishing and bass inland. Targeted evening and weekend RSA inspections, with engagement and education. Joint patrols with other agencies related to RSA activity inland. Whelk inspections with all active vessels inspected once per month. MCZ engagement.

Area 4 (Suffolk Coast) - Compliance inspections of bass landings, both commercial and charter, with targeted evening and weekend RSA inspections. Vessel presence in the rivers. Whelk inspections with all active vessels inspected once per month.

Enforcement Outcomes:

September:

Enforcement metric	Number completed			
	Area 1	Area 2	Area 3	Area 4
Shore Patrols	0	4	14	11
Port visits	0	3	52	36
Catch inspections (landings observed)	0	21	4	0
Catch Inspections (Landings not observed)	0	9	0	0
Vehicle Inspections	0	0	0	0
Premises inspections	0	0	0	3
Enforcement actions/Offences	0	0	0	0
Intelligence reports submitted	0	1	2	6
Fishers engaged	0	31	77	39
Vessel Patrols	0	11	6	3
Boardings	0	0	1	0
Gear Inspections	0	0	0	0

October:

Enforcement metric	Number completed			
	Area 1	Area 2	Area 3	Area 4
Shore Patrols	0	2	16	13
Port visits	0	3	47	54
Catch inspections (landings observed)	0	5	10	13
Catch Inspections (Landings not observed)	0	0	1	3
Vehicle Inspections	0	0	0	0
Premises inspections	0	1	2	2
Enforcement actions/Offences	0	0	0	1
Intelligence reports submitted	1	1	8	2
Fishers engaged	0	9	102	51
Vessel Patrols	0	12	5	0
Boardings	0	0	3	0
Gear Inspections	0	0	1	0

November:

Enforcement metric	Number completed			
	Area 1	Area 2	Area 3	Area 4
Shore Patrols	2	5	12	11
Port visits	2	6	32	37
Catch inspections (landings observed)	0	1	3	3
Catch Inspections (Landings not observed)	1	3	2	0
Vehicle Inspections	0	0	0	0
Premises inspections	0	0	1	5
Enforcement actions/Offences	0	0	0	0
Intelligence reports submitted	2	1	6	6
Fishers engaged	4	4	43	130
Vessel Patrols	0	2	5	0
Boardings	0	0	0	0
Gear Inspections	0	0	5	0

EMS monitoring:

Monitoring of 'restricted areas' under the Marine Protected Areas Byelaw 2018 was conducted throughout the reporting period. The following monitoring occurred:

Protected Feature	<i>Intertidal biogenic reef</i>	<i>Subtidal biogenic reef: Sabellaria spp. (Ross worm), subtidal stony reef, subtidal mixed sediments, subtidal mud.</i>	<i>Intertidal seagrass beds, subtidal mixed sediments, subtidal mud.</i>	<i>Eelgrass beds (Humber)</i>
Protected Areas	1-13	14-29	30-35	36
SEPTEMBER 2023	8	2	14	No road access
OCTOBER 2023	10	2	10	No road access
NOVEMBER 2023	1	1	12	No road access

Engagement messages received

September

Lincolnshire

- All skippers informed of remaining cockle TAC and fishery will close on Friday 22nd September 2023 at 01:45

North Norfolk

- No fish has been caught onshore in the last two weeks, mackerel seem to have gone offshore, with a few bass about. Whiting is now here, and some large catches have been made recently. Also, a fair number of eels are being caught.
- Crab & Lobster catches very slow.
- Needs to be a rest on the shrimps or there will be none left as they are being hammered.
- MCZ Engagement carried out for MCZ Locations.
- Commercial fisherman had a good trip but is being required to spend nearly 2 hard days at sea to make it pay.

Suffolk

- Recreational fishing has slowed off and most species are very small and not retainable, just the odd school Bass, Whiting, Dabs and Dogfish, but they are proving hard to catch. Some people are trying micro species fishing until winter fisheries start. Some Bass are still being caught in the rivers.
- Commercial fishing has been slow, and seals are making it impossible to net these days.
- Fishing in the stour has been really good this year with increasing numbers of flat fish seen as well and bass and mullet. Bass fishing has been good, with plenty in the rivers.
- Dredging activities make potting impossible.
- Overall a fairly good year for fishing in the South

October

Lincolnshire

- Mixed reaction to opening the cockle fishery, some fishers are happy to fish and land between 1T and 2T. Others have said it is too muddy and will not be fishing for cockle again this year. When fishery re-opened total of 6 boats sailed with 8T landed and 1 vessel didn't land any.
- Fisherman stated looks like a die off of cockles on bottom end of the Toft Sand.

The Wash

- Lots of shrimp being caught in the wash. Nothing much being caught recreationally.

North Norfolk

- Commercial fishing for small boats almost finished.
- RSA catching lots of good size mackerel, some very small bass and whiting,
- Crabs are starting to pick up and are good offshore, lobster still steady. Many are now slimming down their pots at sea to half or 100 pots, and going to sea every 3 days. Lots of weed in the water. Concerns over pots left at sea which are tripping and getting mixed up in other's pots.
- Bass and mullet in the rivers. Increase in bass further inland reported at various locations along the River Yare and River Bure. Majority of bass being caught are being returned. Hire craft also known to troll for bass, which is an offence under Broads Authority byelaws. Confirmed bass is being caught on the inland waterways. Believed it is coming in via great Yarmouth and making its way round. More reports Reedham way and get less as you move towards Olton Broad.

Suffolk

- Recreationally mixture of fish being caught, mainly pout whiting, dogfish, rays and smooth hound with some reports of cod. Still some bass around, has been a good one with one charter vessel reporting 60 bass caught. Fishing is better in the evenings and at night.
- Commercially tides have been okay, but little caught apart from sole, reports that this has been the worst year ever for sole with commercial fishers struggling to make fishing viable. Some are carrying on with crab and lobster but struggling to sell crab. Lobster fishing in South Suffolk has slowed down, averaging 1 lobster for every 10 pots, with a 3 day lay.

November

Lincolnshire

- Fisherman concerned about the state of the crab fishery, 2-3 baskets each trip are filled with weak, dying crabs. All are hens and have little or no meat inside, could possibly be due to starvation, they are often motionless and die shortly after landing. Some have been put in saltwater tanks and show improvement after a few hours.

The Wash

- Price for shrimps remains high, but catches are low (approx. 200-400kg) per 24-hour trip. Returns for days not fished are pointless and unnecessary work, could be done on an app.

North Norfolk

- Gear being brought ashore for winter; lobsters have been catching well but fishing is now slowing down.
- Large bed of small size whelks about 1-2 miles offshore of Great Yarmouth, very difficult to riddle as so small.
- Bass being caught inland at Martham, Stiffkey and Potter Heigham. Tackle shops having good sales of bass fishing equipment.

Suffolk

- Lots of bass being caught from Pakefield beach, a day session had 30 bass caught around the 40cm mark. Dogfish, lots of whiting, eels and pouting also being caught. Positive comments from anglers regarding IFCA attendance at recent Felixstowe Sea Angling Society match. Rivers are fishing well, especially for skate.
- Bass fishing has become very popular over the past two years, which at the same time has seen the decline of freshwater fishing. Bass fishing is a cheap sport,

requiring minimal tackle, making it a growing sport, especially with the availability of Bass, compared to the past.

- Commercial fishing has been poor, with minimal herring and pots silting up, some fishers think offshore cables could be causing issues.
- Premises have been struggling with cut throat buyers and sellers.

Fishing trends

September:

Area 1: (Hail Sand Fort to Gibraltar Point).

Area 2: (Wash and North Norfolk Coast to Brancaster).

Decrease in number of vessels targeting cockles over the course of the month, vessels swapping over to shrimp gear. Cockles £700 - £900 per tonne. Cockle fishery expected to close week beginning 18th Sept.

Area 3: (Brancaster to Great Yarmouth).

Bass – Bass being caught in the district, but catches have dropped significantly. £10-12 per kilo.

Crab – Poor inshore, commenting worst year and most are soft, fishermen travelling further out to get better numbers.

Lobster – Good numbers currently being caught.

Skate & Ray – low numbers, no landing inspections.

Cod – No catches witnessed.

Dogfish – commercially caught as bait. Recreational catching plenty, including some decent Smoothound from the piers.

Whelk – Just one boat fishing commercially for Whelk outside District (asked for a permit), not landed by IFCOs for a while.

RSA – Bass have dropped off to a great extent, but some still being caught from beaches and at ASDA Gt Yarmouth. Few good smoothound being caught from Gorleston Pier and also the odd whiting showing up, but in general things are fairly quiet.

Area 4: (Great Yarmouth to Harwich).

Bass – Bass have dropped off, but the odd commercial boat doing well for them. £10-12 kg.

Crab - lower numbers than expected.

Lobster – landings reported to be showing good numbers. Bigger Lobsters being caught from Lowestoft and Aldeburgh, which are notably larger than Cromer.

Cod –Recreational boats and the odd beach fisherman catching them, but they tend to be around the 2-3lb mark.

Skate & Ray – low numbers. Odd ones being caught in Sole nets and by recreational anglers.

Sole – numbers increasing, fishing at night due to clear water. £7-8 kg. Mainly being caught from Aldeburgh, Southwold and Lowestoft.

Whelk – No known activity

RSA activity remains fairly high, with fishing matches being popular. Species tend to be Bass or Dogfish predominantly, with some good sized Smoothound showing up. Rays appear to come and go sporadically.

October:

Area 1: (Hail Sand Fort to Gibraltar Point).

Area 2: (Wash and North Norfolk Coast to Brancaster).

Shrimp price increased to £3.50, catches have declined over the month.

Cockle fishery re-opened 12/10/2023, 5-6 boats seen fishing on first open day.

No known whelking activity, other than Nico LN491.

Area 3: (Brancaster to Great Yarmouth).

Crab fishing poor all year, lobster high numbers but both now reducing. Drop in activity across commercial and recreational despite good weather. Recreationally still bass and mackerel being caught, high numbers of small whiting.

Bass – majority being caught inland on rivers. Some charter vessel activity, no commercial inspections. £5 - £15 kg.

Crab – poor all year, effort has continued to drop through the month, no landing inspections. £1.75 kg.

Lobster – high numbers still, many fishers now being limited by weather and bringing gear ashore. £14 - £16 kg.

Cod – reports of some being caught at sea. £1.60 - £3.40 kg.

Skate, dogfish, ray and sole – no known landings

Whelk – minimal effort, one active vessel in Yarmouth with permit. £1.30 kg.

Area 4: (Great Yarmouth to Harwich).

Sole and bass main species being targeted commercially. Drop in most activity across commercial and recreational despite good weather. Recreationally still large number of sizeable bass being caught mostly from rivers and piers, also high numbers of small whiting.

Bass – high numbers still being caught, mostly from piers, vessels and in the rivers, 5 landing inspections at various ports. £5 - £15 kg.

Crab – poor year for numbers and quality, struggling to sell as food, only using as bait from Southwold. £1.40 - £1.75.

Lobster – good sizes being landed in Aldeburgh. £14 - £16 kg.

Cod – charter vessels catching in double figures, 1 commercial landing inspection. £1.60 - £3.40 kg.

Skate and ray – commercial vessels still catching. £3 - £4 kg.

Sole – increase in effort but sporadic catches, main fishery for many now, 3 commercial landing inspections. £5 - £21 kg.

Whelk – 3 active vessels from Lowestoft and Southwold, thought to be outside district, 1 landing inspection.

November:

Area 1: (Hail Sand Fort to Gibraltar Point).

Area 2: (Wash and North Norfolk Coast to Brancaster).

Shrimp landed weights decreasing, some of the larger vessels doing longer trips. £5.40-£5.50 per kg, £3.25 kg for Cs

Whelk £1.60 per kg

Cockles £600 - £830 per kg (Lynn Shellfish). Only John Lake Shellfish now taking cockles.

Area 3: (Brancaster to Great Yarmouth).

Crab fishing poor all year, lobster high numbers but both now reducing, many bringing gear ashore. Some netting for herring. Drop in activity across commercial and recreational despite good weather. Lots of weed now in the water. Recreationally still bass and high numbers of small whiting.

Bass – majority being caught inland on rivers. Some charter vessel activity, no commercial inspections. £5 - £15 kg.

Crab – poor all year, effort has continued to drop through the month, no landing inspections. £1.75 kg.

Lobster – high numbers still, many fishers now being limited by weather and bringing gear ashore. £14 - £16 kg.

Cod – reports of some being caught at sea. £1.60 - £3.40 kg.

Skate, dogfish, ray and sole – no known landings

Whelk – minimal effort, one active vessel in Yarmouth with permit. £1.30 kg.

Herring – Now being fished for commercially from Sea Palling to Lowestoft

Area 4: (Great Yarmouth to Harwich).

Sole and bass main species being targeted commercially. Drop in most activity across commercial and recreational despite good weather. Recreationally still large number of sizeable bass being caught mostly from rivers and piers, also high numbers of small whiting.

Bass – high numbers still being caught, mostly from piers, vessels and in the rivers, 1 recent landing of over 120kg in Southwold. @£14 kg average, occasionally £20kg.

Crab – poor year for numbers and quality, struggling to sell as food, only using as bait from Southwold. £1.40 - £1.75.

Lobster – good sizes being landed in Aldeburgh. £14 - £16 kg.

Cod – charter vessels catching in double figures, £1.60 - £3.40 kg. Odd one being caught from the beaches/piers.

Skate and ray – commercial vessels still catching. £3 - £4 kg.

Sole – increase in effort but sporadic catches, main fishery for many now, £5 - £21 kg.

Whelk – 3 active vessels from Lowestoft and Southwold, thought to be outside district.

Herring – Good numbers being caught around Aldeburgh, but minimal effort due to low prices. Selling to customers for 5lb for £5.

Appendix 2: Marine Science Report: September – November 2023

Overview

Autumn brings the annual Wash mussel surveys, requiring an extended period of field work across The Wash. This work was successfully completed in October 2023 (see Agenda Item 11 for full report). Other priorities during the quarter included continuation of the “amber and green” assessment work, progression of the natural disturbance study at Cromer (both reported below) and ongoing training / induction of the new Marine Science team member. Business-as-usual work has included the monthly shellfish sample collection and water quality monitoring for environmental health and productivity assessment, engagement with developers/regulators and responding to consultations on marine developments, and processing requests for derogation from Eastern IFCA byelaws.

During the quarter, three Marine Science Officers (each with 18 months to two years’ experience at Eastern IFCA) and one Senior Marine Science Officer (with twenty-seven years’ experience) have given notice of moving on from Eastern IFCA to progress their careers. Although a degree of churn is normal within the team, this level of change (which is in addition to one existing vacancy in the Marine Science team) is significant. Priority has been given to creating structured project handovers and swift recruitment to fill the vacancies. This has resulted in offers to four candidates, who are expected to join the team in the New Year. Induction and training will be prioritised during the next quarter.

Wash Mussel Fishery assessment

Officers undertook mussel stock surveys in The Wash during September and October 2023. A significant settlement of juvenile mussels was recorded across nearly all of the 17 mussel beds surveyed, but the level of adult (harvestable) stocks was found to remain low. Overall, the total biomass of mussels was estimated to be 20,597 tonnes, the highest stock level recorded for over twenty years. In relation to biomass and habitat extent targets for The Wash marine protected areas, adult mussel biomass remains below the 7,000 tonne threshold, total mussel biomass significantly exceeds the 12,000 tonne threshold, and the total extent of mussel beds exceeds the 500ha target. A full report is provided at Agenda Item 11.

The Wash mussel beds could support a relaying fishery (i.e. a fishery to remove juvenile mussels from natural mussel beds for placement on private mussel lays in The Wash or the north Norfolk coast, for ongrowing) but not a direct, harvestable fishery (harvesting of adult mussels for direct sale). If there is demand for a relaying fishery – to be determined through consultation with local industry – officers will undertake a Habitats Regulations assessment to assess impacts on designated habitats and species, and if necessary to

identify mitigation measures to reduce such impacts, before any such fishery can be authorised.

Ambers & Greens assessments

The Marine Science team has continued as far as possible to prioritise the assessment of “amber and green” interactions (i.e. medium and low risk fishery/feature interactions) in marine protected areas across the district. This work constitutes the review and update of assessments carried out in 2015 -16, using up-to-date fishing activity information and for many sites, updated conservation advice. Liaison with MMO is continuing in relation to marine protected areas that straddle 6nm (and therefore will be assessed and managed by IFCA inshore and by MMO offshore). These assessments will inform the need for any new conservation-based fisheries management measures, in line with Defra’s deadline requiring such management to be in place by the end of 2024.

The work has been delayed during the quarter because of the significant resource needed for The Wash mussel surveys and ongoing work focused on Cromer Shoal Chalk Beds marine conservation zone. Further delays are inevitable as three Marine Science Officers move on from Eastern IFCA. Efforts are being made to minimise the impact of team personnel changes: after the swift recruitment drive, training of new team members will be prioritised to ensure this workstream is progressed.

Cromer Shoal Chalk Beds Marine Conservation Zone (MCZ)

Officers are continuing work to finalise the Adaptive Risk Management plan, in collaboration with Natural England. The plan sets out the Authority’s approach to trialling management of potting in the MCZ alongside research to better understand interactions between potting and chalk and to evaluate the effectiveness of management.

During the quarter officers have continued preparatory work for the natural disturbance study, designed to compare natural damage to rugged chalk with damage associated with potting fishing gear. This work is being undertaken collaboratively with Natural England, University of Essex, Blue Marine Foundation, the local fishing industry and Norfolk-based consultants, EXO Environmental. Liaison is ongoing with MMO and The Crown Estate with regards to the necessary licences to deploy buoys as part of this project. Completion of the associated habitat surveys has been hindered by unfavourable weather conditions, but further work is planned for December, weather permitting. Analysis of survey videos taken earlier in the year is ongoing.

Following thorough consultation on the Cromer Shoal Chalk Beds Byelaw, this key management measure has been submitted to MMO for quality assurance and subsequent Defra sign-off. The next stage will be consultation on the permit conditions to be applied under this byelaw. The voluntary Code of Best Practice (Lost & Stored Gear) remains in place, and fishers are continuing voluntary use of trackers to provide more detailed information on fishing location. Officers are continuing to work with Worldwide Fund for Nature (WWF) and East of England Plastics Coalition towards a tagging study for pots worked in the MCZ. Liaison is ongoing with The Wildlife Trusts with regards to fisheries management and research in the MCZ.

Further bio sampling (measuring catches of crab and lobster) has not been undertaken during the quarter because of limited officer resource to continue this work. The proposed social value study of the crab and lobster fishery in the MCZ has not yet started but positive

discussions have been held with fisheries social scientists from Marine Conservation Society, Cefas and University of Newcastle on this subject.

Fisheries Management Plans

Following successful consultation sessions at Eastern IFCA's September Fisheries & Conservation Management Working Group, officers collated and submitted responses to Defra on Fisheries Management Plans for Crab & Lobster, Whelk, Bass and Southern North Sea Flatfish. IFCAs are leading development of the national Cockle Fishery Management Plan, which will be heavily informed by existing management of cockle fisheries in England (detail to be presented by Tim Smith, Association of IFCAs at the current Authority meeting).

Seal disturbance mitigation

Not progressed during the quarter because of resourcing.

Drone Habitats Regulations Assessment

Not progressed during the quarter because of resourcing.

Wash cockle fishery investigations

A broad partnership of organisations including the Authority, Cefas, Natural England, British Trust for Ornithology are collaborating to investigate atypical mortality in cockles in The Wash and interactions with oystercatcher populations. Progress on this research will be reported when available.

Shellfish waters classification

Officers have continued monthly sampling of shellfish and water in The Wash for environmental health monitoring. In November 2023, it was announced that following spikes in *E. coli* (bacteria) levels in cockles sampled from the eastern Wash, the surrounding classification zone would be downgraded, potentially meaning cockles could not be fished in that area. This is likely to have a significant effect on the private Le Strange fishery, but would only affect a small area of the public fishery in The Wash.

District-wide input to consultations on marine developments

It has been necessary to reduce involvement in third party marine developments because of the ongoing resource issues. However, comments on marine licence applications or other consenting systems are provided wherever possible. During the quarter, most of this work has been in relation to agreement and delivery of offshore wind farm compensatory measures, such as the Norfolk Projects marine debris campaign and Outer Dowsing's potential habitat creation work. In November, the Authority was represented at a public meeting regarding the proposed Wash barrage and container port; little detail is yet available on this controversial proposal but officers intend to engage as necessary to understand and provide feedback on likely effects of fisheries and environment.

Derogations from Eastern IFCA Byelaws

During the last quarter, four derogation requests have been received: two from Environment Agency and two from Cefas.