

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 Bowell		MMO Appointee
Cllr Chenery of Horsbrugh		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 DPs 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 & Cackle 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.

Cllr 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 since 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.

Cllr 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.

Cllr 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 Bowell 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 forth coming 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.