57th EIFCA
Statutory Meeting

To Be Held at:
Royal Norfolk & Suffolk Yacht Club, Royal Plain,
Lowestoft, NR33 0AQ

Wednesday
11th September 2024

1330 hours

Meeting: **57th Eastern IFCA Meeting**

Date: 11 September 2024

Time: 1330hrs

Venue: Royal Norfolk and Suffolk Yacht Club, Royal Plain, Lowestoft, NR33 0AQ

Revised 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 56th Eastern IFCA Meeting, held on 19 June 2024 – *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 – *DCO pg 14*

7 To receive a report on the meeting of the Finance and HR sub-committee held on 6 August 2024 – *CEO pg 19*

8 Cromer Shoal Chalk Beds Byelaw 2023 Phase 1 permit conditions - *ACO* pg25

9 Wash cockle fishery 2024 update – A*CO pg71*

10 Annual Report 2023/24 – *CEO pg74*

11 Review of annual priorities and Risk Register - *ACO* pg75

Information items

12 CEO update (verbal) – *CEO*

13 Operational update - *Head of Operations*

a. Marine Protection report pg92

b. Marine Science report pg100

Any other business

14 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
27 August 2024

56th Eastern IFCA Meeting

A meeting of the Eastern IFCA took place on Wednesday 19th June 2024 at 1030 hours in the Council Chambers, 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 Chenery of Horsbrugh		Norfolk County Council
Mr J Davies		MMO Appointee
Mr L Doughty		MMO Appointee
Mr P Gilliland		MMO Appointee
Mr T Goldson		MMO Appointee
Ms J Love		Natural England Representative
Mr J Rowley		MMO Representative
Cllr P Skinner		Lincolnshire County Council
Ms I Smith		MMO Appointee
Mr S Williamson		MMO Appointee

Eastern IFCA (EIFCA) Officers Present:

Luke Godwin	Assistant Chief Office (Clerk for this meeting)
Ron Jessop	Senior Marine Science Officer

Minute Taker:
Jodi Hammond

EIFCA24/17 Item 1: Election of Chair

In the absence of the CEO/Clerk and the Deputy Chief Officer, the Assistant Chief Officer took on the role of Clerk and requested nominations for the role of Chair.
One nomination was received.

Members Resolved to elect Councillor FitzPatrick to the role of Chair of the Authority
Proposed: Cllr Skinner
Seconded: Cllr Chenery of Horsbrugh
All Agreed

EIFCA24/18 Item 2: Welcome

The Chair welcomed all members to the meeting, thanked them for attending and explained the absence of both the CEO and Deputy CO.

EIFCA24/19 Item 3: Apologies for Absence

Apologies for absence were received from Messrs Bagley, Garnett and Mogford (MMO Appointees), Cllrs T Adams (NCC), E Back (SCC) and P Coupland (LCC)

EIFCA24/20 Item 4: Election of Vice-Chair of the Authority

One nomination was received for the role of Vice-Chair of the Authority.

Members Resolved to elect Councillor Skinner to the position of Vice-Chair of the Authority.
Proposed: Cllr FitzPatrick
Seconded: Mr Williamson
All Agreed.

EIFCA24/21 Item 5: Declaration of Members Interests

Members had been provided with a paper which considered conflict between an item on the agenda and a new Disclosable Pecuniary Interest declared by an MMO appointee. As a consequence of the consideration, it was recommended that it would be appropriate for members to grant a dispensation to allow discussion on the matter by the affected member, but not vote on the relevant agenda item.

Members Agreed to:

- **Note** the revised list of Disclosable Pecuniary Interests (DPIs) for MMO appointees (Appendix 1) and the assessment of DPI conflicts with Authority Business (Appendix 2).
- **Agree** to grant dispensations from s.31(4) of the Localism Act 2011 (c.20) to MMO Appointees, as set out in Appendix 2, to allow participation in discussions of matters for which they have a DPI for the period of four years or until their term of service is expired (whichever is first).

All Agreed

EIFCA24/22 Item 6: Minutes of the 55th Eastern IFCA Meeting held on Wednesday 13th March 2024

It was noted that Mr Goldson had been referred to as 'Cllr Goldson'.

With the exception of making the changes from Cllr to Mr, Members agreed the Minutes were a true record of proceedings.

EIFCA24/23 Item 7: Matters arising.

EIFCA24/10 WASH MUSSEL FISHERY 2024: Members were advised the fishery had opened with a small number of fishers taking part as anticipated.

EIFCA24/24 Item 8: Health & Safety Risks and Mitigation

It was questioned what steps had been taken to protect officers from confrontation, and the ACO explained that the majority of officers who encountered external stakeholders had taken part in Conflict Resolution Training.

Cllr Skinner noted the concern regarding working at height and its relationship to quayside ladders and questioned if there was regular inspection of these ladders. The ACO advised the main risk was for Officers boarding fishing vessels, at which time they would undertake a dynamic Risk Assessment. Mr Doughty advised most quayside ladders fell outside the remit of EIFCA or vessel skippers as they were the responsibility of the Environment Agency.

SMSO Jessop advised that the condition of ladders across the district varied greatly and so it was necessary for officers to inspect the ladder at the time of use.

Mr Williamson advised not all ladders fell under the remit of the EA, some were the responsibility of ABP and a few were maintained by individual fishermen. It was noted the ownership varied throughout the District.

Members Requested the CEO contact the main organisations responsible for quayside ladders and ask for routine inspections to be carried out.

Members Agreed to Note the contents of the report.

EIFCA24/25 Item 9: Finance and HR Sub-Committee held on 7th May 2024

Members were advised the End of Year Accounts had been presented to the sub-committee. It was noted there was a slight variation in the way they were set out compared to previous years.

Cllr Chenery noted the sub-Committee had clashed with the Norfolk CC AGM and requested that in future this did not occur. The Chair advised this was due to NCC changing the date of their AGM.

Mr Gilliland questioned whether £4,000 of debtors had been written off, he was advised this was carried over from the previous year and had in fact been written off in this year's accounts as there was no indication of what it represented.

Mr Gilliland then queried the movement of funds noted as being allocated to 'IVMS' from Current Liabilities. It was explained this now fell under a separate heading of Long Term Liabilities in order that in not get forgotten that EIFCA were holding the funds on behalf of AIFCA.

Members agreed to Note the contents of the report.

EIFCA24/26 Item 10: Oyster Heaven Project

The ACO gave a presentation on the proposed Oyster Heaven Project. It was noted this project was at the Pre-Application Stage. Essentially the project was attempting to establish two native oyster beds within the District. In order to proceed with the project investors were being sought, who would receive a return for their investment. EIFCA were being asked to provide a letter in support of the project.

Further information on the project was that it was hoped two beds would be established, in the Wash and on the North Norfolk Coast, the latter being co-located with a seaweed farm, in this way it was hoped there would be no further disturbance to current fishing practices, and fishers could be involved in setting up the project.

It was anticipated the area covered would total 0.2ha, although there was no certainty as to what the extent would actually be. As the site was outside the main fishing areas it was not anticipated there would be much impact on stakeholders. In fact it was suggested that over time the presence of this species could benefit the water quality.

Ms Love agreed there was some uncertainty with regard to the size and number of locations. Whilst Ms Love felt there could also be a benefit to the biodiversity of the fishery, she was also concerned the impact on the reef features had not been considered. There needed to be some understanding of the interaction between an oyster reef, *sabellaria* reef and a mussel fishery, and that it could pose a risk to protected habitats of the MPA.

Members highlighted the extent of uncertainty regarding the project generally, with a number of details not being clear at this stage including whether the seaweed farm associated with one of the proposed areas was successful and the use of 'bricks' to plant the oyster seed.

Ms Love suggested that perhaps at this time, rather than sending a letter of support, it would be more appropriate to get Oyster Heaven to attend the FCMWG, Mr Doughty was in agreement, he was not supportive of sending a letter of support without the company first having some dialogue with fishers and knowing more about the size and placement of the project. It was apparent Members would prefer to have more information on the project before providing a letter of support.

Members Agreed to note the content of the report.

Members Agreed to accept an alternative recommendation to the provided in the papers.

It was Resolved to defer sending any letter of support prior to the project proposers making a presentation to the FCMWG and discussing opportunities for collaboration and partnership. Following such a presentation the FCMWG would make a recommendation to the full authority.
Proposed: John Davies
Seconded: Cllr Skinner
All Agreed

EIFCA24/27 Item 11: Cockle Fishery 2024

SMSO Jessop provided members with the results of the annual surveys, explaining distribution and density of biomass. Members were advised there was a relatively large TAC, however by the end of the season it may be difficult to get the daily quota due to the low densities of sizeable cockle.

The TAC had been calculated using 1/6th of the total cockle biomass, although this did not include year 0, as they had no real commercial value but would provide for future fisheries

spatial closures were in place to protect areas were year 0 stock exceed 1000/m^2.

Due to the stock being susceptible to mortality, the CEO had made a decision on an opening date for the fishery (being 20 June 2024) under delegated authority, having consulted with industry and considered the outcomes of the stock assessment and associated Habitats Regualiton Assessment.

The ACO advised Members of the Management Measures which had been applied to the fishery. Reference to a closure on Black Buoy Sand from 1st November was noted. It was also noted that should the WCMB come into force, delegated authority was required to commute the management measures to permit conditions under the byelaw which would enable fishing to continue.

Mr Williamson advised that fishers were concerned with the closure of Black Buoy for breeding birds and the potential this had for becoming a bigger closure in future years should bird numbers decrease further. It was questioned why this year there needed to be a bed closure. Ms Love advised there had been more deaths than usual amongst oyster catchers, which were thought to be as a result of a combination of cold weather, low food resource and other factors. Having considered all these relevant factors, a closure would therefore be required to ensure the fishery did not have further impacts on the population .

Mr Doughty questioned whether it was the whole of Black Buoy that was to be closed or just higher ground, he was concerned that in combination with seal closures fishing opportunity was being narrowed down, and without any consultation with the industry. Mr Doughty also questioned how lays would be affected if the leases were not held by fishers. The ACO advised the lays were previously leased under the Shellfish Act. Each time there was a review and a HRA was completed the impact of the lays was taken into consideration, the situation would be no different if the individuals own the lays. The ACO also noted that the potential for a closure on Black Buoy sand was included in the consultation and discussed at the associated industry meeting.

Mr Goldson was bemused by the closure to take account of birds. He felt the previous winter had been one of the warmest on record, where was the evidence that this winter would be a cold one. Ms Love accepted all the evidence was not available, but in the absence of such evidence it was necessary to be precautionary. As oystercatcher numbers were crashing it was necessary to take precautions for the rest of the species.

The ACO advised without all the evidence to prove there was no impact of the species there had to be a balancing act or the fishery would not be opened.

Mr Goldson believed putting in closures for birds in November was a decision being made too soon, he would prefer to wait until nearer the time before a decision was made.

Cllr Skinner accepted there was a mechanism in place to get the fishery open, but he felt that when agreeing to close beds to protect birds there needed to be caution over the language used, it needed to be worded as a proposal not as a definitive action.

The ACO advised closure of Black Buoy would be subject to an additional consultation nearer the time. He accepted the slide shown to members should have read as 'proposed closure'.

Cllr Vigo Di Gallidoro questioned what the effect on birds would be if the winter proved to be exceptionally wet. Mr Love advised that all weather changes had an impact on bird species.
Mr Gilliland advised that climate change was not just about warming it was about 'change', and excess rainfall could be affecting bird stocks.
He felt it was the job of a responsible authority to foresee risk and avoid it, that was sensible risk management.

Mr Doughty felt this was the slippery slope to more closures, decisions needed to be evidence based.

Ms Love advised that in the event of no available evidence there was a need to take precautionary measures, which was why one sand was proposed to be closed not the whole fishery.

The Chair suggested this could be discussed in more detail at a future FCMWG.

Mr Goldson acknowledged using evidence but that the decision should take into account evolution. It was suggested that if there was no interference with the birds by way of closures to prevent disturbance, they would either survive or die, he felt there should be less interfering and nature should be allowed to take its course.

Ms Smith felt the Authority should be working 'with' nature.

Mr Williamson advised it was evident that fishermen and birds could survive together, there had not been a situation where there was no food for the birds so he felt the decline in bird populations must be due to something else. SMSO Jessop

advised the Cefas Coastal health Project was looking in more details at shellfish stocks, bird numbers etc, all parties were trying to improve the available knowledge base and what factors affected various species.

Members Resolved to:
Note the contents of the report including the stock survey, the output from the consultation, the management measures for the fishery and the decision to open the fishery on 20th June 2024, and to bring an agenda item on bird closures to an FCMWG at an early stage.
Agree to delegate authority to the CEO in consultation with the Chair and 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 and 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.
Proposed: Cllr Vigo Di Gallidoro
Seconded: Chair
All Agreed

EIFCA24/28 Item 12: Quarterly Review of annual priorities and Risk Register

The ACO advised the reporting period covered two financial years and that the report considered progress against priorities for the current financial year. It was noted the higher than normal turn over of staff during the previous year had caused some setbacks with Cromer Shoal ARM and completing the Amber and Green assessments, however the team were working through them and it was anticipated that particular task would be completed by the end of the year.

The WCMB had been sent back to the MMO for further amendments, prior to being sent to Defra.

The Several Order had been further delayed, final amendments by Defra were awaited. Mr Doughty queried if formal advice had been received from King's Council regarding the Landlord & Tenants Act. The ACO advised it did not fall under the Landlord & Tenants Act and that final legal advice was pending which would take the KCs opinion into account.

Mr Gilliland acknowledged the Risk Register was well set out but requested it be minuted that he felt there should be an Issue Register as well as a Risk Register.

Members Agreed to note the content of the report.

EIFCA24/29 Item 13: CEO Update

The Assistant CO advised :
DEFRA Funding This financial year was the last of the agreed three years of funding. IFCAs had been asked at short notice for funding bids, which were provided and it was not known how the funding would be affected by the General Election.
New Vessels

- *FPV Protector IV* had been delivered, staff were being given familiarisation training. The Vessel Naming Ceremony had been cancelled due to the run up to the General Election. Members were asked if they would still like a Naming Ceremony to take place.
- FPV Thunderstruck modifications had been completed and the vessel had been taken to Southampton for SeaWorks. Passages there and back were used as training opportunities for staff.

The cost associated with a naming ceremony was queried and it was noted the cost would be minimal as it would be held in conjunction with a future Authority Meeting so there would be no additional costs for room hire. It was decided to go ahead with a naming ceremony in conjunction with a future meeting, using the same venue as was initially planned. During the course of discussions members debated the merits of holding Authority meetings at varying venues throughout the District, it was agreed this could be considered in future.

Members Agreed to Note the contents of the report.

EIFCA24/30 Item 14: Marine Protection Quarterly Report

Mr Gilliland acknowledged the stats included in the report were helpful but queried whether there were targets to be met for landings and surveillance in each port/month.
ACO advised there were targets set out in the Annual Plan, he would feed the request back to the Deputy CO.

Ms Smith enquired if trawling sole was permitted. The ACO advised that would fall under an MMO licence, under EIFCA byelaws there was nothing to prevent it.

Members Agreed to note the contents of the report.

EIFCA24/31 Item 15: Marine Science Quarterly report

Members were advised the report provided updates on the 'business as usual' workstreams set out in the 5-Year Business Plan to avoid duplication with the 'quarterly progress against priorities' updates, with the intention being to give Members a fuller understanding of what the Marine Science Team had been working on.

During the discussion, members expressed the view that the format and information within the report waere appropriate.

Members Agreed to note the contents of the report.

EIFCA24/32 Item 16: Any other business

There were no other matters that had been raised for discussion.

There being no other business the Chair thanked members for his re-election to the post of Chair, he also thanked Officers for the work they had carried out during the year. The meeting closed at 1248 hours.

Action Item 6

57th Eastern Inshore Fisheries and Conservation Authority meeting

11 September 2024

Health and Safety update

Report by: Jon Butler, Deputy Chief Officer

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 has been one incident since the last authority meeting.

Risks/Mitigation

There continues to be incidents of verbal aggression from stakeholders towards officers, this is dealt with on a case-by-case basis and officers are trained to deal with incidents if they escalate.

New officers have undertaken trailer training as FPV Sea Spray is deployed more widely across the district.

Investigations had previously been undertaken as to ownership of quayside ladders, those that can be identified have been but there are many where ownership cannot be established. Risk assessments are in place for working

on quaysides and the working at height is currently with NCC H&S team for review. Officers are aware they need to carry out a dynamic risk assessment each time they use a quayside ladder. If there is any doubt the ladder should not be used.

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?
03/07/24	Vessel Damaged	Damage sustained to FPV Sebastian Terelinck	Vessel taken out of service	MAIB reportable	Yes	Jon Butler	None. Vessel repaired locally in Lowestoft. No concerns identified with method of boarding by skipper. Damage to patrol vessel and fishing vessel being dealt with through insurance.

Appendix 2

Eastern IFCA Health and Safety risks

Risk	Intervention	Residual Risk	Risk rating* (Current)	Risk rating* (Previous)
1. Whole Body Vibration	• Risk awareness training to manage impacts. • Health monitoring process to be developed.	• 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	• 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.	• No change in behaviour of some stakeholders. • Long term sickness caused by stakeholder hostility	**Tolerate**	**Treat**
3. Damage to vehicles, trailers and/or equipment through inappropriate operation.	• 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)	• Failure to adhere to training • Mechanical failure of vehicle or trailer	**Tolerate**	**Treat**
4. Physical fitness of personnel to undertake arduous duty	• Staff briefing • Management overview to ensure rostered duties are appropriate and achievable	• Individual health fragilities • Individual lifestyle choice	**Tolerate**	**Tolerate**

	• Reasonable work adjustments • Routine periodic medical assessment (ML5)			
5. Working at Height	• Staff briefing • Scoping of all quayside ladders • Risk Assessment • Training to be provided if required	• Failure of quayside ladders • Ownership of quayside ladders not clear.	**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

Action Item 7

57th Eastern Inshore Fisheries and Conservation Authority meeting

Report by: Julian Gregory, CEO

Meeting of the Finance & HR Sub-committee held on 6 August 2024

Purpose of report
To inform members of the key outputs and decisions from the Finance & HR Sub-Committee meeting held on 6 August 2024.

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 6 August 2024. 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 6 August 2024.

Appendix A
Unconfirmed minutes of a meeting of the Finance & HR sub-committee held on 6 August 2024.

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.

Finance & HR Sub-Committee

A meeting of the Finance & HR Sub-Committee took place at the EIFCA Offices, King's Lynn on 6th August 2024 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 M Chenery of Horsbrugh		Norfolk County Council
Cllr P Coupland		Lincolnshire County Council
Mr S Williamson		MMO Appointee

Eastern IFCA Officers Present:

J Butler	Deputy Chief Officer
J Gregory	CEO

Other Bodies

J Sams	Aston Shaw Accountants

FHR24/13 Welcome

The Chair welcomed members to the meeting.

FHR24/14 Apologies for absence

Apologies for absence were received from Cllrs Skinner (LCC) and Vigo Di Gallidoro (SCC) and Ms I Smith (MMO Appointee)

FHR24/15 Declarations of Members Interest.

No Declarations of Interest were received.

FHR24/16 Minutes of the Finance and Personnel Sub-committee meeting held on 7th May 2024

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

Proposed: Cllr Back
Seconded: Cllr Coupland
All Agreed

FHR24/17 Matters Arising

There were no matters arising, it was noted the Annual Return for the Audit had been signed, one piece of information was required from the accountants in order for the information to be sent to the External Auditors.

FHR24/18 Quarter 1: Payments and Receipts

There remained some glitches in allocation of payments and receipts to sub-headings, these were being worked out with the bookkeeping department at the accountants. It was inevitable there would be a few teething issues when using new software. It was noted these glitches related to how expenditure was aligned under headings in the Payment and Receipts as opposed to there being any issues with the totals in both the Payments and Receipts and the Management Accounts. Joanne Sams advised that the bank reconciliations were all in order.

Members Agreed to Note the contents of the paper.

FHR24/19 Quarter 1: Management Accounts

It was noted there was no excessive expenditure and that accruals from the previous years' accounts had been covered in these accounts.
Payments made early in the year which applied to a full year's expenditure would be spread across the remaining 3 quarters Management Accounts to show a reflection of expenditure across the year, rather than the payments and receipts which showed actual expenditure at the time it happens.

Members Agreed to note the content of the report.

FHR24/20` Asset Disposal

Members were reminded that a decision had been taken not to take account of depreciation for vehicles in the Asset Register. Financial Regulations stated the Finance & HR Sub-Committee must approve the disposal of any asset above £10k in value.

In November 2023 sub-committee members had agreed to the disposal of several vehicles. Only one of these vehicles had so far been sold, the CEO wished for members to be aware at least two of the remaining vehicles will still be disposed of and whilst they will have an actual value below £10k, their value on the Asset Register was above £10k. For

vehicle sales the actual valuation at the time would be applied as the value of the vehicle.
All Agreed

FHR24/22 Vessel Disposal

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

The regularity of vessel sales was queried, to which Members were advised this could be between 10 – 30 years depending on the vessel's size.

Currently EIFCA had a vessel for sale which had completed 20 years' service. This vessel being very bespoke in nature had initially been valued in 2021 when second-hand vessel prices were increasing as a result of the knock-on effect of Covid 19.

Since the valuation prices had fallen, and with the bespoke nature of the vessel members were asked to reconsider the acceptable offer price from potential buyers, as well as delegating the decision making to the CEO, Chair and Vice Chair to enable a more dynamic response.

The vessel remained moored at Sutton Bridge at no cost and was operational, however, ongoing costs such as insurance and essential maintenance was not desirable in the long-term.

Members considered the options for selling a vessel, and noted the economic situation at any time could affect the sale price. It was accepted the best price would be achieved. Mr Williamson, who had experience in selling vessels, advised that marketing the vessel on the basis that serious offers would be considered might be a good way forward.

Members Resolved to:

- **Note the content of the report**
- **Authorise the sale of RV Three Counties at the best achievable price in the current market**
- **Agree to delegate decision making regarding the sale of RV Three Counties to the CEO in consultation with the Chair and Vice Chair of the Authority.**

Proposed: Cllr Back
Seconded: Cllr Adams
All Agreed

FHR24/23 HR Update

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

Members were advised there had been no new starters and leavers during the quarter.
The four most recent MSO recruits had all passed their probation, as had a Project Officer.
Three other officers remained in the process of completing their probation.
There remained one Grade5 MSO vacancy, which would be considered once current probations had been completed.

The Authority's HR Consultant was continuing to work through all the Policies, it was anticipated this would be completed by the end of August. The process had been slightly delayed waiting for a response from Norfolk CC HR department re use of their policies, which ultimately, they had not been able to share. Once completed all revised policies would be shared with Unison.

Sickness absence remained low, one officer was on a phased return following long term absence as the result of a back operation.

One flexible working request had been withdrawn, a second was going through a six-month trial period.

EIFCA had hosted a year 10 work experience student which had received positive feedback

Members Agreed to note the content of the Report.

FHR24/24 New Vessel Update

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

Members were advised handover of Protector IV had taken place and the vessel was now in service. The last stage payment had been made. Officers had experienced some 'teething' issues, which was to be expected, and they had been addressed under warranty.

Build of the daughter vessel for Protector IV was almost complete, delivery was anticipated by the end of August.

The naming ceremony for Protector IV had been re-scheduled for the date of the next Authority meeting -11th September 2024.

Handover of Thunderstruck had also taken place, it was hoped this would be all vessels purchased for the foreseeable future.

Members Agreed to note the content of the report.

FHR24/25 Any Other Business

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

There being no other matters to discuss the meeting closed at 1130 hours, the Chair thanked members for attending.

Action Item 8

57th Eastern Inshore Fisheries and Conservation Authority Meeting

11 September 2024

Cromer Shoal Chalk Beds Byelaw 2023 Phase 1 permit conditions

Report by: Luke Godwin (ACO)

Purpose of Report

The purpose of this report is to present to members progress on the development of permit conditions to be introduced under the Cromer Shoals Chalk Beds Byelaw 2023 for the protection of the associated Marine Conservation Zone and to seek agreement to implement the measures when the byelaw comes into effect.

Recommendations

It is recommended that members:

- **Note** the contents of the report including the rationale for the permit conditions, the outputs form the associated consultation and the associated impact assessment.
- **Agree** to introduce the permit conditions at Appendix 3 and 4 in principle.
- **Agree** that the 'winter closure' permit conditions will not come into effect until such time as additional evidence on the location of 'rugged chalk' has been analysed to inform the 'rugged chalk management area'.
- **Agree** to delegate authority to the CEO to revise the 'rugged chalk management area' upon conclusion of the analysis of additional evidence.
- **Agree** to delegate authority to the CEO to make revisions which do not alter the intended effects of the permit conditions at Appendices 3 and 4 as may arise as a consequence of the formal quality assurance of the Cromer Shoal Chalk Beds Byelaw 2023 and / or related legal advice.
- **Agree** to delegate authority to the CEO to introduce the permit conditions at Appendices 3 and 4 or any revisions therefore pending the confirmation of the Cromer Shoal Chalk Beds Byelaw 2023 by the Secretary of State.

Background

The Authority must ensure that the conservation objectives of the Cromer Shoal Chalk Beds Marine Conservation Zone (hereafter, 'the MCZ') are furthered with respect to its management of fishing activity.[1]

In particular, the site hosts a culturally and economically important crab and lobster fishery the assessment of which concluded that the fishery is not hindering the MCZ's conservation objectives in the short-term, but that impacts in the medium to long-term cannot be ruled out. Natural England advice confirmed agreement with this assessment, acknowledged the significant uncertainty around the extent to which damage and thus impacts are occurring and concluded that management of fishing activity is required.

To achieve this, the Authority has undertaken to manage pot-based fishing activity through Adaptive Risk Management (ARM). ARM is the implementation of management which is proportionately precautionary to reduce identified risk in an iterative process informed by research and contribution from stakeholders[2].

At the 51st Eastern IFCA Meeting, members agreed to make the Cromer Shoal Chalk Beds Byelaw 2023 (hereafter, 'the byelaw') to provide a flexible mechanism to manage pot-based fishing activity in the MCZ adaptively through a requirement to hold a permit to fish and the ability for the Authority to introduce, vary or revoke conditions attaching to permits. The Byelaw was consulted on formally and has been the subject of formal quality assurance with the Marine Management Organisation and is yet to be confirmed.

ARM is delivered via the ARM project which consists of the Project Board, Task and Finish groups (for management and research and a sub-group for evidence) and a stakeholder group. The associated ARM Plan includes the development of permit conditions prior to confirmation of the byelaw such that they will come into effect at the same time as the byelaw. The first set of such permit conditions are referred to as 'Phase 1 permit conditions'

Report

During informal consultation on the byelaw, proposals were made by fishery stakeholders for two management measures as follows:

- An inshore vessel restriction, which would prohibit fishing within 3nm of the shore (within the MCZ) except from 'beach-launched' vessels; and
- A winter closure, which would prohibit potting activity within the 'rugged chalk area' during winter.

These proposals were the subject of development as 'phase 1 permit conditions' which are intended to apply to both commercial and recreational fishing activity. The permit conditions and their supporting rationale is set out in detail in the Impact Assessment (Appendix 1) and the outcomes from consultation with stakeholders is provided in the 'Outcome Document' (Appendix 2). A summary is provided below.

[1] S.154 Marine and Coastal Access Act 2009.

[2] Current-context-of-Adaptive-Risk-Management-review-V1.0.pdf (jncc.gov.uk)

Inshore Vessel restriction

This management measure will restrict access to the inshore part of the MCZ to smaller, beach launched vessels. This measure is intended to reduce risk to the MCZ in two ways:

- Beach-launched vessels are limited in their capacity to fish because of the constraints on size and weight associated with being launched from a beach (as opposed to from a port). By restricting access to the inshore part of the MCZ (which contains the most sensitive 'rugged' chalk), the risk of sudden, significant increases in potting activity is reduced because larger or nomadic vessels (which can deploy thousands of pots) will not have access to the area.
- Beach-launched vessels operating in the MCZ are also heavily reliant on fishing the inshore part of the MCZ. Restricting access to only those who are heavily reliant on the area is considered likely to instil a sense of ownership and husbandry which leads to best practice.

In addition, the measure also addresses concerns from smaller, beach-launched business models that area could be dominated by larger fishing business models over time. In particular, that in the context of the aging demographic of the N. Norfolk coast fishing fleet and likelihood that several vessels will retire in the coming years, that the fishing grounds can rapidly be utilised by more mobile nomadic vessels at the expense of smaller, local business models which are more difficult to expand or start.

During consultation with stakeholders, there was broad support for this measure and general agreement that it would reduce risk. The key criticism of the measure was that it could impact on a minority of business models which are not beach launched but utilise the inshore area of the MCZ on occasion. Conversely, others held the view that the measure did not go far enough to reduce risk and that stricter or more specific measures were needed including other restrictions on vessel metrics (weight, engine power etc.) and fishing methods to adequality reduce risk.

Concern was also raised about the application of the measure in the context of exceptional circumstances (e.g. where a vessel breakdown or particularly poor weather prevents the hauling or removal of pots from the sea by a beach-launched vessel). In such circumstances, it would be preferred that the pots are removed to prevent them being left *in situ* and potentially causing damage to the rugged chalk.

In addition, the original proposal included an exemption for any vessels under 10m in length (i.e. under 10m vessels could operate in the area if not launched from a beach). However the consultation identified that there was broad support for removing this exemption.

Winter closure

Pots used to fish for crab and lobster within the MCZ can damage rugged chalk via two key mechanisms; through pots impacting on the chalk during deployment at sea as water movement causes them to strike chalk features, and as a consequence of ropes between pots sawing into chalk features which is thought to be more likely to occur the longer pots are deployed.

Long soak times (i.e. the amount of time pots are left at sea) and poor weather increase the risk associated with such damage.

Consideration of fishing activity (soak times) and weather data (i.e. consideration of poor weather) identify that January and February represent a high-risk period in relation to the risk of this damage occurring.

Typically, fishing activity during these months is limited to fishing for lobsters by a small proportion of the fleet with long soak times and therefore the overall cost to businesses is very low in scale (circa 1.5% of annual value of the fisheries). However, there is the potential for impacts on individual business models which are more reliant on fishing during these times.

The consultation identified broad support for this measure and, as with the inshore vessel restriction, that the measure would reduce risk but that risk could be reduced further by expanding the closed period to include other months where weather was likely to be poor, but soak times were short. In addition, others held the view that the closed period should be subject to change on an annual basis depending on the likelihood of poor weather. Consideration of the potential to do so identified that variability in weather and inconsistency in forecasting meant successfully doing so would be unlikely.

The key concern raised by fishing industry members related to the area proposed to be closed during winter. The 'rugged chalk management area' (Appendix 1, Box 2) was developed utilising the best available evidence for the location of the rugged chalk within the site. However, data from 2022 and 2023 is yet to be analysed and includes data that could change the extent of the area. Fishery stakeholders were of the view that the area is too large and includes areas which are not 'rugged chalk' and note that their original proposal (made during the informal consultation for the byelaw) was not intended to cover the entirety of the rugged chalk but a specific inshore strip of the MCZ. On consideration, the intention of the measure cannot be met without it applying to the entirety of the rugged chalk, but it is also recognised that the area of rugged chalk included in the proposal does not reflect best available evidence given that further data on its location is still being analysed.

<u>Draft Permit Conditions</u>

Careful consideration of the consultation responses and potential impacts led to development of the permit conditions including:

- Removal of the under 10m vessel exemption in the inshore vessel restriction; and
- Inclusion of a provision to allow vessels to fish under the authority of a permit in exceptional circumstances.

Importantly, the draft permit conditions are considered to represent the best balance between furthering the conservation objectives of the MCZ and minimising impacts on fishery livelihoods in the context of the uncertainty that fishing is hindering conservation objectives and that they are proportionally precautionary. The byelaw allows for the introduction, variation and revocation of measures over time and therefore revisions can be made to management as more evidence and information becomes available to inform such. That is to say, that these proposals represent the

starting point for management rather than its conclusion and are not intended to eliminate risk at this time given that the Authority's assessment has identified that fishing activity is not hindering the conservation objectives of the site in the short-term. It is intended that work on developing further permit conditions will commence shortly which with the intention of reducing risk further including via gear modifications and pot tagging.

The full wording of the proposed permit conditions is at Appendix 3 and 4 (for commercial and recreational fishing activity respectively). It is recommended that the permit conditions are agreed in principle.

Although unlikely, there is the potential that revisions to the byelaw as a consequence of the formal quality assurance process and / or associated legal advice could result in a need to revise the wording of the permit conditions (for example, if paragraph numbers or definitions within the byelaw are revised). Therefore it is also recommended that authority is delegated to the CEO to revise them as may be necessary without any such revisions changing the intended effects of the permit conditions.

In addition, given that further evidence on the location of rugged chalk is currently being analysed, which may give cause to revise the 'rugged chalk management area' relevant to the winter closure, it is also recommended that the CEO is delegated authority to revise this area following that analysis. It should be noted that such analysis could require a decrease or increase in the size of the area.

Other policy and legislative considerations

The Authority must have regard to the East Inshore Marine Plan policies in making fisheries management decisions. An assessment is set out in the associated impact assessment and in summary, the recommendations align with the relevant policies.

In addition, the Fisheries Act 2020 set out eight objectives which are also considered in the associated impact assessment. In summary, the proposals contribute to the objectives with the exception of the 'bycatch objective' which is not relevant to the proposals (i.e. the proposals to not have a positive or negative impact on bycatch).

Financial Implications

None identified

Legal Implications

The main legal implications are the potential for challenge by judicial review. This is mitigated by having undertaken due diligence in accordance with the process set out in the byelaw for introducing permit conditions including consultation with potentially affected stakeholders and a consideration of impacts. In addition, regard has been given in the impact assessment with respect to relevant policy and legislation.

Conclusion

The proposed permit conditions will reduce the risk to the Cromer Shoal Chalk Beds Marine Conservation Zone and represent a proportionally precautionary approach to managing potting activity in the context of Adaptive Risk Management.

Appendices

1. Consultation outcome document
2. Relevant impact assessment
3. Draft Category 1 Cromer Shoal Chalk Bed Byelaw 2023 permit conditions
4. Draft Category 2 Cromer Shoal Chalk Bed Byelaw 2023 permit conditions

Background Documents

Papers and minutes for Action Item 13 of the 51st Eastern IFCA Meeting held on 8 March 2023

Appendix 1 – Consultation Outcome Document

Cromer Shoal Chalk Beds Byelaw 2023

Phase 1 Permit conditions

Formal Consultation: Outcome

This document details the outcome of the formal consultation on the Cromer Shoal Chalk Beds Byelaw (CSCB) 2023 Phase 1 permit conditions. This consultation ran from November to 29th of February 2024. The consultation period was extended to provide opportunity for additional feedback including from the Stakeholder Group for the Cromer Shoal Chalk Beds Adaptive Risk Management Project ('the Project').

We asked:

We asked our stakeholders for views on proposed phase 1 permit conditions:

1. Inshore vessel restriction

   Prohibition on potting within 3nm (inside MCZ) unless:

- Vessel is under 10m length or
- Vessel was launched from a beach

2. Seasonal closure (Rugged Chalk)

   Prohibition on fishing within 'rugged chalk zone' during January and February

You said and our response:

We received responses to the consultation from 15 stakeholders, some of whom represented a wider stakeholder group including fishing associations, conservation groups and Natural England. In addition, the views of the Stakeholder Group for the project were gathered during the associated meeting on 21 February 2024. The following is a summary of the key issues raised and our response.

Inshore Vessel Restriction

The intended effects of this measure are:

- to limit the risk associated with large, sudden increases in effort over the sensitive rugged chalk as a result of larger vessels, which can deploy significant amounts of fishing gear.
- to limit access within 3nm to those vessels which are more dependent on the area as their fishing grounds to instil a sense of ownership and husbandry which is considered likely to enhance best practice.

It is also anticipated that it will lend itself towards maintaining the tapestry of business models throughout the district, by ensuring that smaller vessels limited in their range have access to fishing grounds.

Responses generally sought to make the condition more restrictive through the removal of the provision to allow non-beach-launched vessels under 10m vessels to fish in the inshore area of the MCZ (out to 3nm). The basis for this was that vessel length alone does not limit a vessels capacity to deploy a large number of pots

whereas restricting use of the area to ‘beach launched vessels’ restricts the size and capability of the vessel more effectively.

Concern was also raised by in a minority of responses that the measure will impact business models which are not beach-launched and over 10m.

Having considered all the responses, the permit condition has been revised to remove the provision allowing non-beach-launched vessels to fish using pots in the area. It is understood that this may impact some business models, however, vessels under 10m which are launched from a harbour or port are not considered likely to utilise or rely on the area to the same extent as beach launched vessels and the impacts are not considered significant in scale[3].

Winter closure

This proposal sought to prohibit fishing within the ‘rugged chalk area’ during January and February to reduce the risk of damage to rugged chalk caused by longer soak times (i.e. where pots are left in situ for longer) and an increased likelihood of adverse weather.

Feedback on this proposal was mixed with some of the view that risk would only be marginally reduced because the closed period did not coincide with the worst weather and others of the view that the area proposed as closed is too large and includes parts of the sea which is not ‘rugged chalk’.

Noting that the proposal is part of a phased approach which will be informed by further research, the period proposed is considered to reflect the highest risk period based on available evidence.

However, it is important to note that defining the area of ‘rugged chalk’ is ongoing and available data (collected in 2023) is yet to be analysed to inform this definition. Therefore, implementation of this permit condition will be deferred until such time as the data has been analysed.

[3] [Impact assessment ref to be included once discussed at 57th Eastern IFCA Meeting]

Detailed consideration of responses to the CSCB 2023 byelaw and permit conditions.

1. Inshore Vessel Restriction

You said	Our response
Vessel restrictions will create a burden and is discriminative to the inshore over 10m fishing vessels. Inshore vessel restriction would have damaging consequences for the fishery, as there are vessels present in the area greater than 10m that cannot be beach launched thus this measure would impact these fishermen.	The inshore vessel restriction is intended to restrict the inshore area to smaller business models which have a lesser gear and range capacity. The measure will reduce the risk of larger operations, which can set 1000's of pots, from utilising the area causing a sudden and significant increase in effort and poses a risk to the 'rugged chalk'. Our records indicate that there is a very limited amount of fishing activity by vessels who would not be able to fish in the area under this condition. In addition, such vessels are known to fish outside of this area and are more capable of doing so as a consequence of launching from a harbour. Furthermore, the measure will also support the maintenance of the tapestry of business models which fish for crab and lobster off the North Norfolk coast. It is a concern of fishing industry that, giving the aging demographic of the current fleet of inshore fishermen operating within this area, larger business models (non-beach-launched, over 10m), will be more able to quickly occupy areas vacated by retired fishermen. This could result in further reduction in smaller-scale, artisanal fishing operations operating from the N. Norfolk Coast, which both form part of the fabric of the coastal community and pose least risk to the site.
The inshore vessel restriction will not reduce effort on the rugged chalk.	The aim of this restriction is not to reduce effort but to reduce the risk of large increases in effort which is a higher risk from larger vessels which can deploy 1000's of pots and therefore pose a greater risk to the MCZ. However, removal of the provision allow vessel under 10m in length, but which are not beach launched will result in a small reduction in fishing effort.

The measures should be more restrictive, 10m size restrictions is too high and would allow boats which could pose risk to the chalk (reduce to 7m).	The 10m inshore vessel restriction which was selected partly from informal consultation with industry is considered an appropriate cut-off aligning with vessel license categories and general vessel capabilities. It is acknowledged that some under 10m vessels are more capable than others but typically there are more limited than larger vessel classes. A 7m vessel restriction would exclude a much greater proportion of the current industry with greater short-term impacts. Given that the byelaw enables flexibility over-time, further vessel size restrictions can be considered via adaptive risk management in the future as required. The provision allowing 10m which are not beach-launched has been removed making this provision more restrictive and likely leading to a small reduction in effort in the area.
The inshore vessel restriction should restrict more than just vessel length including type of hull, width, weight and power and pot carrying capacity, pot design and deployment methods.	The vessel restriction will restrict the carrying capacity of the inshore vessels to an extent and as discussed previously the restriction is to avoid the risk of larger vessels, which can set greater numbers of pots, from utilising the area causing a sudden and significant increase in effort which poses a risk to the 'rugged chalk'. Other vessel restrictions could be considered later through Adaptive Risk Management. This would include consideration of how vessel design effects the capacity of vessels to carry more pots. Removal of the length provision within the permit condition will also make the condition more restrictive and limit other vessel metrics which can practically be used in the area.
Vessel length restriction does not necessarily restrict gear or technique and could encourages wider boats (catamarans) which are heavier and more powerful.	Potting techniques are likely to vary across the fleet depending on the experience of the fishermen, the type of gear used and the vessels capabilities and design. Additional resections on these factors would require additional consideration and could be implemented via the CSCB Byelaw as required, including as a result of the 'gear modifications trial' which is planned as part of ARM.

	The width of a vessel is limited to an extent in being 'beach launched' with larger vessels unable to operate in this way due to the practicalities of operating in this way.
The restrictions will not protect the rugged chalk because larger beach launched vessels carry a greater number and larger pots therefore presenting more of a risk to the rugged chalk.	In theory, larger vessels can launch from the beach, however in practice, these represent some of the smallest vessels in the district, limited in their size because of the logistics of launching in this way. The beach launched restriction will restrict the vessel size to an extent as it is only practical to launch a vessel from the beach up to a certain size. The restriction is intended to reduce the risk of a large influx of pots into the area which is more likely as a result of larger vessels entering the fishery.
The inshore vessel restriction should exclude all but the beach launched vessels.	The condition has been revised to reflect this commentary as a consequence of the consultation.

General agreement with the ‘inshore vessel restriction’ • Restricting the size of potting vessels may reduce the risk of the rugged chalk area being exposed to larger vessels now and in the future. • Restriction vessel size will reduce the risk of larger vessels including vivia boats from larger ports which are known to have the ability to carry more pots. • General agreement that an inshore vessel restriction are understood to be a necessity to reduce the risk of damage to the rugged chalk • Historically, larger vessels have ‘decimated’ fishing grounds by applying significant fishing effort	The intentions behind this proposal are to limit access to the most sensitive inshore areas to beach-launched vessels. The anticipated effect is to mitigate the risks of potential increases in effort on the rugged chalk, including by larger vessels, as current fishers retire. Preserve the heritage of the local fishery and should future management on the rugged chalk impact on fishing grounds, to provide an area which those fishers who are impacted by management could displace their activity into.

The uncertainty of the scale, extent and nature of the current fishing activity, leaves uncertainty surrounding the extent to which the inshore fishing vessel restriction will reduce risk and impact to the rugged chalk	A number of sources (Intel, IFCOs, Trackers, Landings data etc) provide us with an indication of the extent of fishing activity within the MCZ and on the rugged chalk. It is also already known that the overall scale of the fishery (e.g. number of pots used per vessel) has increased over time although catch per unit effort (the number of crabs/lobsters caught relative to the level of activity) has remained relatively stable. The intention of the vessel restrictions are to avoid sudden, large increases in potting activity, and increase in risk to the 'rugged chalk'. Implementation of other measures to reduce effort, if necessary, will be better informed through use of new data sources, including Inshore Vessel Monitoring Systems. This will also enable better monitoring of changes in fishing activity over time and inform reviews of these measures.
Inshore fishing vessel restriction is intended to limit fishery to small scale fishers. Why not propose a limitation to number of pots? A permit condition could ensure that pot numbers cannot increase above a pre-defined limit.	The evidence base for number of pots deployed within the MCZ are not sufficient to inform a decision on pot limitations. Further, the current assessment concludes that fishing activity is not hindering conservation objectives of the MCZ at this time, but the risk exists in the future in the absence of evidence. Continued research and monitoring will guide and inform appropriate management measures which can be implemented under the CSCB Byelaw.
The vessel restrictions could encourage fishermen to meet the 'maximum' allowed under the measures.	The measure is not intended to encourage reaching the maximum permitted under the restrictions. Eastern IFCA will monitor changes in the fleet and capacity, and such monitoring will be enhanced by the implementation of Inshore Vessel Monitoring systems, to determine the effectiveness of the measures and whether further restrictions are needed. The intention of a flexible permit is that over time these restrictions will be evaluated and refined.
Encouraging 10m vessels or small vessels not well enough equipped to work further offshore increases health and safety risks.	The inshore vessel restrictions are not intended to force fishermen further offshore. The smaller inshore vessels are more restricted in their range and as such will be more reliant on the inshore area and more dependent on the 'rugged chalk' area. The larger vessels are more equipped and capable of working further out and for longer periods of time. This restriction is therefore intended to discourage larger vessels from utilising the area and protect smaller-scale, artisanal fishing operations.

	Moreover, Skippers have a responsibility to ensure health and safety measures are upheld on their vessel. The health and safety on a vessel and of fishing practices are regulated by MCA and do not encompass Eastern IFCA's remit.
The inshore vessel restrictions will protect the longevity of the fishery if new fishers who adhere to the measures are given consideration to fish within the MCZ.	The vessel restrictions are intended to reduce risk which will further the protection of the fishery. The restrictions will support the tapestry of business models which fish for crab and lobster. A concern of the fishing industry is, given the aging demographic of the current fleet of inshore fishermen, larger business models (including nomadic vessels), will be more able to quickly occupy areas vacated by retired fishermen. This could result in further reduction in smaller-scale, artisanal fishing operations. Similarly the smaller vessels are reliant on the inshore area and more dependent on the 'rugged chalk' area being well maintained to provide productive crab and lobster fisheries. It is intended therefore, that this will enhance a sense of husbandry for the site, leading to the adoption of best practice. Hence, protecting the rugged chalk and the longevity of the fishery.
What if a vessel had been to a harbour on a particular trip e.g. for an MCA inspection, would this still be classified as 'beached launched'	Eastern IFCA will have a proportionate approach to enforcement of the measures, using its discretion as appropriate and in accordance with its Enforcement Policy[4].

[4] Eastern-IFCA-Enforcement-Policy.pdf

2. Seasonal Closure (Rugged Chalk)

You said	Our response
Key concerns regarding the seasonal closure: • Economic impacts resulting from lost fishing opportunity and increased overheads (if transiting outside of winter closure area) • Potential displacement into other fisheries impacting the sustainability of these (e.g. whelk) • Displacement into other areas of the MCZ • Additional fishing during open season within rugged chalk	According to Marine Management Organisation sales note data, the economic worth of crab and lobster catches into relevant ports is, on average £4,380 during January and February. This is likely to be an underestimate given that it is understood that some fishing businesses do not generate sales notes to feed into this data. The annual average value of crab and lobster catches landed into the same ports is £271,541 (circa 1.6% of total landings although, total landings include vessels which do not fish during Jan and Feb). The fishing effort (in terms of trips) over this period is estimated as being 2.3% of the annual total, based on MMO catch data which, considering the total average value of the fishery, is a potential economic cost of £6,245. However, neither dataset can determine fishing effort within the 'rugged chalk' area and so the figures may represent an overestimate of the level of economic impact. Displacement may occur, however, given the limited economic impact estimated from the measure, it is not anticipated to result in a need for significant displacement to other fisheries or in other areas or times. In any case, the measure is intended to prevent fishing during the highest risk period (in terms of risk of rough / stormy weather and longer soak times); if fishing increases during lower risk periods, there will still be an overall reduction in risk.

Compensation is needed for the closure as overhead costs will continue and create a huge burden on the fishery.	Whilst any impact on fishing opportunities can have an impact on individual business models, it is not appropriate for Eastern IFCA to provide compensation for measures to protect the environment in accordance with UK law.
Support for 'winter closure' during January and February as this is the period of highest risk.	Noted.
Support for a full a closure rather than seasonal closure; no potting should occur at all on rugged chalk	ARM requires the implementation of management that is proportionate to the risk identified, and adequately precautionary. Natural England's advice agrees that an ARM approach would be an appropriate alternative to an immediate precautionary ban on potting. Similarly, Eastern IFCA's Potting Assessment shows, and Natural England's advice agrees that the pressures exerted on chalk features are not likely to have reached a point where it could be hindering site conservation objectives at the current time , so, the current risk is not considered to be 'high'. The voluntary measures reflect the lower level of risk that has been developed and implemented as part of ARM. However, over time repeated potting interactions could lead to cumulative impacts, potentially increasing the risk and requiring further restrictive measures which is intended to be informed by research and monitoring. Based on best available evidence and the advice received, it has been concluded that it would be disproportionate to implement blanket closures to fishing activity.
Although the rugged chalk is a valuable area, baited pots will attract catch so the fishery could be moved off the rugged chalk.	The rugged chalk itself provides necessary habitat for crab and lobster (providing shelter and protection), so, it is not thought that moving baited pots off the rugged chalk, crabs and lobsters would result in catch leaving their habitat. Smaller fishing vessels also have limited range and so cannot set their gear further offshore and are reliant on the inshore area within the MCZ as part of their business model.

There is insufficient data to indicate that the highest risk period is Jan & Feb. There appears to be more rough weather during Spring, this period should be closed to fishing to protect the rugged chalk.	Risk of rough weather causing potting gear to damage the rugged chalk is considered to have two components: the weather conditions (including strength of wind, wind direction and tidal conditions) and the soak time of pots. The assessment of what type of 'poor' weather may cause fishing gear to impact the rugged chalk is based primarily on anecdotal information provided by discussion with fishing industry i.e. what weather conditions would ordinarily cause them to move or check their fishing gear. Therefore, there is no definitive conclusion as to what weather conditions, if any, genuinely cause impacts to the rugged chalk and the assessment is likely precautionary in nature. Further monitoring and information gained through IVMS will better inform consideration about what weather periods result in the highest risk to the rugged chalk. Anecdotally, based on discussion with experienced fishermen, pots which are regularly turned-over (hauled and reset every circa 2-days) are not likely to cause damage as a result of rough weather because they are set well and have not been in situ long enough to come lose to allow the movement of the water column t affect them and cause damage. The available data indicates that soak times are longest in January and February which is thought to be because during these months, crabs and lobsters are less active. These periods also coincide with the period of highest risk for stormy weather. Whilst 'rough weather' appears more likely to occur in April, this coincides with periods of shorter tern-over times where pots are less likely to be influenced by the weather conditions. In any spring (or autumn) there is the chance of storms which could dislodge any fishing gear (such as the 'beast from the east' in 2018) and therefore the risk of poor weather causing an impact cannot be entitle removed. However, the proposed measure will reduce risk to rugged chalk during the periods where risk is considered highest. (a more detailed assessment of the risk is set out in the associated impact assessment).

Flexible measures are required to ensure that the closed period reflects changes in weather patterns and the fishery over time.	The measure is intended to protect sensitive features in the site rather than align with the crabbing season. However, if fishing behaviours change and pot turn-over rates start to increase sooner than is currently the case or weather patterns change resulting in less risk during late February, the measures can be revised to reflect this through the process set out in the byelaw. The permit conditions are intentionally flexible to allow the changing needs of the site to be catered for over time and as required.
The closed season should be more flexible so that they can be changed in any given year. A short notice period that would react to predicted weather conditions should be considered. Flexibility should include the ability to close during other periods if a storm is forecast.	The proposed measures are flexible to the extent that they can be varied from year to year and the process for doing so, which includes consultation with affected persons and consideration of the impacts, takes a minimum of three months. Further flexibility to close the fishery in the event of a storm or to alter the closed period in response to forecast introduces complexity and the likelihood that such decisions would have to be made with no consultation at the time. If a set of parameters could be agreed as a framework, this would facilitate such a measure (e.g. a set of forecast conditions which would necessitate a closure) and this can be considered for future permit conditions and reviews.
The proposed closure should include a stock and breeding closure.	The permit conditions are intended to mitigate potential risks to the rugged chalk rather than fishery sustainability. This is the focus and priority at the present time and wider considerations can be taken into account in the future.
Can the condition include the ability for the Authority to open the fishery during the period if conditions are calmer?	Whilst the accuracy of weather forecasting is improving, the risk assigned to this period consists of both weather and longer soak times. Longer soak times would still be of concern during this period and the potential for weather forecasting to be inaccurate means that a risk will remain. Therefore it is not considered that this degree of flexibility is achievable at this scale.
The weather conditions should also include tides as this significantly impacts pot movement when coupled together with wind.	There is insufficient information to accurately determine the extent to which tide effects the risk of damage caused by potting at this time however the condition is considered an appropriate starting point to begin to reduce risk. The ARM project will continue to develop its understanding of the interaction of fishing gear with rugged chalk to inform further development of protective measures.

The proposal should also include provision that all pots should be removed from the area (i.e. not just a prohibition on fishing).	The current proposed Winter closure states that all (which is intended to include both active and stored pots) pots are to be removed from the rugged chalk management area during January and February and prohibit the setting of any further gear during those months.
How will this measure be enforced?	The permit condition will be enforced through a combination of at sea and on shore monitoring and use of IVMS information when the associated legislation comes into effect.
The winter closure will reduce risk to the rugged chalk due to storms and bad weather. Evidence shows an increase in number of ghost potting gear washed up over the winter period.	The closure will reduce the risk of pots becoming lost within the rugged chalk during periods of stormy weather, lost pots can remain in situ for a long time before being found and are considered to be of high risk to the chalk.
The winter closure will reduce the risk of pots being left to soak for a number of days in storms or 'bad weather' therefore reducing the risk to the rugged chalk. A winter closure will allow recovery of parts of damaged rugged chalk.	The winter closure is intended to ensure that meeting the conservation objectives are not hindered and to reduce the risk of damage to the rugged chalk. The closure period will potentially have an effect of allowing some of the ecosystem (fauna etc) to recover. The rugged chalk, which the site is designated for will not recover being a geological feature. But will eliminate the risk of it being reduced in extent which follows the conservation objectives.
The seasonal closure is unnecessary as fishers bring their gear in in bad weather regardless of a closure because they don't want it damaged. Fishermen should be able to use their own judgment and experience as to when is appropriate to fish in February.	It is acknowledged that fishermen act to reduce the risk of pots from becoming lost however, beach clean data indicates that pots wash up ashore and that loss is occurring. The measure is not only intended to reduce the risk of pots being lost during bad weather, but also the risk associated with wave actions causing gear which has become lose to cause mechanical damage to chalk features.

The proposed closure season (January/ February) is understood to be when potting effort is lowest due to poor weather conditions. Therefore, a closure at this time is highly unlikely to reduce fishing effort and consequently any impacts to the rugged chalk.	The measures are not intended to reduce effort on the chalk (although this is a potential consequence of the measure) but to reduce the risk associated with weather conditions causing fishing gear which has become less well set in the sediment to cause mechanical damage to the chalk.
During unacceptable conditions in Autumn 2022 it was observed that the quantity of gear left in place did not change.	The current permit condition proposals do not include a closure during forecast storm periods. If this is considered necessary, this can be considered during future phases of the project.
The winter closure area should span the full EIFCA district (from the shore to 6 nautical miles out)	It is not appropriately proportionate to expand the measures out to the 6nm because it is not designated nor is it effected by potting in the same way as the rugged chalk inshore.
The research into mapping the rugged chalk is at a too early stage to accurately define the chalk and therefore the closed area proposed is too large and precautionary.	The mapping of the extent of the rugged chalk is ongoing and any changes to the evidence in this regard will be reflected in revisions to the associated permit conditions in accordance with the process set out in the byelaw.
The proposed closed area is larger than the area suggested by industry (during earlier informal consultation) and includes important areas for the fishery – alternative area provided	The fishing industry suggested the idea of a winter closure during the informal consultation on the CSCB Byelaw. The proposal was for a smaller area (extending less far offshore) to be closed during winter. In order for the measure to have the intended protective effect, the rugged chalk needs to be protected in its entirety. Whilst the area of rugged chalk may change as a consequence of additional research and more data, the principle will remain that measures are needed to reduce risk to rugged chalk.

General comments on Phase 1 Permit Conditions

You said	Our response
The permit conditions do not go far enough to protect	The Phase 1 permit conditions are the first set of permit conditions to be considered under the CSCB byelaw and it is anticipated that a second set of

features of the MCZ such as the chalk and clay.	permit conditions to be developed and consulted on prior to the CSCB Byelaw coming into effect. The measures will reduce the risk to the site and post-implementation monitoring will inform a review as to their effectiveness. The key risks being addressed through these permit conditions relate to the potential for changes in the dynamics of business models within the fishery including the risk of larger vessels operating within the sensitive areas potentially deploying a significant amount of gear, and the risks of pots (shanks of pots) causing damage during storms. Further risks identified will be addressed through the development of Phase 2 permit conditions.
General agreement with the proposed permits because of the recognised benefit in keeping the MCZ open to fishing.	The approach taken is to enable fishing activity within the site, within environmental parameters and whilst furthering the conservation objectives of the MCZ. The permit conditions will reduce risk to the MCZ and, whilst there will be some impacts to industry, these should be considered in the context of enabling fishing activity within the site as opposed to taking an overly precautionary approach.
Definitions within the permit conditions should be clearer and furthermore approved by all stakeholders to avoid confusion*	Definitions and jargon used follows the accepted legislative language required making a byelaw. Other language used are deemed correct scientific or industry terms.
Other considerations and proposed permit conditions**	Other permit conditions are being considered alongside these management measures. Through research and monitoring uncertainties will be addressed and a stringer evidence base will be built in order to better inform future management.
Comments about the consultation process	
The consultation will not amount to any change as the outcome is already established.	The views of stakeholders are carefully considered to inform a final decision on the permit conditions as evidenced by this outcome document.
The first phase of the consultation included only considered the views of fishing industry and excluded conservation interests.	The informal consultation on the CSCB Byelaw included two phases: Phase 1 –included dialogue with fishery stakeholders, providing the opportunity for them to offer any management ideas which might reduce risk to the chalk and to sense check the use of a permit byelaw.

	Phase 2 – included dialogue with the full range of our stakeholders, seeking their views on the proposals developed from phase 1. The informal consultation took place between June 2022 and January of 2023. Phase 1 of the informal consultation was considered appropriate on the basis that fishery stakeholders have a technical understanding of fishing practices and this knowledge was drawn on to develop initial proposals in a structured way. These proposals were further informed and refined by the wider consultation thereafter. It is noteworthy that these consultations preceded the formal consultation on the byelaw and the consultation on the present permit conditions. The consultation for the Phase 1 permit conditions was not restricted and provided opportunity for all stakeholders to participate including via the Stakeholder Group meeting (February 2024).
General comments (about byelaw and permit schemes)	
Eastern IFCA's responsibilities to protect Marine Conservation Zones outweighs responsibilities to provide a viable industry. Given the uncertainty around impacts on the MCZ, the most beneficial option for both the fishery and the conservation of the rugged chalk is to be precautionary.	Eastern IFCA has duties towards balancing the social and economic benefits of exploiting sea fisheries resources with the need to protect the marine environment. Section 154 of the Marine and Coastal Access Act (MaCAA) 2009 also requires that Eastern IFCA "*must seek to ensure that the conservation objectives of any MCZ in the district are furthered*" and that none of its other duties are to affect its performance in achieving this. In other words, the need to protect MCZ's from damaging impacts of fishing activities supersedes that of providing for fishing opportunities. However, management of fishing activity must still be proportionate to the risk posed by the fishery, even where applying the 'precautionary principle' (i.e. where, in the absence of certainty, protective measures should be applied). The CSCB Byelaw will enable the delivery of Adaptive Risk Management (ARM), which, in agreement with the relevant Statutory Nature Conservation Body (Natural England), is considered appropriate given the level of uncertainty regarding the impact of potting fisheries to the MCZ. The

	byelaw will enable a proportionately precautionary approach in accordance with ARM[5].
Eastern IFCA do not have powers to enforce permit restrictions or limit access based on an IFCA Permit Scheme. This will impinge on the 'right' to fish and conflict with authorisation to fish granted by fishing licences issued by the Marine Management Organisation.	IFCAs can implement permit schemes to manage the exploitation of sea fisheries resources in their districts under Section 155 of MaCAA 2009. This section also outlines the provisions that may be made by a byelaw (permits). It is well established that IFCA byelaws can be used to implement additional management (including in addition to national measures such as the requirement to hold a fishing licence) to manage fisheries in their district and particularly in the context of managing Marine Protected Areas. The flexible permit byelaw will provide a mechanism to manage fishing activity adaptively, making the best use of available evidence for the protection of the MCZ and provide the tools for achieving the most appropriate balance with enabling fishing activity within environmental parameters.
Permit conditions (generally) will have a devastating effect on this fishery. Permit conditions will add to the already extensive administrative tasks and costs on industry, further discouraging new boats and young fishers to entering the fishery.	Restrictions implemented under a permit scheme and designed to protect the MCZ will, inevitably, have some form of impact on fishing activities whether it is administrative or because measures reduce fishing opportunities. The approach adopted through ARM is to monitor the impacts (positive and negative) of permit conditions and review and revise as necessary to achieve the right balance. All permit conditions introduced, varied or revoked require consultation and a consideration of their impacts before they can be implemented. These impact assessments will consider the cost (burden) on fishery livelihoods against the benefits for, and obligations to, protect the MCZ. The participatory approach of ARM in particular lends itself to striking the right balance by drawing on the knowledge and experience of stakeholders to inform management decisions and reviews.
Miscellaneous comments	

[5] https://data.jncc.gov.uk/data/80152204-c084-4b5c-8516-c5cde4a63318/Current-context-of-Adaptive-Risk-Management-review-V1.0.pdf

Concerns about Eastern IFCA's spending of Council's funding in managing the MCZ. Considered to be a waste of money and a waste of resources.	The management of the MCZ is viewed by Eastern IFCA as a worthy investment, particularly because of the cultural significance of fishing industry in the area and the national importance of the MCZ's features, particularly the rugged chalk. Adaptive Risk Management is more resource intensive and costly to the Authority than applying a more precautionary one, but which would more likely cause economic impacts on fishery livelihoods and the wider coastal economy which draws from the industry (for example, tourism).
The conservation objective of the designation of the MCZ are not being met. Potting fisheries have caused damage to rugged chalk features which will not recover. Eastern IFCA should justify the level of risk it poses to the rugged chalk if the fishery is to remain open at all.	An assessment of potting activity concluded that potting has the potential to cause cumulative damage to exposed, rugged forms of subtidal chalk and peat and clay exposures, which could hinder site conservation objectives over time. Specifically, the impacts of concern were abrasion and penetration pressures on rugged chalk, arising from repeated physical contact with pots, ropes and anchors. The assessment also concluded that there was no significant risk of potting activities hindering the achievement of conservation objectives for other habitat features designated within the site. The potting Assessment also concludes, and Natural England's advice agrees, that the pressures exerted on MCZ rugged chalk features are not likely to have reached a point where they could be hindering site conservation objectives at the current time, thus, the current risk is not considered to be 'high'. Application of ARM is considered an appropriate means of addressing the risk to the site.

Appendix 2 – Relevant Impact Assessment

Cromer Shoal Chalk Beds Byelaw 2023: Flexible Management Measures Impact Assessment

Phase 1 permit conditions

This assessment considers the impacts of 'Phase 1 permit conditions' in accordance with paragraph 1(c) of Schedule 2 of the Cromer Shoal Chalk Beds Byelaw 2023.

Rationale for intervention and intended effects

1.1 The Cromer Shoal Chalk Beds Marine Conservation Zone (hereafter 'the MCZ') is an inshore site 200 metres off the North Norfolk Coast. It begins just west of Weybourne and ends at Happisborough, extending around 10 km out to sea and covering an area of 321 km^2 (Annex A).

1.2 The MCZ was designed in January 2016[6] for the protection of important habitats, and the wildlife it supports, including infralittoral rock (chalk) structures which does not receive enough protection in the region[7].

1.3 In 2020, Natural England provided advice to the effect that pot-based fishing which occurs at the site is hindering the conservation objectives of the MCZ, specifically through degradation of the complex chalk statures which protrude from the seabed known as 'rugged chalk' (Box 1). Further assessment and consideration of the interaction between the fishery and the MCZ identified that the rugged chalk was not at risk in the short-term but impacts could not be ruled out over the medium to long-term.

1.4 The site hosts a historical crab and lobster potting fishery of cultural and economic importance to the North Norfolk Coast.

1.5 This fishing activity is being managed via Adaptive Risk Management (ARM) which is considered appropriate given the level of risk posed to the site. ARM in this context is the process of 'learning by doing' by iteratively implementing management measures which are intended to reduce risk, monitoring their effectiveness and adjusting management as necessary.

1.6 The ARM project is supported by evidence gathering (research) and the implementation of novel management measures to reduce risk to acceptable levels in the long-term.

1.7 Phase 1 management measures are to be implemented as permit conditions on the confirmation of the Cromer Shoal Chalk Beds Byelaw and include the following:

[6] The Cromer Shoal Chalk Beds Marine Conservation Zone Designation Order 2016 (legislation.gov.uk)
[7] Cromer Shoal Chalk Beds Marine Conservation Zone factsheet (publishing.service.gov.uk)

- **The Inshore vessel restriction** which restricts access within the east and west boundary of MCZ out to 3 nautical miles from the shore to vessels which are launched from the beach.
- **The winter closure** which prohibits fishing with pots during January and February over the 'rugged chalk management area' and requires removal of pots from the area during this time.

1.8 The permit conditions are at Annex B.

Box 1 – Rugged Chalk

Some of the chalk within the MCZ protrudes form the surface and is structurally complex. This is referred to as 'rugged chalk' and it is mostly found within the inshore most part of the site up to around 1 ½ nautical miles from the shore. Rugged chalk habitat is typically very diverse, supporting a wide range of plants and animals, including the commercial crab and lobsters targeted by potting fishermen.

Intended effects and rationale

2.1 Inshore vessel Restriction

2.1.1 The intended effects of the Inshore Vessel Restriction are as follows:

- To reduce the risk of sudden and significant increases in potting effort as a consequence of larger or nomadic vessels entering the area (inshore vessel restriction).

- To restrict access to the inshore area which contains the most sensitive chalk features to those who rely on it most heavily, instilling a sense of ownership and husbandry which will encourage best practice.

2.1.2 The measure originally proposed included an exemption for vessel under 10m in length. However, responses to the consultation on the proposal were in favour of restricting access only to vessels which are 'beach launched'.

2.1.3 The permit condition is intended to reduce risk in the following ways:

- The measure will restrict the inshore area to smaller business models and less capable vessels which operate less gear at a smaller scale. Typically, smaller beach launched vessels operate 200-300 pots within the inshore area. This will reduce the risk of larger operations, which can set 1000's of pots, from utilising the area causing a sudden and significant increase in effort and poses a risk to the sensitive 'rugged chalk' (see Box 1).

- Smaller vessels are more restricted in their range and as such will be more reliant on the inshore area and more dependent on the 'rugged chalk' area being well maintained to provide productive crab and lobster fisheries. It is intended therefore, that this will enhance a sense of husbandry for the site, leading to the adoption of best practice.

2.1.4 In addition, the measure will also support the maintenance of the tapestry of business models which fish for crab and lobster off the N. Norfolk coast. It is a concern of fishing industry that, giving the aging demographic of the current fleet of inshore fishermen operating within this area, larger business models (including nomadic vessels), will be more able to quickly occupy areas vacated by retired fishermen. This could result in further reduction in smaller-scale, artisanal fishing operations operating from the N. Norfolk Coast, which form part of the fabric of the coastal community and contribute to the area's sense of place.

2.2 Winter Closure

2.2.1 The intended effects of the Winter Closure are as follows

- To reduce the risk of fishing gear (shanks of pots) causing damage to chalk during rough weather.

- To reduce the risk of fishing gear becoming lost due in poor weather.

2.2.2 This will require all pots to be removed from the 'rugged chalk area management area' during January and February and prohibit the setting of any further gear during those months. The area affected will include a buffer around the precautionary rugged chalk area.

2.2.3 The 'rugged chalk management area' is subject to review pending analysis of further data and is subject to change over time. This includes in relation to the additional evidence on the location of the rugged chalk and the extent of buffer required (Box 2).

2.2.4 The permit condition is intended to reduce risk to the MCZ in the following ways:

- Potting activity can damage rugged chalk features when pots become lose and strike raised chalk features and when the ropes between pots cut into raised chalk in a sawing motion. There are two key risk factors which are thought to increase the likelihood of such damage; the period of time pots are left at sea (the longer they are at sea, the higher the risk) and the strength of the weather while pots are at sea, with rougher and stormy weather increasing the risk.

- Consideration of weather data and fishing activity data has indicated that the highest risk period for this type of damage is January and February (See Box 3). Therefore, the prohibition will remove the potential for this damage to occur during the highest risk months of the year.

- The closure will also reduce the risk of pots becoming lost within the rugged chalk during periods of stormy weather – lost pots can remain in situ for a long time before being found and are considered to be of high risk to the chalk.

- The closure will also reduce the amount of interaction over the course of a year between pots and the rugged chalk by circa 7%.

Box 2 - the Rugged Chalk Management Area

The extent of the rugged chalk has been the subject of surveys for three years. The current 'management area' is based on data collected in 2021 and analysed during 2022. Further data collected in 2022 and 2023 will also be analysed to inform the extent of the area and further survey work may inform the area further. As such, the management area may change over time.

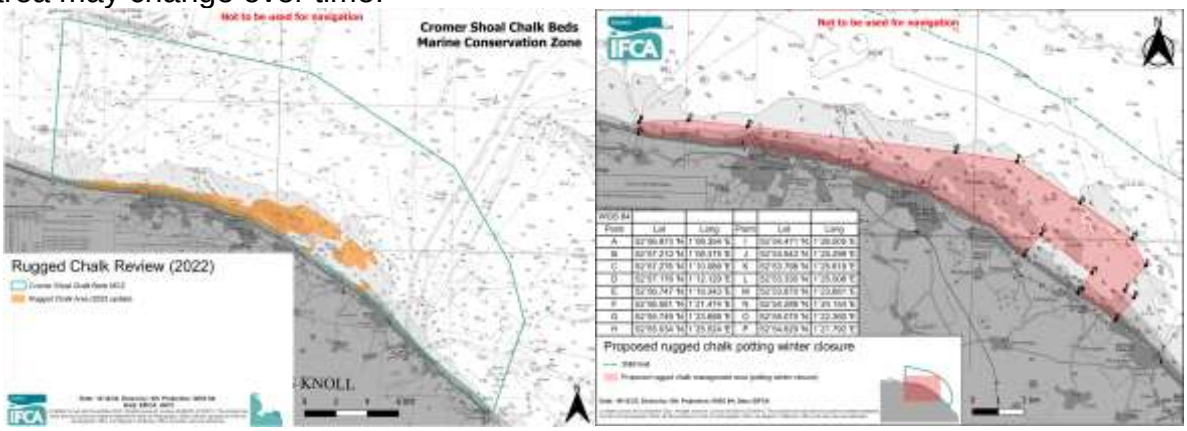


Chart A *shows the area of the MCZ identified as 'rugged chalk' having considered the results of surveys conducted in 2021.* ***Chart B*** *shows the 'management area. Which encompasses the rugged chalk and a buffer of no less than 100m.*

Box 3 – Rugged chalk risk factors

Table 1 (below) highlights the risk factors for each month of the year. Analysis of the risk factors was carried out as follows:

Soak time - Fishing activity data from the MMO (data release 13 September 2023) was analysed to determine an estimate of 'soak time' for pots within the MCZ. This was determined as the duration in days between pot hauls. Excessively large soak times were excluded from the averages as these are likely to reflect periods where gear is stored ashore.

Historical weather data was obtained from visualcrosing.com for the Cromer area for the period 1 Jan 2001 to 1 Jan 2023. This was analysed to determine the following -

Rough weather periods – are defined as periods of two days or more where wind direction was northeasterly, and the Beaufort scale was 4 or more.

Stormy weather periods – are defined as any day where the Beaufort scale was 6 or more and the wind blew from a northeasterly direction.

Table 1. sets out average soak time, rough weather periods and stormy weather periods by month. The cells are shaded from white (being a low-risk month for that risk factor) to red (being high risk for that risk factor).

Month	Average 'soak time'	Average number of '**rough weather periods'**	Average number of '**stormy weather periods'**
Jan	7.2	0.5	0.3
Feb	3.3	1.1	0.9
Mar	2.0	1.4	0.4
Apr	2.0	2.2	0.5
May	2.0	1.5	0.3
Jun	2.0	0.9	0.2
Jul	2.1	0.5	0.2
Aug	2.3	0.4	0.1
Sep	2.8	0.6	0.1
Oct	2.5	0.7	0.5
Nov	3.1	0.3	0.2
Dec	4.5	0.3	0.3

Rough weather appears to be more likely during spring, however the soak time of pots is low during this time which reduces risk because pots are less likely to impact chalk if they are regularly hauled and reset. The longest soak times are during January, December, and February but the likelihood of rough or stormy weather during December is low. Finally, whilst the sea conditions are not particularly high-risk during January, but the soak times are very high risk.

Consideration of these factors indicates that the **highest risk moths** are therefore **January** and **February**.

Description of novel and contentious elements (if any)

4.1 Consultation with stakeholders identified that broadly speaking there is support for the measures however it also identified that some fishermen will be impacted by the measures (see section 4).

4.2 There is uncertainty as to the extent that damage caused by fishing activity is hindering the conservation objectives of the site and the Authority's assessments, and Natural England advice, are therefore precautionary. For this reason, there is some contention from the perspective of fishery stakeholders who are likely to be impacted by the measures, and other stakeholders who believe that the level of protection afforded through the ARM project is insufficiently precautionary.

4.3 Implementation of a spatial restriction based on whether a vessel is launched from a beach is novel and not known to have been implemented previously. The rationale for the measure is supported generally by stakeholders as per the consultation on the measures.

4.4 Data and evidence as to fishing activity within the 3nm and 'rugged chalk management area' is limited because of the limited spatial resolution of associated datasets (Marine Management Organisation catch and sales notes data). Information gathered during consultation to inform the development of the measures in additional to ongoing dialogue with relevant fishery stakeholders has provided mostly qualitative information to identify impacts.

Assessment of Impacts on Businesses

5.1 Fishing businesses are likely to be directly impacted by the measures through lost fishing opportunity with regards to loss of access within the MCZ (within 3 nautical miles) and during winter over the area of 'rugged chalk'.

5.2 Inshore vessel restriction

5.2.1 Of the 33 vessels known to be operating within the MCZ, it is known that two will be impacted by the inshore vessel restriction as identified through the consultation and further dialogue with relevant stakeholders.

5.2.2 Other vessels may be impacted which were not identified (because they did not respond to the consultation).

5.2.3 The scale of the impact is considered to be low because, the vessels known to be affected do not rely on access to the restricted area and such fishing activity appears to make up a small proportion of fishing activity (according to analysis of vessel monitoring system data and dialogue and because lost opportunity can be made up by fishing in other areas.

5.3 Winter closure

5.3.1 An annual average of 5 vessels (of those known to operate within the MCZ) undertake fishing activity for crab and lobster (primarily lobster) during

January and February landing catch with an average first sale value of £5,731[8].

5.3.2 the scale of impact is considered low because this represents 1.6% of the average annual value of landed catch (crab and lobsters) for the same vessels.

5.4 All businesses associated with fishing activity are regarded as micro or small businesses, but the permit conditions will apply to all business models and primarily impact larger business models to a greater extent in terms of lost fishing opportunity (primarily in relation to the inshore vessel restriction).

5.5 The inshore vessel restriction will provide additional security to smaller business models (micro and small) because beach-launched vessels are associated with the smaller business models.

5.6 The measure will reduce the risk associated with potting activity damaging the 'rugged chalk' with wider ecological benefits including biodiversity given that the complex outcropping chalk supports higher biodiversity compared to surrounding areas.

Other legislative and policy considerations

6.1 The Eastern Inshore Marine Plan sets out policies which the Authority must have regard to in making decisions. Consideration of the permit conditions against the East Inshore Marine Plan identify relevance with regard to:

6.1.2 BIO1 and BIO2 (taking into account biodiversity and seeking to enhance it) - the measures will reduce the risk of degradation of the 'rugged chalk' features of the MCZ, the structural complexity of which promotes enhanced biodiversity.

6.1.3 CC1 (taking into account climate change) - the measures will reduce risk of degradation of the environment and therefore enhance resilience against climate change.

6.1.4 ECO1 (assessment of cumulative impacts on marine ecosystems) – the measures were developed having assessed the potential impacts of pot-based fishing on marine ecosystems and are intended to reduce risk associated with degradation of associated habitats.

6.1.5 FSH1 (limiting impacts on fishing activity and access to fishing grounds) – whilst the measures restrict fishing activity and access, the measures are designed to minimise the impacts on such and, in the case of less resilient, smaller fishing business models, provide additional security of access to fishing grounds in the longer term.

6.2 The Fisheries Act 2020 sets eight fisheries objectives. Consideration is given to how the permit conditions contribute or otherwise to these objectives as follows:

[8] Based on sales notes data provided by the Marine Management Organisation for the period 2010 to 2023 inclusive.

6.2.1 The sustainability objective – the measures do not directly address the sustainability objective inasmuch as their intention is to reduce risk to the MCZ. However, in doing so, the measures will have a protective effect on the supporting habitats of commercial species, potentially enhancing sustainability as a consequence.

6.2.2 The precautionary objective – the measures are considered to be proportionately precautionary in the context of ARM and in accordance with advice from Natural England.

6.2.3 The Ecosystem Objective – the measures will reduce the risk of negative impacts on ecosystems by having a protective effect on supporting habitats, specifically the rugged chalk features within the MCZ .

6.2.4 The Scientific objective – the permit conditions are based on best available evidence in the context of ARM which acknowledges a paucity of information on which to base management decisions and a high degree of uncertainty.

6.2.5 The bycatch objective – the permit conditions have no effect on bycatch and this objective is not relevant in that regard.

6.2.6 The Equal Access objective – the measures will restrict access to the inshore area based on vessel capability. The condition does not do so on the basis of the vessels home port or any connection to a particular place explicitly.

6.2.7 The national benefit objective – by seeking to achieve the right balance between protection of the environment and providing for a viable fishing industry and the adoption of a proportionately precautionary approach via ARM, the measures will provide opportunity for the North Norfolk crab and Lobster to contribute to the local economy (including through its contribution to the culture of the coastal community and the tertiary benefits of such associated with tourism).

6.2.8 The Climate Change objective – the measures will reduce the risk of degradation of the complex rugged chalk habitats making the associated ecosystems more resilient to climate change.

Evaluation and monitoring

7.1 Evaluation and monitoring for the permit conditions is set out in section 2.5 of the ARM plan[9]. In summary, monitoring will primarily relate to monitoring compliance with the measures (through at-sea observations and Vessel Monitoring Systems) and evaluation will primarily consider levels of compliance with the measures.

Rationale for level of assessment

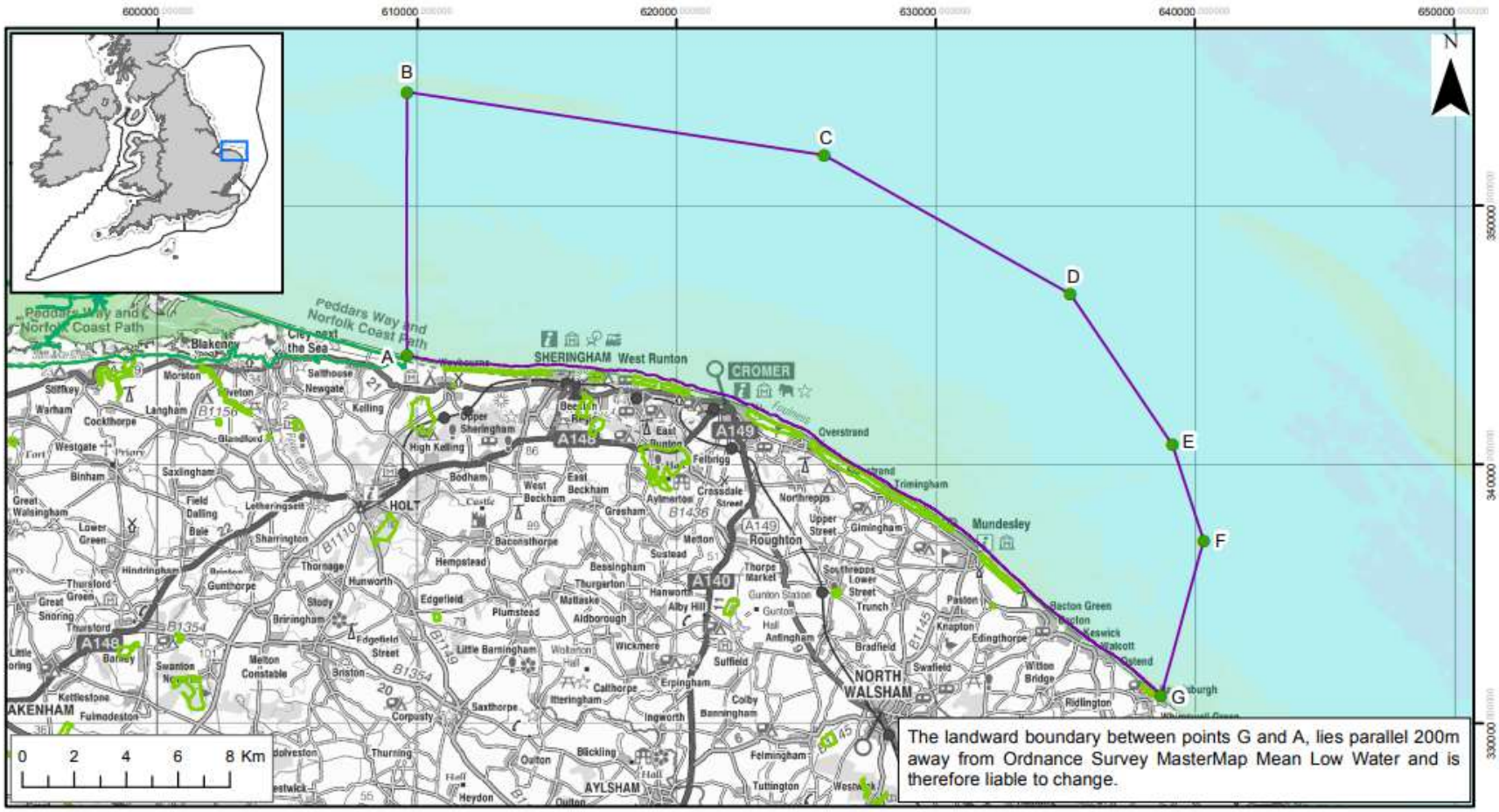
8.1 This assessment has considered multiple data sources including national fishing activity datasets and information gathered via consultations and dialogue with

[9] Published in Feb 2024 and makes reference to draft permit conditions (i.e. prior to removal of 10m vessel exemption in inshore vessel restriction), updated version pending -

stakeholders. The key risk associated with the assessment relates to the paucity of high-resolution fishing activity data on which to base economic impacts.

8.2 Given the cost to business is sufficiently below £5 million (annually), a *De minimus,* self-certification style approach was adopted to consider impacts, in line with government policy.

ANNEX A – Cromer Shoal Chalk Beds Marine Conservation Zone



Cromer Shoal Chalk Beds rMCZ Boundary

- Recommended MCZ
- Regional MCZ project area
- MCZ boundary co-ordinates
- 12nM Territorial Seas Limit
- Land
- SPAs
- SSSIs

Point	Lat	Long
A	52° 57' 15.971" N	1° 7' 7.478" E
B	53° 2' 44.496" N	1° 7' 31.160" E
C	53° 1' 2.336" N	1° 21' 48.399" E
D	52° 57' 53.979" N	1° 30' 3.035" E
E	52° 54' 39.322" N	1° 33' 18.066" E
F	52° 52' 37.902" N	1° 34' 13.039" E
G	52° 49' 27.582" N	1° 32' 29.918" E

Depth Areas (metres)

-20.0 - -10.0	25.1 - 50.0
-9.9 - -5.0	50.1 - 100.0
-4.9 - 0.0	100.1 - 250.0
0.1 - 5.0	250.1 - 500.0
5.1 - 10.0	500.1 - 1000.0
10.1 - 25.0	

Map produced by Natural England 2014.
Reference: Theme ID: 1477586
Map Projection: British National Grid

ANNEX B – permit conditions

[to be added once agreed by the Authority]

Appendix 3 - Draft Category 1 Cromer Shoal Chalk Bed Byelaw 2023 permit conditions

Eastern Inshore Fisheries and Conservation Authority

Cromer Shoal Chalk Beds Byelaw 2023

Flexible Permit Conditions – Category One Permit

These flexible permit conditions apply to permits issued under paragraph 7(a) of the Cromer Shoal Chalk Beds Byelaw 2023.

Interpretation

1. In these flexible permit conditions:

    a. “the 1983 baseline” means the baselines for the measurement of the breadth of the territorial sea as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964.

    b. “beach-launched” means to put to sea for the purpose of carrying out a fishing trip from the seashore, that is to say the land between the low water mark and the high water mark contiguously connected to the sea, by way of moving the vessel over the seashore directly into the water or using a slipway, and excludes putting to sea from any port.

    c. “Inshore vessel restriction area” means the area specified in Schedule 1 of these flexible permit conditions.

    d. “Rugged Chalk Management Area” means the area specified in Schedule 2 of these flexible permit conditions.

2. Co-ordinates are based on WGS 84 datum, where “WGS 84” means the World Geodetic System, revised in 1984.

Inshore vessel restriction

3. A person must not fish within the Inshore vessel restriction area using pots under the authority of this permit during a fishing trip unless:
    a. the fishing vessel used was beach-launched as a means of starting that fishing trip; or

b. the person obtained the agreement of the Authority to do so and such agreement may be given in exceptional circumstances including, but not limited to, where a vessel which is otherwise routinely beach-launched was not able be beach-launched or to recover pots which would otherwise not be recoverable.

Winter Closure

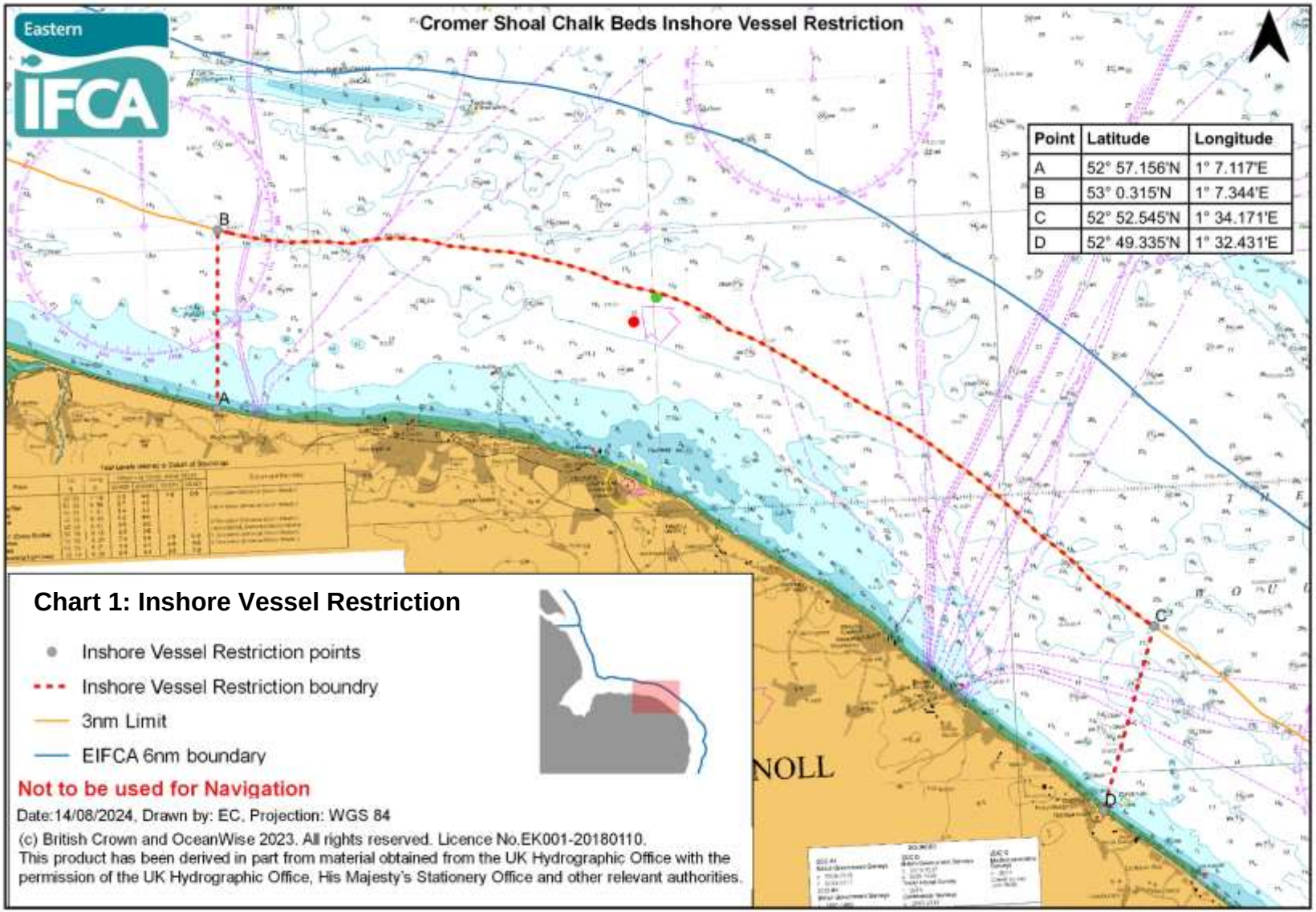
4. A person named on a Category 1 permit must remove, or cause to be removed, all pots from the Rugged Chalk Management Area prior to the first day in January in each year.
5. A person must not fish under the Authority of a permit within the Rugged Chalk Management Area between the first day January and the last day of February (inclusive).

Schedule 1: Inshore Vessel Restriction Area

The Inshore Vessel Restriction Area is defined as a boundary drawn connecting points A and B with a straight line followed by connecting points B and C with a line which follows the three nautical mile boundary (three nautical miles from the 1983 baseline), followed by a straight line drawn between points C and D and finally by a line from point D to A following the mean high water spring marks, as set out in Chart 1 for illustrative purposes.		
Point	**Latitude**	**Longitude**
A	52° 57.156'N	001° 7.117'E
B	53° 0.315'N	001° 7.344'E
C	52° 52.545'N	001° 34.171'E
D	52° 49.335'N	001° 32.431'E

Schedule 2: Rugged Chalk Management Area

The Rugged Chalk Management Area is defined by a boundary drawn by the series of straight lines connecting each points A to P in this table to the next point in sequence and a line from point P to point A following the mean high water springs, as set out in chart 2 for illustrative purposes.		
Point	**Latitude**	**Longitude**
A	52° 56.973'N	001° 08.354'E
B	52° 57.210'N	001° 08.375'E
C	52° 57.276'N	001° 10.089'E
D	52° 57.176'N	001° 12.129'E
E	52° 56.747'N	001° 19.343'E
F	52° 56.581'N	001° 21.474'E
G	52° 55.749'N	001° 23.688'E
H	52° 55.034'N	001° 25.524'E
I	52° 54.471'N	001° 26.005'E
J	52° 53.943'N	001° 25.299'E
K	52° 53.798'N	001° 25.618'E
L	52° 53.330'N	001° 25.008'E
M	52° 53.870'N	001° 23.681'E
N	52° 54.289'N	001° 24.154'E
O	52° 55.075'N	001° 22.360'E
P	52° 54.629'N	001° 21.792'E


Eastern
IFCA
Cromer Shoal Chalk Beds Inshore Vessel Restriction
Point | Latitude | Longitude
A | 52° 57.156'N | 1° 7.117'E
B | 53° 0.315'N | 1° 7.344'E
C | 52° 52.545'N | 1° 34.171'E
D | 52° 49.335'N | 1° 32.431'E
A
B
C
D
NOLL
Chart 1: Inshore Vessel Restriction
Inshore Vessel Restriction points
Inshore Vessel Restriction boundry
3nm Limit
EIFCA 6nm boundary
Not to be used for Navigation
Date:14/08/2024, Drawn by: EC, Projection: WGS 84
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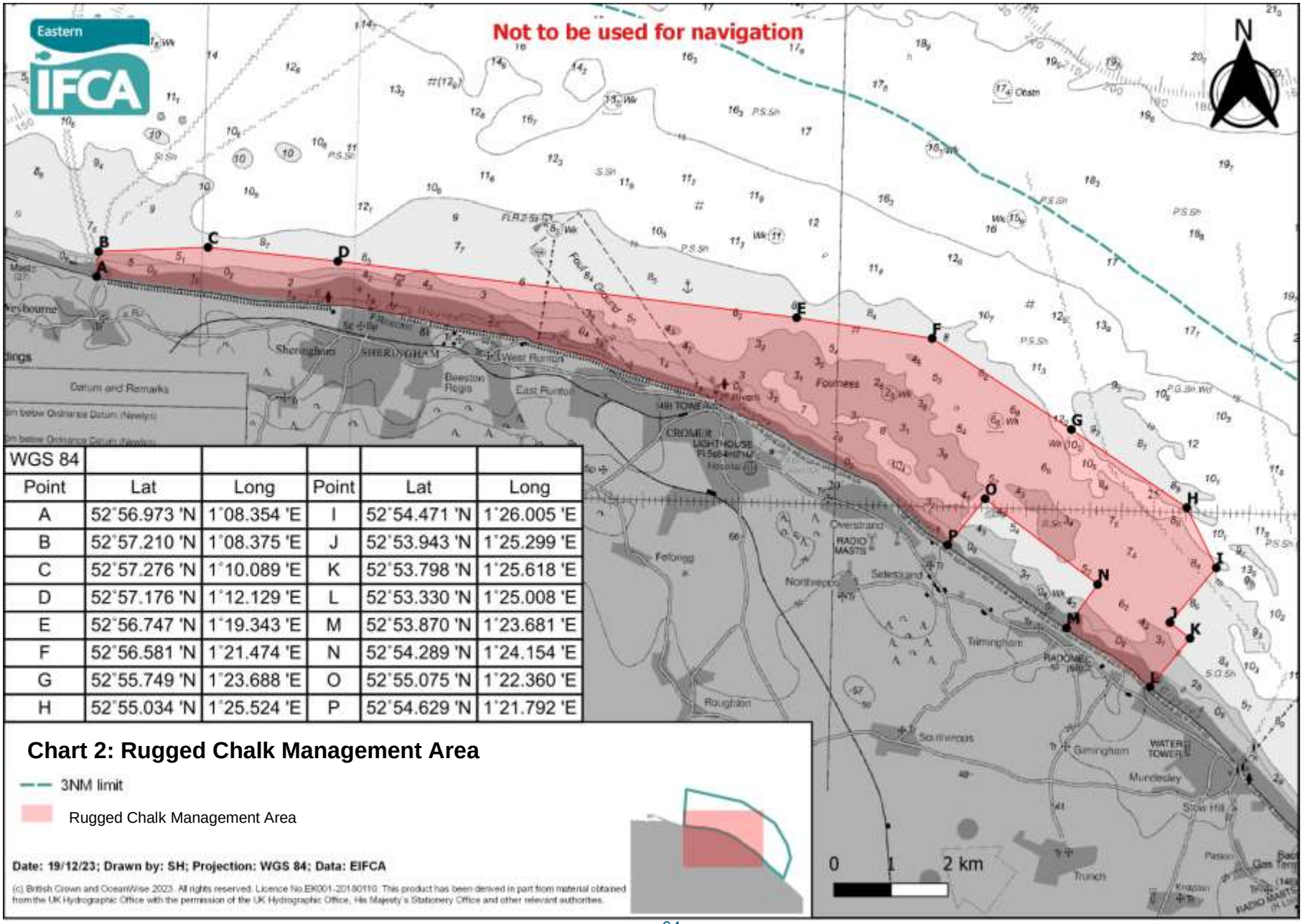


WGS 84					
Point	Lat	Long	Point	Lat	Long
A	52°56.973 'N	1°08.354 'E	I	52°54.471 'N	1°26.005 'E
B	52°57.210 'N	1°08.375 'E	J	52°53.943 'N	1°25.299 'E
C	52°57.276 'N	1°10.089 'E	K	52°53.798 'N	1°25.618 'E
D	52°57.176 'N	1°12.129 'E	L	52°53.330 'N	1°25.008 'E
E	52°56.747 'N	1°19.343 'E	M	52°53.870 'N	1°23.681 'E
F	52°56.581 'N	1°21.474 'E	N	52°54.289 'N	1°24.154 'E
G	52°55.749 'N	1°23.688 'E	O	52°55.075 'N	1°22.360 'E
H	52°55.034 'N	1°25.524 'E	P	52°54.629 'N	1°21.792 'E

Chart 2: Rugged Chalk Management Area

3NM limit

Rugged Chalk Management Area

Date: 19/12/23; Drawn by: SH; Projection: WGS 84; Data: EIFCA

Eastern Inshore Fisheries and Conservation Authority

Cromer Shoal Chalk Beds Byelaw 2023

Flexible Permit Conditions – Category Two Permit

These flexible permit conditions apply to permits issued under paragraph 7(a) of the Cromer Shoal Chalk Beds Byelaw 2023.

Interpretation

1. In these flexible permit conditions:

    a. "the 1983 baseline" means the baselines for the measurement of the breadth of the territorial sea as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964.

    b. "beach-launched" means to put to sea for the purpose of carrying out a fishing trip from the seashore, that is to say the land between the low water mark and the high water mark contiguously connected to the sea, by way of moving the vessel over the seashore directly into the water or using a slipway, and excludes putting to sea from any port.

    c. "Inshore vessel restriction area" means the area specified in Schedule 1 of these flexible permit conditions.

    d. "Rugged Chalk Management Area" means the area specified in Schedule 2 of these flexible permit conditions.

2. Co-ordinates are based on WGS 84 datum, where "WGS 84" means the World Geodetic System, revised in 1984.

Inshore vessel restriction

3. A person must not fish within the Inshore vessel restriction area using pots under the authority of this permit during a fishing trip unless:
    a. the fishing vessel used was beach-launched as a means of starting that fishing trip; or
    b. the person obtained the agreement of the Authority to do so and such agreement may be given in exceptional circumstances including, but not limited to, where a vessel which is otherwise routinely beach-launched was not able be beach-launched or to recover pots which would otherwise not be recoverable.

Winter Closure

4. A person named on a Category 1 permit must remove, or cause to be removed, all pots from the Rugged Chalk Management Area prior to the first day in January in each year.
5. A person must not fish under the Authority of a permit within the Rugged Chalk Management Area between the first day January and the last day of February (inclusive).

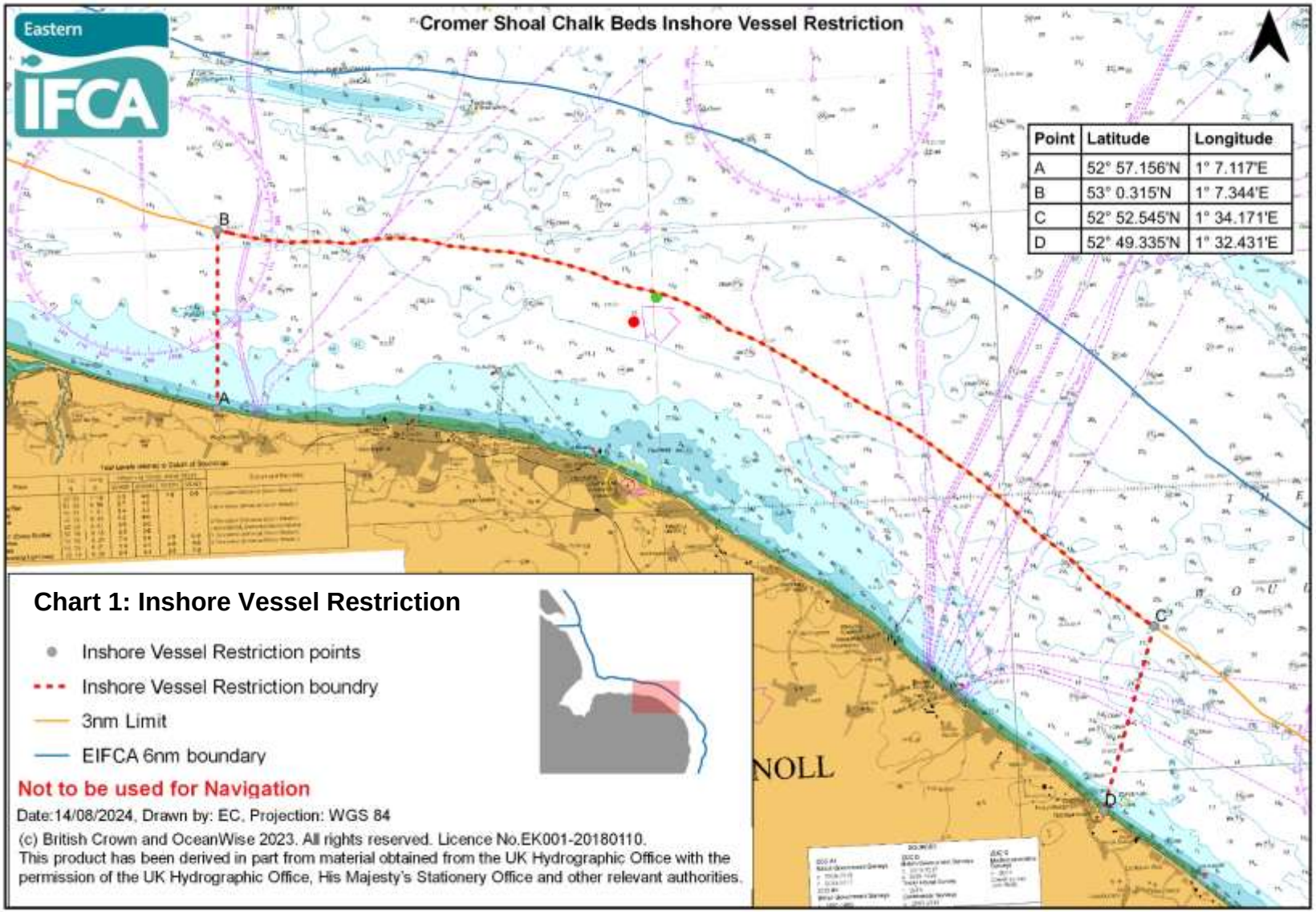
Schedule 1: Inshore Vessel Restriction Area

The Inshore Vessel Restriction Area is defined as a boundary drawn connecting points A and B with a straight line followed by connecting points B and C with a line which follows the three nautical mile boundary (three nautical miles from the 1983 baseline), followed by a straight line drawn between points C and D and finally by a line from point D to A following the mean high water spring marks, as set out in Chart 1 for illustrative purposes.

Point	**Latitude**	**Longitude**
A	52° 57.156'N	001° 7.117'E
B	53° 0.315'N	001° 7.344'E
C	52° 52.545'N	001° 34.171'E
D	52° 49.335'N	001° 32.431'E

Schedule 2: Rugged Chalk Management Area

The Rugged Chalk Management Area is defined by a boundary drawn by the series of straight lines connecting each points A to P in this table to the next point in sequence and a line from point P to point A following the mean high water springs, as set out in chart 2 for illustrative purposes.		
Point	**Latitude**	**Longitude**
A	52° 56.973'N	001° 08.354'E
B	52° 57.210'N	001° 08.375'E
C	52° 57.276'N	001° 10.089'E
D	52° 57.176'N	001° 12.129'E
E	52° 56.747'N	001° 19.343'E
F	52° 56.581'N	001° 21.474'E
G	52° 55.749'N	001° 23.688'E
H	52° 55.034'N	001° 25.524'E
I	52° 54.471'N	001° 26.005'E
J	52° 53.943'N	001° 25.299'E
K	52° 53.798'N	001° 25.618'E
L	52° 53.330'N	001° 25.008'E
M	52° 53.870'N	001° 23.681'E
N	52° 54.289'N	001° 24.154'E
O	52° 55.075'N	001° 22.360'E
P	52° 54.629'N	001° 21.792'E


Eastern
IFCA
Cromer Shoal Chalk Beds Inshore Vessel Restriction
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Date:14/08/2024, Drawn by: EC, Projection: WGS 84
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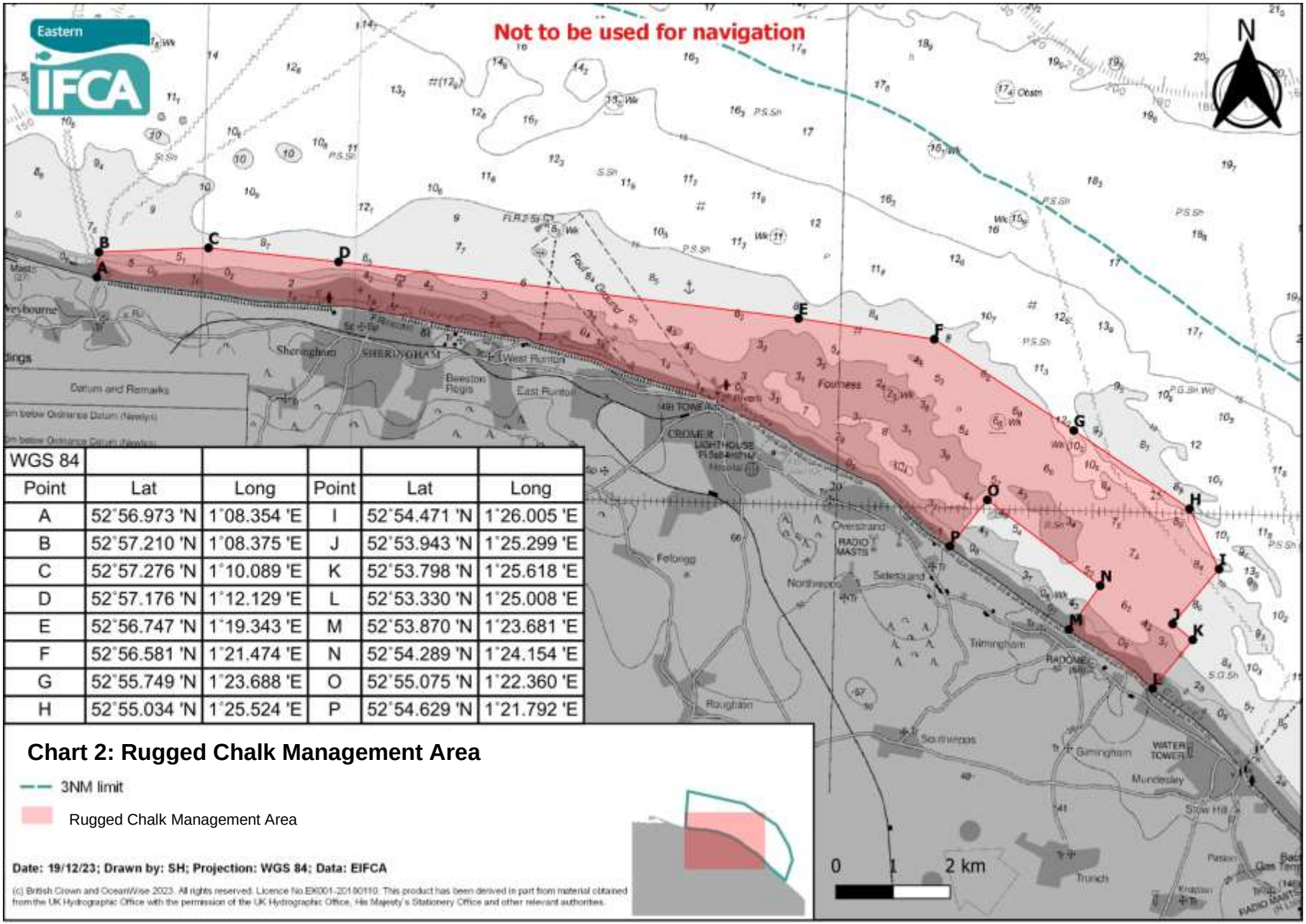

WGS 84					
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H	52°55.034 'N	1°25.524 'E	P	52°54.629 'N	1°21.792 'E

Chart 2: Rugged Chalk Management Area

3NM limit

Rugged Chalk Management Area

Date: 19/12/23; Drawn by: SH; Projection: WGS 84; Data: EIFCA

Action Item 9

57th Eastern Inshore Fisheries and Conservation Authority Meeting

11 September 2024

Wash Cockle Fishery Update

Report by: Luke Godwin (ACO)

Purpose of Report
The purpose of this report is to update members on the 2024 Wash Cockle fishery including with regards to decisions made by the CEO under delegated authority.

Recommendations
It is recommended that members:

- **Note** the contents of the report

Background
Following the expiry of the Wash Fishery order 1992 in January of 2023 and pending the confirmation of the Wash Cockle and Mussel Byelaw 2021, the Authority has been managing the Wash cockle fisheries via 'interim measures' as agreed at the 50th Eastern IFCA Meeting.

At the 56th Eastern IFCA meeting, the results of the annual cockle stock survey were presented along with the management measures for the 2024 fishery which had been agreed by the CEO under delegated authority provided at the 50th Eastern IFCA Meeting. This had followed consultation, consideration of fishery stakeholder views and potential impacts.

The management measures included five areas closed for the protection of high-density juvenile cockles in accordance with the Wash Cockle Fishery Management Plan[10].

Report
The 2024 Wash Cockle Fishery opened on 20 June 2024 in accordance with the management measures presented at the 56th Eastern IFCA Meeting.

Revisions to management measures
High-density juvenile cockle closures can suffer from 'ridging-out' whereby cockles force each other out of the sand, competing for diminishing space as they grow. Where this occurs, the benefit of maintaining the closure is diminished because it

[10] 2019_07_WFO_cockle_fishery_management_plan1.5_Final.pdf (eastern-ifca.gov.uk)

can result in significant proportions of the ‘juvenile cockles’ being lost to the fishery. Heavy spatfall (cockle spawn which is has grown to the extent that it settles out of the water column onto the seabed) can exacerbate ridging-out particularly where this settles over high-density juvenile cockle patches. As such, surveys are often conducted mid-season to determine if cockle growth has occurred to the extent that there is a risk of ‘ridging-out’.

On 22 July 2024 one such closure (the South-Western closure on the Roger Sand) was surveyed to determine if growth and / or spatfall had occurred to the extent that it increased the risk of ‘ridging-out’. Growth of the juvenile cockles in this closure was found to be significant (from 5-7mm at the time of the spring survey to 12-14mm at the time of the July survey) and the area had also received a heavy spatfall.

A short consultation was held from 23 July to 1 August to gather the views of industry on the matter of opening the area. In addition, a Habitat regulation Assessment was undertaken to determine if opening the closure would impact the Wash MPAs.

After careful consideration of the consultation responses, which were in favour of opening the area, and following favourable advice from Natural England, the area was opened to the fishery as of 6 August 2024. In notifying the industry of the opening, their views were also sought with respect to the potential opening of other areas in a further short consultation.

Further surveys were undertaken at high-density juvenile cockle closures on the Toft and Hook Hill cockle beds on 7 August 2024. The survey on the Hook Hill identified ridging-out was already taking place and that the same was likely to occur in relation to the Toft closure.

Following consideration of the survey results, the fact that the consultation had not elicited any responses and the outputs from a further Habitat regulation Assessment and associated (favourable) Natural England advice, these closed areas were also opened as of 18 August 2024.

In making these decisions, the CEO used authority delegated to him at the 50th Eastern IFCA meeting. It is noteworthy that, so as to reduce the risk of lost fishing opportunity through ridging-out and enable fishing to take place at the earliest opportunity, less than 7-days-notice was provided to the industry of the openings.

<u>Uptake in the fishery</u>

Uptake in the fishery has been below historical norms, with an average of 34 vessels operating on a daily basis in June (average since 2014 is 43) and 30 vessels operating in July (average since 2014 is 39) representing a reduction of around 9 vessels. The average daily landed catch is circa 1760 kg (140kg below the average daily landed weight since 2014 of 1900kg for June and July).

Assuming that the rate of uptake remains at the levels during July, the fishery is predicted to exhaust the Total Allowable Catch by 1 October 2024, however fishing effort ordinarily reduces towards the end of August and September as vessels switch

from cockles to shrimps. Further, there are reports that the market value of shrimp is favourable which may increase transition from the cockle to shrimp fishery.

It is relevant to note that there are a significant number of missing returns at present, with at least 73 fishing days unaccounted for and missing processor information (which is ordinarily provided on a voluntary basis).

Consultation on potential 'bird closure' on Black Buoy
Following consideration at the Fisheries and Conservation Management Working Group meeting held on 16 July 2024, a consultation on the proposed closure on Black Buoy which closes on 28 August 2024. No responses have been received at the time of writing. The responses to the consultation will be considered in coming to a final decision on the closure.

Financial Implications
None identified

Legal Implications
The risk of legal challenge is mitigated through decision making in accordance with the delegated authority provided to the CEO and having had regard to stakeholder views and the potential for impacts on The Wash MPAs.

Appendices
Not applicable

Background Documents
Papers and minutes for Action Item 10 of the 50th Eastern IFCA Meeting held on 12 December 2022.

Papers and minutes for Action Item 11 of the 56th Eastern IFCA Meeting held on 19 June 2024.

Action Item 10

57th Eastern Inshore Fisheries and Conservation Authority Meeting

11 September 2024

Annual Report 2023-24

Report by: Julian Gregory, CEO

Purpose of Report
To present the Annual Report 2023-24 for consideration by members.

Recommendations
It is recommended that members:

- **Approve** the Annual Report 2023-24.
- **Direct** the CEO to publish the report and distribute to Defra.

Background
The Marine and Coastal Access Act 2009 requires Eastern IFCA to produce an Annual Report at the end of each financial year and that a copy of the report be sent to the Secretary of State (via Defra).

Report
Officers have prepared a draft Annual Report for 2023-24, which is at Appendix 1 (available online). The report details the Authority's work over the last financial year, progress against the priorities set for that year and other organisational metrics.

Financial Implications
N/A

Legal Implications
It is a legal requirement for the Authority to produce and publish an Annual Report.

Appendices
Appendix 1 – Eastern IFCA Annual Report 2023-24 available online at:

Eastern Inshore Fisheries and Conservation Authority (eastern-ifca.gov.uk)

Action Item 11

57th Eastern Inshore Fisheries and Conservation Authority Meeting

11 September 2024

Review of Annual Priorities and Risk Register

Report by: L. Godwin, ACO

Purpose of Report
The purpose of this report is to update members on progress against 2024-25 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 June 2024 to end of August 2024.
The tables at Appendix 1 detail the progress against the key priorities for 2024-25, as set in the Business plan for 2024-29.
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 2024-25
Appendix 2 – Risk Register
Appendix 3 – Update on Risk Register

Background Documents
Eastern Inshore Fisheries and Conservation Authority Business Plan 2024-29.

APPENDIX 1 - Progress against Annual Priorities – June 2024 to August 2024 (inclusive)
Four key priorities are established for 2024-25.

Financial Year 2024-25		
Priorities	**Progress**	**Comment**
1. To ensure that the conservation objectives of Marine Protected Areas in the district are furthered through:		
a) Implementation of management measures for 'red risk' gear/feature interactions (carried over).	**Delayed**	Submission is delayed whilst additional consideration is given to the evidence and rationale for all closed areas to ensure that the closures reflect the legal obligations to protect 'red risk' features without disproportionately impacting fishery livelihoods. This investigation is ongoing, and submission of the byelaw is intend to take place during Q3.
b) Continued implementation of Adaptive Risk Management of fishing activity within the Cromer Shoal Chalk Beds Marine Conservation Zone (carried over).	**In progress**	A delivery plan for the project was developed in Q1 of 2024-25 and progress against the plan is delayed on some aspects of the workstreams. Progress against the plan is now broadly on track following some delays in the previous reporting period. Key updates are as follows: • The Cromer Shoal Chalk Bed Byelaw QA process is ongoing, with a revised version of the byelaw re-submitted and a return date from MMO of 16 September. Given that the suggested revisions were minor, it is anticipated that the byelaw will progress to the Secretary of State within the financial year. • Agreement of the delivery plan for the 'Natural Disturbance Study', the projects' key research programme, is delayed following review of the robustness of the experimental design, with several elements of the original plan identified as potentially not capable of providing the necessary statistical certainty however, evidence gathering is ongoing pending conclusion of the review. • Review of the consultation on Phase 1 Cromer Shoal Permit Conditions was completed in Q1 however confirmation by the Authority was delayed as a consequence of pre-election period rules. Recommendations are being brought to this meeting.

		• Gear trials have begun in line with the ARM plan. • Confirmation of necessary funding for the continuation of the Natural Disturbance Study is ongoing. • Evidence gathering with respect to the 'value of rugged chalk' has paused pending a review of the need for the study.
c) Completion of 'amber/green' gear/fishing interaction assessments and development and implementation of management measures as required (carried over).	**Delayed**	Following significant delays in previous financial years, the project has been delivering against what are now very tight timescales. Submission of the first round of associated HRAs has started but is slightly delayed although progress towards submissions to Natural England by end of Q2 is still on track. Overall, the delays during Q1 and 2 are not considered likely to impact delivery of the project in accordance with the end of 2024 deadline (per the Environmental Improvement Plan 2023). The minor delays during Q2 have primarily been associated with abstraction to other priorities including a particularly complicated cockle fishery requiring additional HRAs and seeking to progress the Cromer Shoal Chalk Bed priority in line with the ARM plan.
d) Participation in the national 'Coastal Health' project and the pilot in The Wash (new priority).	**In Progress**	Contribution to the project during Q2 has included collection of additional cockle samples for analysis and undertaking a 'summer survey' of the cockle fishery to provide data to the project.
2. Management of Wash cockle and mussel fisheries (wild capture and private)		
a) Confirmation of the Wash Cockle and Mussel Byelaw 2021 to enable management of wild capture fisheries (carried over).	**Delayed**	Whilst the project has suffered from delays primarily as a consequence of an elongated formal quality assurance process, the byelaw has now been submitted to the Secretary of State (Defra) for consideration and it is anticipated that a decision on the byelaw may be reached within Q3.

b) Implementation of Wash Cockle and Mussel Byelaw access policies (transition) (carried over).	**In Progress**	The transition process was completed in the last financial year so far as it can be prior to the byelaw coming into effect.
c) Develop appropriate management of private shellfish aquaculture within The Wash (carried over).	**Delayed**	The workstream is significantly delayed due to an extended period of consideration by Defra. It is understood that resource availability within Defra has limited progress in finalising the wording of the draft Several Order to manage private aquaculture in The Wash, which had effectively been paused since submission in 2022. Defra has recently contacted the Authority to provide an update to the effect that progress has been further delayed because of legal resources being prioritised in other areas.
d) A review of relevant byelaws inherited from Eastern Sea Fisheries Joint Committee (new priority).	**In Progress (not started)**	This workstream is not programmed to begin until Q3 of 2024/25
3. Obtaining better fisheries data		
a) Facilitating and contributing to the roll-out of I-VMS by the Marine Management organisation (revised priority).	**In Progress**	Contribution to the roll-out of I-VMS prior to the statutory requirement is completed. The next phase of the roll-out will begin once the Statutory Instrument implementing the requirement is in place. This is anticipated for Q2 or 3 however, the general election has impacted upon this timeframe and the timing of the SI is unknown.
b) Development of measures (through byelaws and / or permit conditions) to	**In Progress (not started)**	The situation remains that until the I-VMS Statutory Instrument (SI) has been laid the potential to implement permit conditions to require VMS within any of the Authority's fisheries would be challenging, in particular because the provisions and

implement standardised reporting rates across of VMS units (revised priority).		their application are unknown and because such could detrimentally impact the national roll-out.
4. Fisheries Management Plans		
a) Supporting the planning / preparation phase (revised priority).	**In progress**	No relevant FMPs were in development during this quarter.
b) Supporting the publication phase including by reviewing and evaluation plans (**revised priority**).	**In progress**	No relevant FMPs were published during this quarter.
c) Supporting post-publication phase including implementation (**revised priority**).	**In progress**	Support has been provided to delivery bodies responsible for each FMP as required during Q2 which primarily involved participation in dialogue on the development of implementation plans.
5. Contribute to the development of second-generation Marine Plans through		
a) Collaboration with the Marine Management Organisation to seek opportunities to improve data and evidence for inshore fishing activities (**new priority**).	**In Progress**	Development of the second generation Marine Plan was delayed due to the general election (period of heightened sensitivity) and as such there has been no opportunity to contribute during the reporting period.
b) Stakeholder engagement to raise awareness of marine planning and identify key issues (**new priority**).	**In Progress**	As above.

c) Contributing to policy development by providing expert advice and relaying information from our stakeholders (**new priority**).	**In Progress**	As above.

Key:

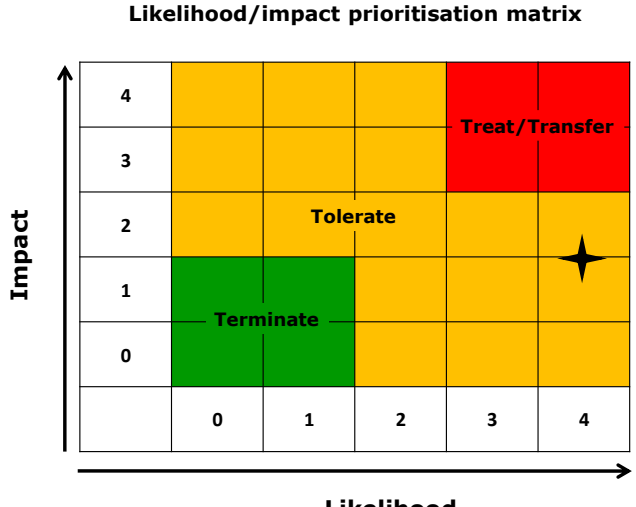
	Complete		**Progress stalled / delayed**
	In progress		**Not started**

Appendix 1: Risk Management

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 IFCAs ability to treat and is transferred to higher level.



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 (i.e. acknowledged and actively monitored)

Description	Owner	Implications	Organisational impact (Reputation + Financial/2)		Likelihood	Risk	Mitigation	Action
Eastern IFCA fails to secure funding to replace assets	CEO	Substantial reduction in Eastern IFCA mobility particularly seaborne activities with consequential inability to fulfil full range of duties	**4**		**2**		• 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	**Tolerate**
			Reputation	**Financial**	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.			
			4	**4**				
			Drive for savings may impact County Councils' decisions regarding Eastern IFCA funding. Visible presence reduced, enforcement and survey activities compromised.	Inability to generate sufficient reserves to meet asset replacement schedule would threaten Eastern IFCAs ability to function. Closure costs could result.				

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		• → 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. • → Identify opportunities to facilitate delivery of Government objectives through outputs and contribute to Government fisheries and environmental targets by embedding into work plans.	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 Failure of the organisation to perform in accordance with the standards and practices of a statutory public body	Withdrawal of LA and Defra funding for the organisation				
Description	Owner	Implications	Organisational impact (Reputation + Financial/2)		Likelihood	Risk	Mitigation	Action
Negative media comment	CEO	Negative perceptions of	3		3		• → Actively and regularly engage with all partners including media outlets.	Treat
			Reputation	Financial				

¤		Eastern·IFCA·utility·and·effectiveness·created·at·MMO/Defra¶ Loss·of·Partner·confidence¶ Media·scrutiny·of·individual·Authority·members·¤	**4¤** Eastern·IFCA·perceived·to·be·under·performing.¶ Eastern·IFCA·considered·poor·value·for·money.¶ Eastern·IFCA·perceived·as·irrelevant.¤	**2¤** Negative·perceptions·introduce·risk·to·continued·funding¤	Possible·–·disenfranchised·partners·seek·to·introduce·doubt·as·to·Eastern·IFCA·professionalism,·utility,·and·effectiveness¤		• → 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.·¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¤		¤
Description·¤	**Owner¤**	**Implications¤**	**Organisational·impact¶ (Reputation·+·Financial/2)¤**		**Likelihood¤**	**Risk¤**	**Mitigation¶ ¤**	**Action¤**	¤
Degradation·of·MPAs·due·to·fishing·activity¶ ¤	CEO¤	Loss·or·damage·of·important·habitats·and·species·within·environmentally·	**3.5¤**		**2¤**	¤	• → Fishing·activities·authorised·by·Eastern·IFCA·are·assessed·per·Habitats·Regulations·and·MaCAA;·management·routinely·includes·	**Tolerate¤**	¤
			Reputation¤ **4¤**	**Financial¤** **3¤**	Possible·–·Eastern·IFCA's·approach·to·managing·sea·fisheries·				¤

		designated·areas.·¶ ¤	Eastern·IFCA·is·not·meeting·statutory·duties·under·conservation·legislation.¶ Eastern·IFCA·not·achieving·vision·as·champion·of·sustainable·marine·environment.·¶ Degradation·of·marine·habitats·which·lead·to·economic,·social·or·cultural·impacts.·¤	Legal·challenge·brought·against·Eastern·IFCA·for·failing·to·meet·obligations·under·environmental·legislation·(including·MaCAA).¤	resources·actively·addresses·our·environmental·obligations.¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¶ ¤		• 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·is·a·high·priority·with·substantial·progress·made.·Current·workstreams·(e.g.·Cromer·Shoal·MCZ,·remaining·'red·risk'·and·'amber·and·green'·sites·are·a·high·priority·and·are·being·progressed.¤		¤
Description·¤	**Owner¤**	**Implications¤**	**Organisational·impact¶ (Reputation·+·Financial/2)¤**		**Likelihood¤**	**Risk¤**	**Mitigation¶ ¤**	**Action¤**	¤
Shellfish·and·fish·stocks·collapse¶ ¤	CEO¤	Risk·of·significant·negative·impact·upon·industry·viability·with·associated·	3¤		3¤	¤	• → Annual·stock·assessments·of·bivalve·stocks·in·The·Wash¶ • → Annual·review·of·the·level·of·threat·via·the·Strategic·Assessment¶	**Treat¤**	¤ ¤ ¤
			Reputation¤	**Financial¤**	Possible·-·Bivalve·stocks·have·high·natural·variation;·"atypical·mortality"·affecting·				
			3¤	3¤					

		social·and·economic·problems¤	Loss·in·confidence·of·the·Eastern·IFCA·ability·to·manage·the·sea·fisheries·resources·within·its·district¤	Resources·directed·at·protecting·alternative·stocks·from·displaced·effort.¶ Additional·resources·applied·to·research·into·the·cause·of·collapsed·stocks·and·increased·engagement·and·discussion·with·partners.¤	stocks·despite·application·of·stringent·fishery·control·measures¶ Crustacean·stocks·not·currently·subject·to·effort·control¶ Bass·stocks·nationally·and·internationally·under·severe·pressure¶ Regional·whelk·and·shrimp·fisheries·effort·becoming·unsustainable.¶ 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.¤		• → 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.¶ • → 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.¤		¤

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¤	¤	• → 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¶	Tolerate¤	¤
			Reputation¤	Financial¤	Possible·-·Limited·staff·access·to·both·electronic·and·paper·files.¶				¤
			4¤	4¤					¤

		Prosecution·casefiles·compromised.¶ ¶ Loss·of·data·in·the·event·of·fire·or·theft¶ ¶ Breakdown·in·dissemination·of·sensitive·information·between·key·delivery·partners.¤	Partners·no·longer·believe·that·confidential·information·they·have·supplied·is·secure.¶ Personnel·issues·arise·over·inability·to·secure·information.¤	Eastern·IFCA·open·to·both·civil·and·criminal·action·regarding·inability·to·secure·personal·information.¤	Office·secure·with·CCTV,·keypad·entry·system·and·alarm.¶ ¤		• → 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.¶ ¤		¤
New·Burdens·Funding·discontinued.¶ ¤	CEO¤	Substantial·reduction·in·Eastern·IFCA·capability·with·consequential·inability·to·fulfil·full·range·of·duties¶ or·additional·burden·on·funding·authorities.·¤	**4¤**		**2¤**	¤	• → AIFCA·engagement·with·Defra·has·led·to·an·indicative·three·year·settlement·(ends·March)·2025·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·IFCAs·provide·in·meeting·national·policy·objectives.¤				¤
			4¤	**4¤**					¤
			Inability·to·meet·all·obligations·would·have·a·significant·impact·upon·reputation.¤	Circa·25%·of·the·annual·budget·is·provided·by·Defra·under·the·New·Burdens·doctrine·so·its·loss·would·have·a·significant·impact.¤					¤

Description	Owner	Implications	Organisational impact (Reputation + Financial/2)		Likelihood	Risk	Mitigation	Action
The Wash Cockle and Mussel Byelaw 2021 that will replace the expired Wash Fishery Order 1992 does not receive ministerial approval or is substantially delayed.	CEO	Continuing uncertainty for industry members with consequential impact upon industry viability and associated social and economic issues. Requirement to revise the byelaw or in worst case scenario to start the process again resulting in substantial work and consequential impact upon ability to progress other priority workstreams.	4		3		Confirmation of the new byelaw is a high priority for 2024-25 in the Business Plan. The fisheries are being managed under interim management measures with the status quo being maintained in terms of access to the fisheries. The transition process under the Eligibility Policy as part of the new byelaw has been progressed to provide surety for industry members. Dialogue will be maintained with Defra teams and officers will priories responses to information requests from Defra. Officers met with the Fisheries Minister and Defra officials to redress inaccurate information and criticism associated with the replacement of the WFO 1992.	Treat
			Reputation	Financial				
			4	4	The WFO 1992 expired in January 2023 and due to the byelaw making process being prolonged due to the requirement for multiple consultations and extensive quality assurance and associated revisions, the new byelaw was not in place in time. As such the bylaw is already well over a year late and issues raised with the Fisheries Minister by a minority of industry members have the potential to delay matters further, particularly as this is a general election year.			
			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 IFCAs ability to manage the cockle and mussel fisheries is likely to be significant if the new byelaw is not replaced in a timely way	Potential for legal challenge against Eastern IFCA. Ongoing loss of revenue from permit fees.				

Description	Owner	Implications	Organisational impact (Reputation + Financial/2)		Likelihood	Risk	Mitigation	Action
The new Several Order to replace that element of the Wash Fishery Order 1992 is substantially delayed.	CEO	Continuing uncertainty for industry members with consequential impact upon industry viability and associated social and economic issues.	4		3		• → Introduction of a new Several Order is a high priority for 2024-25 in the Business Plan. • → The fisheries are being managed under interim management measures with the status quo being maintained in terms of access to the fisheries. • → Dialogue will be maintained with Defra teams and officers will priories responses to information requests from Defra. • → Industry dialogue will be prioritised as required to make progress.	Treat
			Reputation	**Financial**	The WFO 1992 expired in January 2023 and due to the process for a new Several Order being prolonged and subject to significant delays by Defra the new order is not in place. Defra have advised that the matter will now be progressed but the process relating to the order and the associated FMP are likely to still take some time to complete.			
			4	4				
			The effective management of 'lays' in the Wash is important for aquaculture in the Wash is important in terms of industry viability and managing the impact of aquaculture activity in a heavily designated MPA. Loss of confidence in operating lays is likely to be significant if the new Several Order is not replaced in a timely way	Potential for legal challenge against Eastern IFCA. Ongoing loss of revenue from permit fees.				

Appendix 3 – Risk Register Update June 2024 to end of August 2024

Risk Description	Change in risk-rating / update
Eastern IFCA fails to secure funding to replace assets	**No Change** in risk rating or mitigation since last update. Funding to cover the costs of work associated with delivery of the Cromer Shoal Chalk Beds ARM Project is at application however, failure to secure the funding may require a decision as whether to move funds from reserves.
Eastern IFCA fails to maintain relevance amongst partners	**No change** in risk rating or mitigation since last update. Participation in the Development of Fisheries Management Plans, second Generation Marine Plans and meeting Government targets for environmental protection (particularly the Environmental Improvement Plan 2023) is likely to function as mitigation of this risk and to that end, a proactive approach is taken to engaging with such which has included dialogue with MMO officers with regards to stakeholder engagement.
Negative media comment	**No change** in risk rating or mitigation since last update.
Degradation of MPAs due to fishing activity	**No change** in risk compared to last update. A single vacancy has been held within the Marine Science Team during a restructure trial, the outcome of which is anticipated during Q2 (end of September) and at this time, consideration will be given to filling the vacancy which may reflect the level of risk associated with this factor.
Shellfish and fish stocks collapse	**No change** in risk rating or mitigation since last update. Risk is mitigated business critical workstreams (including cockle stock assessments and fishery management) and priorities (including the Coastal Health Project).
Failure to secure data	**No change** in risk rating or mitigation since last update.
New Burdens funding discontinued	**No change** in risk rating or mitigation since last update.
The Wash Fishery Order 1992 is not replaced in time when it expires in January 2023	**No change** in risk rating since last update. Implementation of interim measures to enable fishing in the public fisheries and protect stocks in private fisheries is in place via Eastern IFCA legacy byelaws however, the application of these has been openly challenged by a minority of fishery stakeholders. Ultimately, if the use of legacy byelaws to manage the fishery is found not to be appropriate then a fishery cannot be enabled (and would hence close) however, this is mitigated through having previously received legal advice on the matter and the progress made towards confirmation of the Wash Cockle and Mussel Byelaw 2021.

Information Item 13a

57th Eastern Inshore Fisheries and Conservation Authority Meeting

11 September 2024

Marine Protection Quarterly Report

Report by: Jon Butler, Deputy Chief Officer

Purpose of Report
To provide members with an overview of the work carried out by the Marine Protection team during the period of June 2024 to July 2024 inclusive.

Recommendations
It is recommended that members:

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

Background
Quarterly reports on the activities of the Marine Protection Team are provided to Authority members at quarterly meetings of the full Authority. Over time the format of the reports has been revised and in recent years monthly updates have been sent to members.

Report
Following comments by members at the 56th meeting of the full Authority the report has been revised to show metrics that are included in the Business Plan and that are reported on in the Annual Report. Views of members on the format will be taken at the meeting and further revisions made if required.

Due to the timing of meetings and the requirement to send papers to members in advance of the meeting it is difficult to include the full calendar month immediately preceding quarterly Authority meetings. As a consequence, this report covers two months instead of three. The report for August will be included in the December report, when the reporting cycle will reset to reflect three months.

Financial Implications
None

Legal Implications
None

Appendices
Appendix 1 – Marine Protection Quarterly Report

Background Documents
Not Applicable
Appendix 1: Marine Protection Report June 2024 – July 2024

June 2024

Enforcement and engagement priorities throughout the district

Area 1 (Hail Sand Fort to Gibraltar Point) – Prioritise a high visibility joint patrol with MMO/NE IFCA. Two Lincs coast patrols to key ports including Grimsby and Horseshoe Point, to educate and engage with fishers, and carry out compliance inspections of commercial gear and catch. Shore patrols to monitor recreational angling activity and engage with anglers, investigate bass landings by recreational anglers at Tetney. Submit intel following patrols, particularly in relation to crab fishing activity.

Area 2 (The Wash and North Norfolk Coast to Brancaster) – Engagement, landing inspections (daily quota 2T) and monitoring of closed areas of the cockle fishery. Landing inspections of shrimp and whelk boats, with all active whelk vessels inspected once per month. Gear and hold inspections of mussel boats, monitor the TAC and beds fished. Submit intel following patrols.

Area 3 (Brancaster to Great Yarmouth) – Shore patrols with evening and weekend inspections of recreational anglers, focusing on engagement and compliance. Landing inspections of commercial crab and lobster fishers, vessels to be tasked at weekly meeting. Vessel patrol to inspect whelk gear and landing inspections of all active whelk fishing vessels, each vessel inspected once per month. Submit intel following patrols, particularly in relation to whelk fishing and recreational angling inland.

Area 4 (Suffolk Coast) – Shore patrols extending along the rivers to monitor recreational angling activity, educate and engage anglers. Compliance inspections of commercial and charter vessels prosecuting the bass fishery and landing inspections of all active whelk vessels once per month. Landing inspections and joint work with the MMO at Orford. Submit any intel related to the southern area of the district following patrols.

Enforcement metrics

Enforcement metric	Number completed			
	Area 1	Area 2	Area 3	Area 4
Shore Patrols	0	6	9	7
Port visits	0	6	34	18
Catch inspections (landings observed)	0	79	11	2
Catch Inspections (Landings not observed)	0	0	3	1
Vehicle Inspections	0	0	0	0

Premises inspections	0	0	0	1
Enforcement actions/Offences	0	0	0	0
Intelligence reports submitted	0	0	1	3
Fishers engaged	0	90	45	21
Vessel Patrols	0	6	1	2
Boardings	0	0	0	0
Gear Inspections	0	0	2	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	***Intertidal biogenic reef***	***Subtidal biogenic reef: Sabellaria spp. (Ross worm), subtidal stony reef, subtidal mixed sediments, subtidal mud.***	***Intertidal seagrass beds, subtidal mixed sediments, subtidal mud.***	***Eelgrass beds (Humber)***
Protected Areas	**1-13**	**14-29**	**30-35**	**36**
Number of monitoring visits	7	2	1	0

Messages received

<u>The Wash</u>

- Boston fishers have asked EIFCA to look at possibility of using a lift up dredge to fish for cockles, the dredges have minimal seabed impact and could be used during high water periods. This would minimise seal and bird disturbance as vessels would no need to try out on every tide.
- Concern from fisher over low numbers of seals seen in the Wash, one theory suggested by fisher was run off from surrounding farmland, or human waste from rivers affecting them.
- Small cockles (10mm or under) are being landed in Boston and causing problems at the processing factory by clogging the system, this is not only time consuming and costly but damages the sustainability of the fishery. Cockles landed in Boston are being graded 3300 (10mm or below), cockles landed in King's Lynn are graded 1000 (14mm+).
- Fishermen have heard that the Toft bed will be opened to the cockle fishery, officers confirmed currently no plans to open any of the closed beds.
-

North Norfolk

- Price of crab is at an all-time low, Jonas seafoods in Cromer are not taking any local crab as they are unable to sell it.

Fishing trends

Area 1: (Hail Sand Fort to Gibraltar Point)
No patrols

Area 2: (Wash and North Norfolk Coast to Brancaster)
Whelk price remaining at £1.40 kg, shrimp price £9.90, 14 vessels landed shrimp to Boston and King's Lynn in May. Vessels preparing for upcoming cockle season.

Area 3: (Brancaster to Great Yarmouth)
Crab catches down and lobster not yet showing. Bass being caught all over, both commercially and recreationally.

Area 4: (Great Yarmouth to Harwich)
Sole now arrived and many switching over gear, catches still low compared to effort. Large number of bass being caught at sea and from the rivers.

July 2024

Enforcement and engagement priorities throughout the district

Area 1 (Hail Sand Fort to Gibraltar Point) – 2 Lincs coastal patrols visiting key ports, prioritising a joint patrol with MMO and/or NE IFCA. Conduct a Lincs coast vessel patrol to Donna Nook over low water, gathering intelligence related to fishing activity. Shore patrols to monitor recreational activity, in particular recreational bass activity at Boston, Fosdyke and Surfleet, and engagement with anglers. Compliance inspections of commercial vessels inspecting gear and catch with re- engagement and face to face contact with fishers. Submission of intelligence, particularly in relation to crab fishing activity, following patrols.

Area 2 (The Wash and North Norfolk Coast to Brancaster) – Engagement and landing inspections of cockle fishing vessels, with monitoring of the closed areas a high priority. Joint MSC shrimp gear inspections with the MMO, as well as shrimp landing inspections. Submission of intelligence following patrols.

Area 3 (Brancaster to Great Yarmouth) – Landing inspections of all active crab and lobster vessels, with a high priority given to at sea and shore patrols focusing on lobster inspections checking for undersize, berried and v-notched. Shore patrols with evening and weekend inspections, focusing on engagement and education, particularly in relation to mackerel and bass on the shingle beaches. Boardings and engagement with both recreational and commercial vessels and submission of intelligence following patrols.

Area 4 (Suffolk Coast) – Landing inspections and joint working with the MMO at Orford, with premises and vessel patrol planned. Shore patrols of rivers engaging and educating recreational anglers, with landings inspections and a vessel patrol. Compliance inspections of commercial and charter bass fishing vessels. Submission of intelligence following patrols.

Enforcement metrics

Enforcement planning and actions are risk-based, and intelligence led and also informed by organisational priorities as set out in the 5-Year Business Plan. The areas reported are sea patrols, Marine Protected Area monitoring, Port visits, new vessel engagement and partnership working.

Area 1: Fishing activity has been minimal within Area 1, with 5 separate ports visited over one shore patrol.

Area 2: 9 separate port visits, with Boston and King's Lynn each visited on 4 occasions. The Wash cockle fishery opened 20th June and has been open throughout July, landings occur at Boston and King's Lynn which is reflected in the high number (59) of catch inspections carried out over this period.

Area 3: 97 visits to 20 different ports between Brancaster and Great Yarmouth, highest numbers of visits to Wells, Cley and Weybourne. This reflects the increase in recreational fishing activity in July at shingle beaches such as Cley and Weybourne.

Area 4: 32 port visits carried out to 15 separate ports, with Lowestoft, Shotley, Levington, Southwold and Aldeburgh visited on the most occasions. These ports see the highest amount of commercial and charter vessel activity within Area 4.

Enforcement metric	Number completed			
	Area 1	Area 2	Area 3	Area 4
Shore Patrols	1	7	20	12
Port visits (1 per month)	5	9	97	32
Catch inspections (landings observed)	0	59	12	6
Catch Inspections (Landings not observed)	0	0	1	1
Vehicle Inspections	0	0	0	0
Premises inspections	0	1	1	3
Enforcement actions/Offences	0	1	0	0
Intelligence reports submitted	1	1	5	3
Fishers engaged	5	70	171	69
Vessel Patrols (90 per year) (37 to date)	0	5	2	3
Boardings	0	0	5	1
Gear Inspections	0	0	0	0

Marine Protected Area monitoring

Monitoring of 'restricted areas' under the Marine Protected Areas Byelaw 2018 were conducted throughout the reporting period via direct observation on a risk-based approach. The following monitoring occurred:

Protected Feature	***Intertidal biogenic reef***	***Subtidal biogenic reef: Sabellaria spp. (Ross worm), subtidal stony reef, subtidal mixed sediments, subtidal mud.***	***Intertidal seagrass beds, subtidal mixed sediments, subtidal mud.***	***Eelgrass beds (Humber)***
Protected Areas	**1-13**	**14-29**	**30-35**	**36**
Number of monitoring visits	4 (areas visited: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10)	0	11 (areas visited: 31, 32, 33, 34, 35)	1

Messages received

The Wash

- Dialogue with the fishing industry regarding the closed areas on the Roger sand prior to the consultation about opening certain areas suggested that there had been a settlement of spat, which would likely cause ridging out. The area in question was walked by officers at the time of the conversation.

North Norfolk

- Bass started to show on the North Norfolk coast early in July.
- Fishers are struggling to sell crab, the Jonas factory is not accepting any crab and sales to members of the public and pubs are also down. Commercial fisherman who owns a fish shop has been struggling to land crab, has been taking live crab from Jonas and are now able to fill their orders.
- The Le Strange cockle fishery is reported to be having a successful season.

Suffolk

- New harbour being built at Sizewell to support development of Sizewell C has caused some concern among local fishermen due to the lack of communication with them regarding how they will be affected. EIFCA have reached out to the harbour master to suggest engagement and offer facilitation if necessary.

Fishing trends

Area 1: (Hail Sand Fort to Gibraltar Point)

No patrols

Area 2: (Wash and North Norfolk Coast to Brancaster)
Most vessels still targeting cockles, price varies between £600 and £1200 per tonne, average £968. Very little whelk activity, price remains at £1.40.

Area 3: (Brancaster to Great Yarmouth)
Large amounts of mackerel and bass being caught on the shingle beaches. Crab poor and no market, and lots of good size lobster being caught but also dropping off.

Area 4: (Great Yarmouth to Harwich)
Commercially fishing has been poor, some going for bass and sole but minimal amounts landed. RSA activity dropped right off, species tend to be Bass or Dogfish predominantly, with some smooth hound and dabs showing up.

Information Item 13b

57th Eastern Inshore Fisheries and Conservation Authority Meeting

11 September 2024

Marine Science Quarterly Report

Report by: Luke Godwin (ACO)

Purpose of Report
The purpose of this report is to make members aware of progress made by the Marine Science Team in its delivery of the 2024-29 5-Year Business Plan.

Recommendations
It is recommended that members:

- **Note** the contents of the report

Background
Key Marine Science updates are typically reported within the Quarterly Progress against annual priorities paper taken to each Authority meeting and have previously often been replicated within the Marice Science Quarterly Reports. However, progress against business as usual / business critical workstreams (as per the 5-Year Business Plan) have not routinely been provided to members and so the Marine Science Quarterly Report has been revised to provide information that is more meaningful to members.

This new format of Marine Science reports, in addition to reporting against annual priorities, is intended to give members the fullest understanding of progress through the year.

Report
Overview
The period was characterised by establishing the trial structure and new ways of working towards delivery of the Business Plan.

Contribution to the delivery of the 2024 Wash Cockle Fishery is of particular note given the additional work required to deliver a viable and sustainable fishery in the context of potential die-off and the work committed to furthering delivery of the Cromer Shoal Chalk Beds MCZ ARM Plan.

Each of the business critical workstreams set out in the 5-year Business Plan 2024-2029 are considered below.

Shrimp management
Shrimp effort monitoring identified that early projections on shrimp activity were broadly correct and fishing remained within environmentally acceptable parameters. The shrimp permit year reset as of 1 August 2024 and the annual Total Allowable Catch for this permit year will be published in September following a meeting of the associated working group.

Study of the Wash Embayment, Environment and Productivity (SWEEP) and Environmental Health Monitoring (EHO)
All EHO samples were collected successfully during June, July and August.

Elevated E.Coli levels were identified at Ouse Mouth during July which resulted in the activation of investigation state but did not result in a downgrade in water quality (which is maintained at a class B at present).

High E.Coli results were identified in the newly designated classification zone 'Stubborn Sand' (B04AP) and the area is currently (as of 1 August 2024) subject to closure until two consecutive samples identify E.Coli levels below 4600 E.Coli / 100g. There are no commercial fishing beds open to the public fishery in this area.

Cockle processors are aware of the water quality results via the shellfish liaison groups and it is understood that processors heat treat (cook) cockles caught from The Wash in accordance with the associated regulations enabling cultivation down to class C.

SWEEP samples were not collected from the Thief sample site during June or July and the Wreck sample was not collected during July. In both cases, vessel breakdown was a factor and with respect to sample collection in July, both vessel breakdown and diversion to compliance related activities contributed to the failure to collect the samples.

Of those collected, there were no concerns with regards to food availability identified.

Wash Cockle and Mussel management
The mussel relaying fishery has remained open during the reporting period and uptake was characteristically low. The fishery is due to close in September to allow for mussel surveys to take place.

The 2024 Wash Cockle Fishery opened as of 20 June 2024 and a full update is provided at Action Item 8 of this meeting. In summary, management has included additional surveys in areas closed for the protection of high-density juvenile cockles, the undertaking of Habitat Regulation Assessments with regards to opening these areas, consultation with fishery stakeholders n the matter and ultimately the opening of three such areas.

Management of Whelk Fisheries
Work to review permit conditions will begin in September starting with a review of the whelk fishery's productivity over the last four years. The whelk fishery appears stable however there are ongoing concerns relating to compliance with the pot limitation and the accuracy of return forms submitted by whelk permit holders which

undermine the ongoing monitoring. Ways to address these issues will also be considered during the review of permit conditions.

Assessments of unplanned fisheries
There were no ‘unplanned fisheries’ during the period.

Advice in relation to sustainable development
23 marine licence applications were received for comment during the period and 18 have been responded to at the time of writing. The number of applications considered during the 2024/25 financial year has exceeded the total number of applications considered during the last financial year.

Of particular note is the work contributing to the development of the Oyster Heaven project seeking to establish native oyster beds at two areas within the district. Members have contributed to the development of the project at the informal stage via discussion with the project lead at a Fisheries and Conservation Management Working Group meeting (held 16 July 2024).

Monitoring district-wide Biosecurity risk
Work to progress this workstream is ongoing following a period where no resource was allocated to it due to other priorities and the loss of capacity following the departure of four MSOs.

One biosecurity risk was identified during the reporting period relating to Zebra mussels having been found within the district. On investigation, it was concluded that the species poses little threat to the commercial marine species and / or supporting habitats in the district.

Financial Implications
None identified

Legal Implications
None identified

Appendices
Not applicable

Background Documents
5-Year business Plan 2024-29