



61st EIFCA Statutory Meeting

To Be Held at:

Council Chambers, King's Lynn Town Hall, Saturday Marketplace,
King's Lynn, Norfolk PE30 5DQ

**Wednesday
10th September 2025**

1030 hours

Vision

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



Meeting: **61st Eastern IFCA Meeting**

Date: 10 September 2025

Time: 1030hrs

Venue: Council Chambers, Kings Lynn Town Hall, Saturday Marketplace,
Kings Lynn, Norfolk, PE30 5DQ

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 60th Eastern IFCA Meeting, held on 12 June 2025 – *Chair pg4*
- 5 Matters arising (including actions from previous meeting) – *Clerk*
- 6 To receive a report to consider Health and Safety risks and mitigation – *ACO(DD) pg15*
- 7 To receive a report on the meeting of the Finance and HR sub-committee held on 5 August 2025 - *CEO pg19*
- 8 Cromer Shoal Chalk Beds MCZ ARM Rates of Damage Report - *ACO pg25*
- 9 Closed Areas Byelaw 2021 – *ACO pg47*
- 10 Wash Cockle Fishery 2025 update – *ACO(DD) pg57*
- 11 Annual Report 2024/25 – *CEO pg60*
- 12 Review of annual priorities and Risk Register - *ACO pg61*

Information items

- 13 CEO update (verbal) – *CEO*
- 14 Operational update
 - a. Marine Protection report – *ACO (DD) pg78*
 - b. Marine Science report – *ACO pg90*

Any other business

- 15 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
26 August 2025

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.



60th Eastern IFCA Meeting

A meeting of the Eastern IFCA took place on Wednesday 11th June 2025 at 1030 hours in the Council Chambers, King's Lynn Town Hall, Saturday Market Place, King's Lynn Norfolk, PE30 4DQ

Members Present:

Cllr T FitzPatrick	(Chair)	Norfolk County Council
Cllr E Back	(Vice Chair)	Suffolk County Council
Mr S Bagley		MMO Appointee
Cllr Chenery of Horsbrugh		Norfolk County Council
Mr J Davies		MMO Appointee
Mr L Doughty		MMO Appointee
Mr R Dyer		MMO Appointee
Cllr A Findley		Lincolnshire County Council
Mr P Garnett		MMO Appointee
Dr P Gilliland		MMO Appointee
Mr T Goldson		MMO Appointee
Ms J Love		Natural England Representative
Cllr K Robinson		Suffolk County Council
Mr J Rowley		MMO Representative
Mr N Schiller		MMO Appointee
Ms I Smith		MMO Appointee
Mr S Williamson		MMO Appointee

Eastern IFCA (EIFCA) Officers Present:

Juian Gregory	Chief Executive Officer (Clerk)
Jon Butler	Assistant Chief Officer (Designated Deputy),
Luke Godwin	Assistant Chief Officer
Ron Jessop	Senior Marine Science Officer
Tristan McLean	IFCO

Minute Taker:

Jodi Hammond

EIFCA25/01 Item 1: Election of the Chair of the Authority

The Clerk requested nominations for the role of Chair of the Authority.

One nomination was received.

Members Resolved to elect Councillor FitzPatrick to the role of Chair of the Authority

Proposed: Cllr Chenery of Horsbrugh

Seconded: Cllr Back

Agreed

EIFCA25/02 Item 2: Welcome

The Chair welcomed Members to the meeting and advised of new Members who were attending for the first time.

EIFCA25/03 Item 3: Apologies for Absence

Apologies for absence were received from Cllrs Adams (NCC) & Taylor (LCC), Ms Lynam (MMO Appointee) and Ms Sams (Aston Shaw Accountants).

EIFCA25/04 Election of Vice Chair of the Authority

One nomination was received.

Members Resolved to elect Councillor Back to the role of Vice Chair of the Authority.

Proposed: Mr Goldson

Seconded: Cllr Chenery of Horsbrugh

Agreed

EIFCA25/05 Item 5: Declaration of Members Interests

On the Agenda at this meeting DPIs related to the following items:

Doughty Item 10 – J Davies / S Williamson / B Lynam / P Garnett / L

Doughty Item 11 – J Davies / S Williamson / P Garnett / B Lynam / L

Item 13 – J Davies / S Williamson / P Garnett / B Lynam

All those present had a dispensation to discuss but not vote on the relevant items.

EIFCA25/06 Item 6: Minutes of the 59th Eastern IFCA Meeting held on Wednesday 12th March 2025

Members Resolved to approve the Minutes as a true record of proceedings.

Proposed: Mr Goldson

Seconded: Mr Williamson

All Agreed

EIFCA25/07 Item 7: Matters arising.

EIFCA24/71: STRATEGIC ASSESSMENT AND BUSINESS PLAN:

The CEO advised the documents had been put online and the Business Plan had been forwarded to Defra.

EIFCA24/74: Trackers were being used to monitor closed areas, so far, they appeared to be having a positive effect. Some discussion was taking place as to whether the closed areas were sufficient as some fishers were very close to the line. If necessary, industry would be consulted to see if there was a need to increase the closed area. To date there had been no incursions.

EIFCA25/08 Item 8: Health & Safety Risks and Mitigation

Members were reminded this was a standard item on the agenda.

Since the previous meeting there had been 6 incidents and 2 near misses. This was more than normal but was likely related to Officers being encouraged to report incidents and a very busy period of survey work. The intention is to ensure these are not repeated.

It was noted there was no change to the H&S Risks, other than item 3 which had sufficient safeguards in place that it could be removed from the table.

Incidents included:

- A rope around a propellor whilst pot hauling. It was subsequently removed the next day, and the vessel was back in service. The method of pot hauling would be reviewed in to try to as attempt to avoid a similar incident in the future.
- Damage to C-Runner whilst launching in a rough sea state. Modifications had been made to PIV to carry the RIB across the transom of PIV to enable easier launch/recovery in such conditions.
- An Officer had struggled to get across a creek as the water was higher than anticipated resulting in a very wet VHF radio. The Risk Assessment would be reviewed.
- An Officer was charged by a seal when crossing a creek. This was not a creek where a seal would expect to be found. All officers were reminded to be cautious when crossing creeks.
- Protector IV had encountered split hydraulic hoses on two occasions; modifications had been made to alleviate this issue.

- Protector IV had aground when crossing a sandbank. She was not stranded and was able to continue passage and the incident was reported to MAIB and the vessel inspected by a marine surveyor, no damage found, and the vessel was back in action.
- Officer suffered a cut to his head whilst apply antifouling a vessel – officers were reminded to wear hard hats whilst working under vessels.

Members were advised there would be a revamp of the Health & Safety Risks table to include dates of incidents but also the removal of risks which had been addressed. This was questioned by Dr Gilliland as he wanted to ensure Health & Safety was covered. Dr Gilliland also queried whether some of this information needed to be reported at each meeting. This resulted in discussion of whether it could be discussed at the F&HR Sub-Committee instead. The CEO advised that it was an early agenda item at full Authority meetings as a consequence of the strong health and safety culture of the organisation. It was decided the item would remain on the full Authority Meeting agenda and be reassessed in 6 months' time.

Members Agreed to Note the contents of the report.

EIFCA25/09 Item 9: Sub-Committee Appointments

Following changes in membership it was necessary to address the members who sat on EIFCA sub-committees. Members considered the options put forward in the papers, but in view of Cllr Back being made Vice Chair the proposal had to be slightly amended.

The amendment was proposed by Mr Goldson and Seconded by Cllr Back with all members in Agreement. This amendment was then put forward to become the Resolution.

Members Resolved to:

Note the automatic appointment of Cllr Findley, Cllr Taylor and Cllr Robinson to the Finance & HR sub-committee.

Note the automatic appointment of the Chair and Vice-Chair of the Authority to the Wash Appeals sub-committee.

Agree to appoint Cllr Findley, Cllr Taylor, Mr Schiller and Ms Smith to the Wash Fisheries sub-committee.

Agree that Cllr Robinson be appointed to the Wash Appeals sub-committee.

Proposed: Mr Goldson

Seconded: Cllr Back

All Agreed

EIFCA25/10 Item 10: Finance and HR Sub-Committee held on 6th May 2025

Draft Minutes of the meeting had been provided.

Members were advised the meeting generally covered routine matters but it had also been noted there was potential for issues around the funding of the Cromer Shoal MCZ project. At that point in time there was insufficient funding to cover the costs, Officers were still attempting to identify funding sources, but if these were not successful it may be necessary to fund the project from Reserves.

The meeting had covered the Annual Statement of Accounts and the decision whether or not to continue to employ the services of an External Accountant as it was no longer a legal requirement.

Cllr Findley questioned the use of Wash Fishery Order funds for other things, following the expiration of the Wash Fishery Order, and whether there was a legal requirement restricting what it was spent on. The CEO advised legal advice had previously been sought and there was no requirement to restrict its use, but it remained under that heading in reserves until there was a need to use it for general revenue.

Mr Goldson asked what the CEO's view was in the event of Defra reducing funding even further. The CEO advised that he thought that New Burden funding would remain, but the Workstream Funding was likely to be reduced if not cease altogether. There was also further funding concern in line with the changes in Norfolk & Suffolk County Councils. Mr Goldson added that the political change in Lincolnshire may also have an impact.

The CEO advised members it was his intention to take a paper to the next Finance & HR Meeting as the funding was currently not viable with an overspend projected for the current financial year. Various options would be developed for consideration and the CEO was also looking to make savings, but unfortunately only being a relatively small organisation savings options were limited. Currently there were 2 posts which had been gapped, which reflected a relatively high percentage of 23 staff.

Cllr Findley felt it was important to look after the people already in post, he suggested challenging Defra at a Government level for more funding, he suggest the three County Councils could make enquiries at a higher level.

The CEO advised the Association of IFCAs were actively representing all IFCAs in attempts to secure improved funding. Dr Gilliland advised the MMO were in a similar position and were actively waiting for the outcome of the current spending review.

Dr Gilliland also questioned when a decision would be made on who benefits from funding received from FAPs, the CEO advised this sat with Defra to resolve, until such time as the question was answered the funds sat in reserves.

Members agreed to Note the contents of the report.

EIFCA25/11 Item 11: Wash Cockle Fishery 2025

For the benefit of new members ACO Godwin gave a brief overview of the Wash cockle fishery, updating members of the ongoing process of opening the Wash cockle fishery 2025. The paper provided members with an update in terms of the process which had taken place so far.

SMSO Jessop provided an overview of the surveys which had been carried out to ascertain the stock levels and the size distribution on the beds. It was noted that the previous years stock had been older cockles, but the 2025 surveys indicated the majority of the stock was 2022 year class, there were also a lot more year 0 juvenile cockles on the beds. The cockle policy called for year 0 cockle to be protected by spatial closures. One sixth of the total biomass was 3905 tonnes which was sufficient TAC to support a fishery, although the adult stock were in low densities throughout the Wash.

Cllr Findley questioned if beach nourishment affected the cockle stocks. Mr Bagley responded that fishermen believed it did, he then advised the Wainfleet Sand used to be a massive bed of cockle which had subsequently changed, coinciding with beach renourishment. Mr Findley noted the response and added that on the flip side it protects the beach.

SMSO Jessop agreed with Mr Bagley's observation but advised there was no scientific evidence to back it up. Historically the area did have better stocks when there was less sediment in the water.

Cllr Findley asked if there was any way to collect any data, it was noted this would be additional work and would need to be agreed by the Authority as it could become a costly exercise. The CEO added this was not part of EIFCAs expertise and was probably more suited to a larger organisation. Dr Gilliland suggested as Environment Agency are responsible for beach nourishment the question should be asked what the baseline was before and what was forecast. Mr Williamson believed the EA had not carried out a baseline study so there was no data for comparison, he felt it was an ongoing battle for the EA to realise they were affecting fisheries, but on the flip side it was hard to argue with the potential loss of life if there was no beach renourishment. Mr Dyer was asked if beach renourishment was really going to stop, he advised this was not his area, but he

would try to find out when it was started and when the planned end date was, or if it was continuing.

Cllr Findley also questioned the impact dredging rivers might have on fisheries; it was felt it was too complex a situation to be certain.

ACO Godwin gave a presentation of the proposed Management Measures, highlighting the need to be very cautious around harbour seals as they were a declining species, consequently if the fishery was likely to be near a seal haul out area there would have to be a closure in place, conversely there would be no need for bird closures in 2025. Vessel monitoring would be enhanced by the MMO having brought in iVMS, which would be a useful tool for fisheries management, particularly for monitoring closed areas. EIFCA would for a limited time be able to offer devices to those whose devices were not able to report every 3 minutes.

Mr Doughty expressed concern that it was difficult to tell if the iVMS on larger vessel was on or not and queried whether there was any leeway for these vessels. ACO Godwin advised this was something that would be considered.

Referring to the closed areas Mr Bagley felt a late start to allow growth would be preferable to having closed areas, which would also alleviate the need for iVMS. The CEO advised iVMS in the Wash had been a long time coming, its use was not solely to protect closed areas, for example it would enable officers to know who had been fishing in an area should there be any incidents of excessive prop washing. For many years the Authority had believed iVMS would prove a useful tool for fisheries management and supporting its introduction was a Business Plan priority. Mr Rowley added that the MMO licence condition stated that iVMS must be switched on when leaving port.

Mr Bagley still felt there was no need for closed areas and therefore no need for iVMS.

ACO Godwin advised there was a need for closed areas to protect juvenile stocks. The survey results presented by SMSO Jessop indicated approximately 50% of the year 0 stock would be protected.

Mr Garnett expressed concern about the closures for year 0 stock, similar closures had been in place in previous years but the following year there had been no cockles in the areas to fish. Mr Garnett was concerned the same process was being repeated and not actually achieving anything.

There was discussion around the closing of beds and the potential to lose stock to ridging out if beds were not thinned out, and that closing low density juvenile beds did not mean there

would be growth for the next year, it was also pointed out there was a need to try and ensure there would be a fishery the following year. Spat fall was not guaranteed each year so there needed to be some balance to ensure future fisheries.

Having discussed the Management Measures it was noted next steps would be completing the HRA and Impact Assessment.

Mr Doughty was concerned about sustainability, particularly as the new byelaw would enable more vessels to fish than had been the case under the Wash Fishery Order, he felt there needed to be a process in place from this point to reduce the number of vessels given permits and suggested that only 1 in 2 permits given back should be re-issued. The CEO advised that at the current time there was no concern with the number of vessels eligible to fish, this would be monitored over time and if it was found there were too many fishing, the number could be varied under the byelaw.

Members were reminded the decision on what to open was not solely down to the stock for next year, there was the HRA to take account of, without that there would be no fishery.

Members Resolved to:

- **Note the contents of the report including the stock survey, the Habitat Regulation Assessment and the proposed management measures.**
- **Agree in principle to open a cockle fishery with a maximum Total Allowable Catch of 3905 tonnes under the Wash Cockle and Mussel byelaw 2021**
- **Agree to delegate authority to the CEO in consultation with the Chair or Vice-Chair to open the fishery and to introduce, vary or revoke flexible management measures referred to in Schedule 4 of the Wash Cockle and Mussel Byelaw 2021.**
- **Agree to delegate authority to the CEO in consultation with the Chair or Vice-Chair to introduce, vary or revoke flexible management measures with less than 12 hours notice, as may be required, in accordance with the provision of the Wash Cockle and Mussel Byelaw 2021**

Proposed: Cllr Back

Seconded: Cllr Chenery of Horsbrugh

All those who could vote, voted in favour.

1259 hrs at this point there was a 20 min break for lunch

The meeting reconvened at 1325 hrs, Ms Love had left the meeting

EIFCA25/12 Item 12: Wash Mussel Fishery 2025 - update

Members were advised that difficulties with markets had resulted in a low uptake of this fishery.

The key update for members was the presence of Chinese Mitten Crabs which were an invasive non-native species, which had created an issued with regard to relaying of adult mussel outside the area.

On discovering the presence of this species immediate action to close the fishery was taken, whilst other organisations were contacted about the finding. It became apparent there was no notional system for detecting the presence of the species in live shellfish movement, which meant the risk was quite high. Management measures had been developed to prevent the relaying of harvestable stock outside the WNNCSAC, unless the applicant can proof action had been taken to ensure no movement of Chinese Mitten Crabs would take place.

This left EIFCA potentially open to risk so a review of the permit conditions would be carried out, which would overlap with permit conditions for the cockle fishery.

Mr Bagley felt closing the fishery was like shutting the door after the horse had bolted. The ACO advised indications were that juveniles survive well so there was every likelihood they would survive transportation, which posed a risk for areas that did not already have a presence of this species.

It was noted there were endeavours to get this species used as bait, but currently they could not be transported or used in any way.

Mr Garnett then raised the presence of slipper limpets throughout the whole of the Wash. ACO Godwin advised he was aware of this and that movement of slipper limpets to other areas was also prohibited.

Members Agreed to note the contents of the report.

EIFCA25/13 Item 13: Cromer Shoal Chalk Beds Byelaw 2023 Permit Conditions.

A brief background was provided for new members. It was noted the byelaw was in the process of being confirmed. Management measures were being developed in two phases, phase 1 related to measures proposed by fishery stakeholders as initial ways to reduce the risk in the MCZ. Phase 2 permit conditions were intended to further reduce risk to an appropriate level considering results of research carried out under the ARM project. Phase 2 permit conditions were postponed by 3 months

to allow Natural England to consider a damage rate report. Indications were that this timeframe would be surpassed but EIFCA had to wait for the report back from NE.

Following consultation with the industry changes were made to the operating distance for harbour-based vessels from 3nm to 1.5nm, it was felt this would protect all of the chalk and harbour fisheries, and NE were in agreement. Part of the object of the closure was to stop fishers already operating from adding additional pots.

Ms Smith expressed concern about larger vessels operating longer shanks of pots which could drift on to the rugged chalk. ACO Godwin advised that any lost gear, even outside the areas would possibly get dragged back ashore. Mr Davies was able to advise that in the area in question it would be taken NW with the tide.

1347 hours Mr Williamson left the meeting

Mr Goldson expressed his view that windfarms did more damage in one fell swoop than fishers did in 100 years. Dr Gilliland responded that two wrongs don't make a right, he then enquired whether changing the operating distance from 3 to 1.5nm would impact on businesses. ACO Godwin advised the proposal had come from Wells fisheries.

Members continued to discuss impacts of windfarms and the impact their vessels might have in the area.

Members Resolved to:

- **Note the outcome of the review and the feedback received during consultation.**
- **Agree to the revised permit condition set out in Appendix 2**

Proposed: Cllr Back

Seconded: Cllr Chenery

There was 1 abstention, the motion was carried.

1358 hours Dr Gilliland left the meeting

EIFCA25/14 Item 14: Review of Annual Priorities and Risk Register

Having been provided with the paper ahead of the meeting, Members were asked if they had any questions, there were none.

Members Agreed to note the content of the report.

EIFCA25/15 Item 15: CEO Update

The CEO provided members with a verbal update of pertinent activities during the last quarter.

AIFCA: Papers for the last meeting had been circulated to all members, it was felt there were some interest items on the agenda, including discussion with Defra on the way forward, and Defra's ambition for IFCA's to taking a leading role in the development of the Cockle Fisheries Management Plans.

FUNDING: Members were advised the indications were that Defra workstream funding may not be forthcoming after this financial year as a result of the Government Spending Review. New Burden funding was hoped to have been agreed as an ongoing payment but even this has not been put agreed in writing.

EIFCA25/16 Item 16: Marine Protection Quarterly Reports

Members Agreed to note the contents of the report.

EIFCA25/17 Item 17: Marine Science Quarterly Report

Members Agreed to note the contents of the report

EIFCA25/18 Item 18: Any Other Business

No items of Other Business had been provided to the Chair.

There being no other business the Chair thanked members for attending and closed the meeting at 1404 hours.

Vision

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



Action Item 6

61st Eastern Inshore Fisheries and Conservation Authority meeting

10 September 2025

Health and Safety update

Report by: Jon Butler, Assistant Chief Officer (DD)

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 to ensure the health, safety and welfare of all its employees and others affected by workplace activities.

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

Incidents

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

There have been **2** incidents and **1** near miss since the last Authority meeting.

Risks/Mitigation

There has been a decrease of incidents and near misses since the last Authority meeting. The heat experienced over the summer has proved challenging for officers working on intertidal surveys, such as cockle and EHO surveys which can involve walking in PPE.

There has been one addition to organisational Health and Safety Risks in Appendix 2. It is felt there are sufficient safeguards in place to discharge the risk associated with item 3. A date has now been added for when the risk is added and when the risk level changes. As all risks were historic the date of 26/08/25 has been 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?
17/06/2025	Officer Injury	Cut finger	Minor First Aid	No	Yes	Simon Lee	Personal multi tools not to be used and cable ties to be covered once cut.
11/08/2025	Officer Injury	Potential Heat Exhaustion	Office cooled and took on fluids	No	Yes	Ron Jessop	Consider relaxation of some PPE during extreme heat or cancelling activity
13/08/2025	Near miss	Deviation from Intertidal RA	Officers entered intertidal area without safety cover present	No	Ongoing	Luke Godwin	Dynamic risk assessment completed at time, learning review to look at if RA needs updating

Appendix 2

Eastern IFCA Organisational Health and Safety risks

Risk	Intervention	Residual Risk	Risk rating* (Current)	Risk rating* (Previous)	Date added
1. Whole Body Vibration	<ul style="list-style-type: none"> Risk awareness training to manage impacts. Health monitoring process to be developed. 	<ul style="list-style-type: none"> Personal injury from boat movement owing to lower resilience as a result of individual physiology 	Tolerate	Treat	26/08/2025
2. Staff stress through exposure to unacceptable behaviour of stakeholders	<ul style="list-style-type: none"> Introduction of Unacceptable Behaviour policy Stakeholder engagement plan and activity delivered in pursuit of corporate communications strategy. Dialogue with Stakeholders to ensure appropriate tone of communications. Conflict resolution training for “front line” Officers Introduction of Body worn Camera’s and Sky Guard Alarms. 	<ul style="list-style-type: none"> No change in behaviour of some stakeholders. Long term sickness caused by stakeholder hostility 	Tolerate	Treat	26/08/2025
3. Physical fitness of personnel to undertake arduous duty	<ul style="list-style-type: none"> Staff briefing Management overview to ensure rostered duties are appropriate and achievable Reasonable work adjustments Routine periodic medical assessment (ML5) 	<ul style="list-style-type: none"> Individual health fragilities Individual lifestyle choice 	Terminate (10/09/25)	Tolerate	26/08/2025

4. Working at Height	<ul style="list-style-type: none"> • Staff briefing • Scoping of all quayside ladders • Risk Assessment • Training to be provided if required 	<ul style="list-style-type: none"> • Failure of quayside ladders • Ownership of quayside ladders not clear 	Tolerate	Treat	26/08/2025
5. Building Fire Risk Assessment	<ul style="list-style-type: none"> • External Fire Risk Assessment • Action identified risks/corrective actions 	<ul style="list-style-type: none"> • Fire Warden Training • Share assessment with NCC H&S advisor 	Treat		28/08/2025

*

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

Vision

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



Action Item 7

61st Eastern Inshore Fisheries and Conservation Authority meeting

Report by: Julian Gregory, CEO

Meeting of the Finance & HR Sub-committee held on 5 August 2025

Purpose of report

To inform members of the key outputs and decisions from the Finance & HR Sub-Committee meeting held on 5 August 2025.

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 5 August 2025. 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 5 August 2025.

Appendix A

Unconfirmed minutes of a meeting of the Finance & HR sub-committee held on 5 August 2025.

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 5th August 2025 at 1030 hours.

Members Present:

Cllr T FitzPatrick	Chair	Norfolk County Council
Cllr E Back	Vice Chair	Suffolk County Council
Cllr T Adams		Norfolk County Council
Cllr M Chenery of Horsbrugh		Norfolk County Council
Cllr K Robinson		Suffolk County Council
Ms I Smith		MMO Appointee
Cllr G Taylor		Lincolnshire County Council

Eastern IFCA Officers Present:

J Butler	Assistant Chief Officer (DD)
L Godwin	Assistant Chief Officer
J Gregory	CEO

FHR25/13 Welcome

The Chair welcomed members to the meeting, with introductions made to ensure new members were aware of the roles of Officers.

FHR25/14 Apologies for absence

Apologies for absence were received from Mr S Williamson.

FHR25/15 Declarations of Members Interest

No Declarations of Interest were received.

FHR25/16 Minutes of the Finance and Personnel Sub-committee meeting held on 6th May 2025

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

Proposed: Cllr Chenery of Horsbrugh

Seconded: Ms Smith

All Agreed

FHR25/17 Matters Arising

CROMER SHOAL MCZ: At the previous meeting the lack of funding to support this workstream had been highlighted. The CEO updated members that the FASS funding stream applied for previously had been re-opened for this financial year and an application had been made, and a response was awaited. It was noted that should funding not be found for this financial year members were aware that a request may be made to utilise funds from the reserves.

FPV THUNDERSTRUCK ENGINES: Rectification of issues with the engines was ongoing and it was anticipated that a way forward would be agreed with the suppliers within the next two weeks. The Authority's legal advisors were advising officers to ensure that the Authority's position is protected.

FHR25/18 Quarter 1 Payments and Receipts

The report provided a breakdown of actual income and expenditure during the first quarter, all of which the CEO advised was in line with expectations.

Members Agreed to Note the report.

FHR25/19 Quarter 2: Management Accounts

The CEO asked if showing variances for income was potentially confusing, when in reality the majority of the income was received from levies in the early part of the year. The Chair felt it best to remain in its current format but for members to understand the variances.

The only budget heading which appeared a little high was *FPV Thunderstruck*, but this was partly attributable to the costs incurred with the engine issues.

Cllr Adams questioned if some of the Levies had been paid early, this was not the case as two levies had needed to be chased up.

Members Agreed to note the Management Accounts

FHR25/20 Internal Audit Report

Members were reminded that whilst there was no obligation to continue having both an internal and external audit the Authority had chosen to continue with both. Previously the External Audit had been carried out by PKF Littlejohn, as they no longer provide the service it would now be carried out by an independent department at Aston Shaw Accountants.

The Internal Audit had been completed by Norfolk Audit Service, whilst the finding resulted in a standard adequate to meet the needs of the Authority, the process had identified three negative findings, albeit they were not regarded as serious matters. Members noted one of the issues was, in part at least, due to an oversight in rewording the Financial Regulations, another related to two

outstanding payments and the third was effectively a duplication of another finding.

Ms Sams advised the Annual Return Form did not always line up with accounting practices used by EIFCA, for example there was reference to fixed assets on the balance sheet but as EIFCA did not depreciate assets they did not appear on the balance sheet.

Cllr Adams acknowledged this was essentially a voluntary exercise, and the Auditors were picking up minor things. He suggested it was good practice to continue the process but as assets were discussed at most meetings, he didn't see the need to produce a more detailed asset register for the Auditors.

The CEO explained the issue had previously related to the sale of vehicles in line with the asset register and not depreciating the vehicles each year, consequently they appeared to have a value over £10,000. To address this issue a process was in place to ensure a standard retail value was achieved.

Overall the Audit had found only minor issues, which indicated they were looking thoroughly at the accounting processes.

Cllr Taylor enquired what process was used to decide on when to sell or replace a vehicle. ACO Butler advised vehicles are generally kept for 7 years, generally bought via a national framework, unless more favourable prices could be found at local retailers.

EXTERNAL AUDIT: The Annual Return had been completed, checked and signed by Norfolk Audit, but it had become apparent the lay out of the table was not in line with the End of Year Accounts produced by the Authority. Ms Sams suggested the form be re-designed to reflect the layout of the Annual Accounts. As the External Auditor was changing it was felt this was the time to change the layout of the report. Obviously, a new report would have to go back to the Internal Auditors for them to review the changes.

In view of the proposal an alternative recommendation was put forward.

It was proposed that the Annual Return for the Financial Year should be revised to align with the Authority's accounting methodology.

Proposed: Cllr FitzPatrick

Seconded: Cllr Robinson

All Agreed

This proposal therefore became the recommendation.

It was Resolved the Annual Return for the Financial Year be revised to align with the Authority's accounting methodology.

Proposed: Cllr FitzPatrick

Seconded: Cllr Robinson

All Agreed.

FHR25/21 Budget & Levies 2026-27

The CEO reminded members that recent budget projections had projected a shortfall in income against estimated expenditure. Members were provided with a presentation, which included four available options to address this shortfall.

Each of the options was considered. Among the options, consideration was given to the current sources of income, possible decline in Defra workstream funding, possible additional income from permit fees or sampling charges. It was noted that the Authority had previously committed to a maximum 50% cost recovery from Wash shellfish permit fees so any increase would be limited.

The Authority was currently running with two gapped posts, whilst it was felt possible to continue one officer down in the Marine Science team it was felt it would be more difficult to continue one officer down in the Marine Protection Team as they also act as crew for the vessels.

The CEO was confident annual discussions with the three County Council Treasurers had demonstrated that the Authority were financially prudent. However, he was aware that asking for a potential 23% increase, whilst only being relatively small in terms of the sums being requested, sounded like a lot.

Option 2, which was a staged increase in levies and monitoring of the fiscal situation, was the recommended option. This would mean that the increase in levies would be circa 12% with the potential for a similar increase in subsequent years if the Defra funding is not continued. Deleting or continuing to gap one or both of the two vacant posts would be a consideration as would seeking some improvement in income generation, and the potential funding shortfall would be underwritten by the Authority's reserves, which would potentially be mitigated by the asset replacement element of the levies, which is predicted to total £184,483 in 2026-27.

Members spent time considering the options, as well as noting the financial difficulties being felt by County Councils in the forthcoming financial year. Whilst Cllr Adams felt option 2 had merit, he was concerned EIFCA could be storing up problems for the future, but if the indication was that Treasurers were not against an increase, he felt it was a good option. The CEO advised that the Treasurers still wanted to see the Authority were being prudent and could show changes to reduce expenditure. Cllr Adams suggested the Authority demonstrate the risk to fisheries if not appropriately funded. Cllr Robinson expressed an air of caution knowing the County Councils had very tight budgets. It was noted that should Defra workstream funding not be forthcoming after the current financial year it may be necessary to take an alternative option.

Members Resolved to:

- **Note the content of the report**
- **Agree that the principles of option 2 be applied in preparing the budget and levies for 26/27 for consideration at the November 2025 meeting of the sub-committee.**

Proposed: Cllr Back
Seconded: Cllr Chenery
All Agreed

FHR25/22` Resolution

Members Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for item 11 on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act.

Proposed: Chair
Seconded: Cllr Robinson
All Agreed

HR25/23 HR Update

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

- There had been no staff changes during the previous quarter. There remained two gapped posts, as a consequence it had been identified there was a backload of work to be signed off, as a result a temporary 'acting up' post had been given to one of the current Grade 5 MSO to help clear the backlog.
- Sickness levels remained low, with only a total of 5 days sickness being recorded in the quarter. These 5 days related to two officers.
- The 2025/26 pay review had been resolved. A final 3.2% increase from 1st April 2025 had been agreed along with agreement that scp2 would be deleted from 1st April 2026. The increase and any backpay would be included in Officers pay from August.
- The Health & Safety Wellbeing Assessment was analysed. Some minor issues were highlighted. One being a request for a female forum, which had been implemented, led by the Senior MSO with support from the external HR Support.
- One Disciplinary Hearing had taken place, the outcome had been a written warning and some other recommendations, including training. The process had been supported by outsourced HR.

Members Agreed to note the content of the Report.

FHR25/24 Any Other Business

There were no other matters for discussion.

The meeting closed at 1142 hours, the Chair thanked members for attending.

Vision

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



Action Item 8

61st Eastern Inshore Fisheries and Conservation Authority Meeting

10 September 2025

Cromer Shoal Chalk Beds MCZ ARM Rates of Damage Report

Report by: Samantha Hormbrey Senior MSO (Projects and Policy), Luke Godwin (ACO)

Purpose of Report

The purpose of this report is to provide members with an update on the progress of Adaptive Risk Management (ARM) in Cromer Shoal Chalk Beds Marine Conservation Zone (MCZ). Specifically, this report updates on the development of a footprint approach to calculating the rate of impact from potting on rugged chalk, previously reported on at the 59th Authority meeting.

Recommendations

It is recommended that members:

- **Note** the contents of the paper
- **Agree** to endorse the approach set out in this paper to develop management measures under Phase 2 permit conditions for the protection of the Cromer Shoal Chalk Beds Marine Conservation Zone under the wider Adaptive Risk Management Project.

Background

The Cromer Shoal Chalk Beds Marine Conservation Zone (hereafter, “the MCZ”) is designated in part for its complex chalk structures (‘rugged chalk’). Assessment of the pot-based fishing activity which occurs within the site cannot rule out hindrance of the MCZ’s conservation objectives and is being managed under Adaptive Risk Management (ARM). ARM involves adopting management which is proportionate to the risk identified and adequately proportionate to the level of uncertainty whilst undertaking research to better understand the level of risk and the effectiveness of those measures and which is undertaken in agreement with Natural England.

The development of management measures is a key ARM workstream. The Authority made the Cromer Shoal Chalk Beds Byelaw 2023 at the 51st Eastern IFCA Meeting and the byelaw is currently undergoing formal quality assurance with the Marine Management Organisation. In parallel, management measures in the form of permit conditions have also been in development in two phases. Phase 1 permit conditions, which included fishing industry led ideas for reducing risk to the rugged chalk within the MCZ, were agreed by the Authority at the 60th Eastern IFCA meeting.

Phase 2 permit conditions are intended to further reduce risk to the site to an appropriate level to enable the continuation of ARM including critical research projects such as the Natural Disturbance Study.

The development of Phase 2 permit conditions is in part contingent on refining an accurate estimation of the current level of risk posed by potting activity. At the time ARM was established there was a paucity of information on potting levels, potting locations and the amount of 'damage' caused by each pot interacting with the rugged chalk. At the 59th Eastern IFCA meeting, members were presented with a model for potentially better characterising risk using newly available data with a view to using this to inform the development of Phase 2 management measures. The associated report which is referred to as the 'rates of damage' report was, at that time, being considered by Natural England.

Report

Potting over rugged chalk is known to cause small-scale incidents of damage which, cumulatively and over time, may lead to degradation of the complex structure of the chalk which would reduce its ability to support diverse fauna and flora which in turn would constitute hinderance of the associated conservation objectives.

Notwithstanding the pending outcomes of the Natural Disturbance Study, which will identify the relevance of potting damage in the context of the scale and consistency of naturally derived damage to the rugged chalk, understanding the rate at which potting damage is caused is important to developing management measures via Phase 2 permit conditions. In simple terms, if the rate of damage is high and the timeframe for hindering the conservation objectives is short, then Phase 2 permit conditions will need to address this risk by reducing potting activity with a degree of immediacy. Where rates of damage are slower, and the timeframe is longer, measures which seek to reduce effort within rugged chalk over a longer period of time would be more appropriate. The difference as reflected in permit conditions could be, for example (*for illustrative purposes only*), an immediate pot limitation looking to halve fishing activity in the rugged chalk versus a permit limitation scheme which seeks to reduce the number of vessels over several generations. Addressing the level of uncertainty in this regards is therefore critical to developing management measures which protect the site and are not disproportionate to the risk posed.

An approach to calculating the rate at which damage is occurring was developed in January 2025. This approach was outlined in the 'rates of damage report' which is at Appendix 1. It is important to note that the report is currently undergoing review and that this paper is primarily concerned with the 'approach' to determining risk, rather than the outcomes of the initial report at Appendix 1.

The intention of the approach is to estimate, using best available evidence, the level of risk posed by potting by considering the 'amount' of damage caused in the context of the area of rugged chalk and to estimate a timeframe within which the conservation objectives may be hindered.

The data which underpins the report (*post*) is limited but represents a significant enhancement compared to what was available at the time Natural England produced their initial advice (August 2020). It is intended that new data is added over time to

provide updated estimates and to inform further risk assessments and the report is currently undergoing revision to that effect.

The key elements of the report are summarised below.

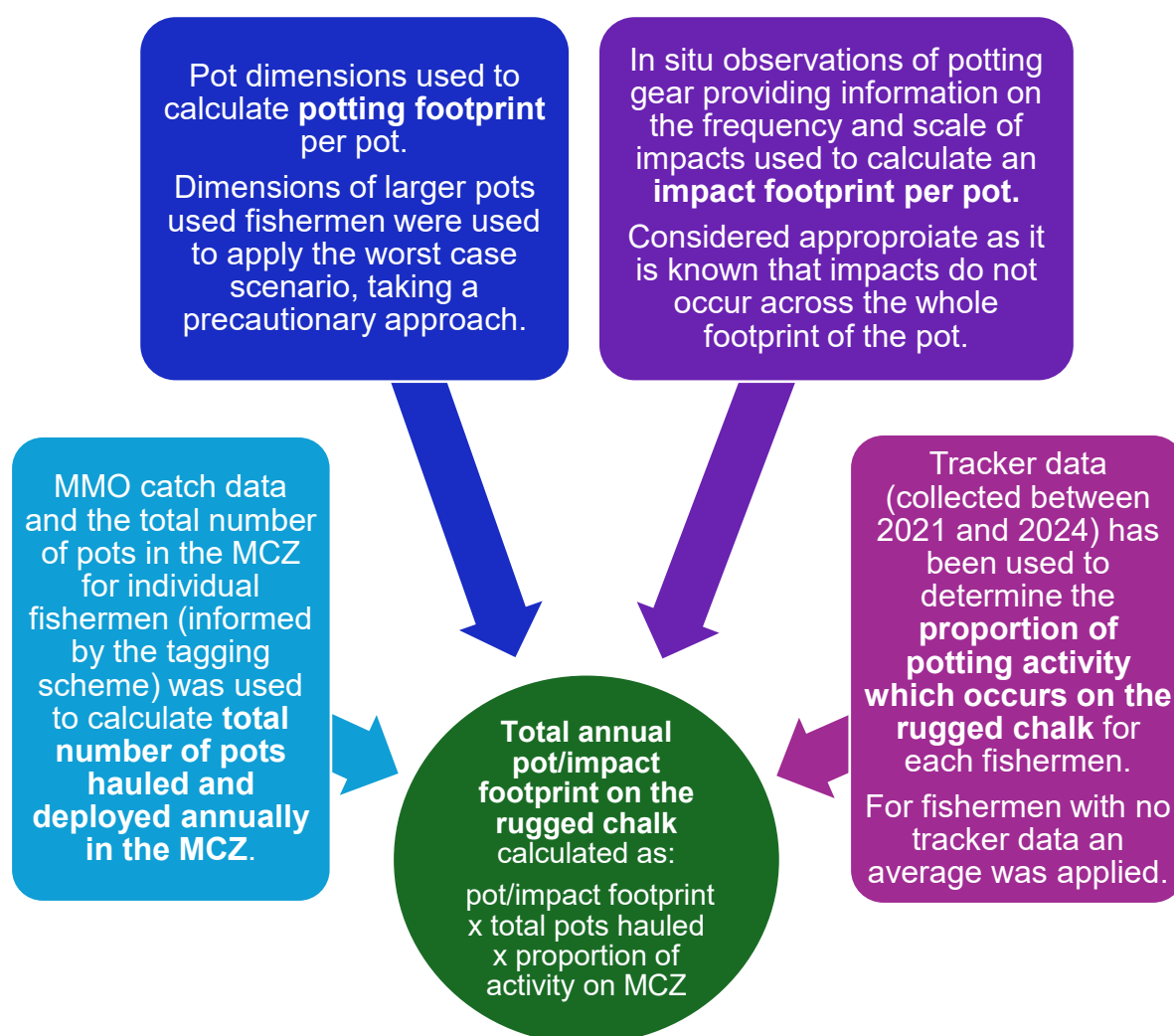
Method

The following data was used to estimate an area of damage caused by potting activity annually:

- Maximum pot dimensions – provided by fishermen and local IFCO's
- Number of pots in the MCZ – provided via the voluntary tagging scheme
- Vessel positional data – sourced from vessel trackers
- Number of fishing trips (annually) – sourced from MMO catch data
- Pots hauled/deployed per trip - sourced from MMO catch data
- Frequency and scale of impacts – provided from in situ observations gathered during ROV and dive surveys (Tibbitt *et al.*, 2020¹ and Dell and Dewey 2022²)

¹ Tibbitt, F., Love, J., Wright, J., Chamberlain, J. 2020. Human Impacts on Cromer Shoal Chalk Beds MCZ: Chalk complexity and population dynamics of commercial crustaceans. Natural England Research Report number 04412.

² O'Dell, J. and Dewey, S. (2022). Cromer Shoal Chalk Beds MCZ Imagery Analysis Final report. A report to Natural England by Seastar Survey Ltd. 63 pages.



Outputs

Two different sources for 'impacts per pot' were used (Tibbitt et al 2020 and O'Dell and Dewey 2022) and which generated two damage footprints of between 0.00096km² and 0.00138km² per year. As a proportion of the area of rugged chalk, the potting damage is estimated at between 0.005111% and 0.007348% per year.

Outputs in the context of 'hindering the conservation objectives'

In order to estimate a timeframe for hindering the conservation objectives of the site, the outputs from other assessments (albeit assessments relating to types of Marine Protected Areas other than MCZs) were considered. A review of assessments which considered 'small scale impacts' was used to inform this consideration³ which essentially compared the extent of damage estimated within the MCZ against the lowest thresholds for a significant adverse effect on site integrity based on previous assessments.

³ NECR205. 2016. Commissioned by Natural England. Small-scale effects: How the scale of effects has been considered in respect of plans and projects affecting European sites - a review of authoritative decisions.

This comparison identified that, based on the current data, potting activity would hinder the conservation objectives of the MCZ within a timeframe that ranges from 73.5 to 371.7 years depending on whether the impacts identified were considered as 'habitat loss' or 'habitat deterioration' respectively.

Limitations of the report

The report highlights the caveats and limitations of the approach which are summarised below:

- Limited fishing activity data – estimates of fishing activity are primarily based on a single year's dataset (2022) because this provided the most accurate pot deployment data.
- Limited spatial data – compliance with the voluntary measures for all vessels to carry trackers was limited until early 2025 (when the measure became mandatory) and as such, estimates on the amount of activity within the rugged chalk areas are of lower confidence (averages were used based on the limited tracker data and applied to all vessels known to fish within the rugged chalk areas and MCZ which could represent an over or under-estimate).
- The 'damage per pot' estimates – these are based on a single study (O'Dell and Dewey 2022) which was the only such study to provide estimates of the area of damage per pot and it is noteworthy the damage incident per pot was lower in this study compared to Tibbitt *et al.* 2020).
- Use of a 'footprint approach' on a 3D structure – the report considers the area of damage as a 2D footprint and compares this against the area of the rugged chalk within the site. In reality, the rugged chalk is a complex 3D structure and damage caused by pots is likely to occur across all three planes (e.g. vertically up the side of a raised feature) but will be represented within this approach as having occurred horizontally across an area of chalk. This will have the effect of over-estimating the extent of damage as a proportion of the rugged chalk, potentially significantly.

Importantly, and in keeping with the ARM approach, it is intended that the approach outlined in the report is updated regularly to update the level of risk identified over time as new information becomes available. Given that the outputs of the report are intended to better characterise the level of risk currently posed rather than identify an absolute threshold for hindrance of the conservation objectives, and that the caveats and limitations may represent both over and underestimating the rates of damage, it is considered to be an appropriate approach.

Natural England consideration

Following the drafting of the report in January 2025, it was submitted to Natural England for consideration, who provided initial and informal feedback on the approach on 25 March 2025, and which was the subject of further discussions thereafter.

In summary, Natural England do not support the use of this approach in determining risk to the site for the reasons set out below:

- Natural England support work to improve its accuracy and to inform the development of future management.

- Natural England do not support the approach of deriving thresholds from decisions made in past case law to determine the amount of time potting may take to undermine the Conservation Objectives of the MCZ as few cases relate to irrecoverable features.
- The methods used to determine rate of impact per pot are subjective and are likely to underestimate the level of damage attributed to potting as they do not consider all structural impacts caused by potting to chalk and are collected during favourable conditions when seabed energy is lower.
- Damage to the 3D structure of the chalk should be considered as habitat degradation.
- Habitat attribute targets for the rugged chalk that would be hindered by the damage (through loss of structural complexity/niche availability and associated reduction in diversity of benthic communities in a given area) should be taken into account and which include:
 - *Recover the presence and spatial distribution of subtidal chalk communities.*
 - *Maintain the surface and structural complexity, and the stability of the subtidal chalk.*
 - *Maintain the species composition of component communities.*
- Any level of impact, over and above that caused by natural processes, will result in the feature being taken further away from the Conservation Objectives and, therefore, should be considered as material.

Importantly, Natural England appeared to be accepting that there is no other means of assessing the level and / or the immediacy of risk at this time which can be used to inform the development and effectiveness of Phase 2 permit conditions.

The feedback from Natural England was carefully considered and the following key points are considered relevant:

- The intention of the approach is not to determine a point in time that the conservation objectives will be hindered, but to better characterise the level and immediacy of risk to inform development of the management measures prior to the conclusion of the Natural Disturbance Study. Comparison with the outcomes of other assessments is considered to be appropriate in this context.
- The relevance of using outputs from previous assessments in determining a 'threshold' in this context is a legal, rather than a biological question and which may warrant seeking a legal opinion.
- Rugged chalk structures are 'irrecoverable' to an extent, but structural complexity (which is the attribute of the rugged chalk which supports high biodiversity and is the primary reason for designation) is not necessarily irrecoverable – natural processes in the short and long term will contribute to the enhancing structural complexity including burrowing piddocks (short-term), and natural abrasion (medium to long term). Considering the impacts of potting in the context of a volume of chalk 'lost' in isolation is not necessarily appropriate when considering the impacts in relation to the rugged chalk feature.
- The extent to which the estimates of damage to chalk per pot are subjective can be applied equally to this assessment as they can to Natural England's

advice of August 2020 (which was based upon one of the studies referred to in the rates of damage report) and is adjudged to have followed a robust methodology in any case to address such 'subjectivity'. Further information is also being sought to enhance the evidence base in this regard in accordance with the general approach.

- Determining whether damage caused by potting is additive to natural disturbance is the subject of the Natural Disturbance Study and the current review is intended to inform development of management measures in lieu of the project's outcomes. In addition, the concept that 'any damage' is to be considered as materially taking the feature further away from its conservation objective is not considered to be consistent with the Marine and Coastal Access Act 2009 which refers to 'significantly' affecting the protected features of an MCZ (s.126(1)).
- Much of the uncertainty which underpinned Natural England's August 2020 advice related to the scale of fishing activity within the rugged chalk area and how this translated to hindrance of the conservation objectives of the site and the rates of damage report intends to address these uncertainties.

Overall, estimating the level and immediacy of risk associated with potting using the 'rates of damage' approach is considered to be the most objective means of doing so utilising all the best available evidence. It is considered to be in keeping with an ARM approach.

It is also important to note that it is intended that the feedback provided by Natural England will be addressed in the coming revision to the report.

Updating the rates of damage report

Since the initial rates of damage report was shared with Natural England, further fishing activity information has become available to update the report. Initial indications are that the fishing activity level estimates are likely to increase and there may be a greater proportion of fishing activity occurring within the rugged chalk than assumed in the first assessment. Consequently, it is anticipated that this new data will likely increase the rate of impact, reducing the projected timeframe in relation to hinderance of site conservation objectives.

The following actions will be prioritised over the coming year to target key evidence gaps and refine the model further:

- Incorporation of 2025 tracker and IVMS data to refine the spatial distribution of potting activities and proportion of activity on the rugged chalk. Use of trackers became mandatory by the fleet in April 2025, prior to the use of IVMS (inshore vessel monitoring systems) also becoming a national requirement in May 2025. The introduction of these measures means that vessel positional data will be available for the whole potting fleet, improving the accuracy of calculations determining the proportion of activity on the rugged chalk.
- Completion of the analysis of imagery collected by officers in 2022 and 2023 from in situ gear surveys using the BlueROV2 and analysis of other available data (particularly from diver stakeholders through the evidence sub-group). Incorporation of this data will build on the O'Dell and Dewy 2022 study, increasing the overall sample size and robustness of data used to calculate rate of impact per pot.

- Development of a project to understand the timeframe for recovery of faunal turf on the surface of chalk following impact. Determining the recovery rate of faunal turf will enable a better understanding of the timeframes for which observed impacts have occurred when analysing seabed imagery.
- Calculation of the surface area of the rugged chalk using available multibeam bathymetry data. This will enable a more accurate estimation of the proportion of rugged chalk to be impacted by the fishery on an annual basis.

In line with ARM, the outputs of this work and any other data identified would feed into the model as obtained, updates would trigger a review of risk and, subsequently, identify whether existing management remains proportionate or require adjustment.

Endorsing the use of the rates of damage report

It is important to highlight that in lieu of Natural England endorsement for the approach there is a degree of risk associated with adopting this approach, particularly in the context of recent calls from the Marine Conservation for Norfolk Action Group seeking to legally challenge the Authority's approach to the management of potting in the MCZ.

Whilst cognisant of Natural England's feedback, in the absence of an alternative approach to assessing the rate of impact to chalk and the level of risk to the site, it is considered appropriate to apply this approach to inform the development of Phase 2 permit conditions.

Using the latest available data and evidence to update calculations, a second version of the rates of damage report is being developed, the outputs of which will be used to review risk to the site and inform the development of Phase 2 permit conditions which, it is intended, will be presented at the December Authority meeting.

Noting the timeframes set out in the original version of the report (Appendix 1), which are subject to change as a consequence of the pending review, this is likely to lend itself to longer-term effort reductions within the site as a reflection of the lower immediate risk and longer timeframes.

Financial Implications

No costs additional to the Authority's resources have been identified to continue the development of this workstream as the assessment involves a desk-based analysis of existing data.

There may be a case to request advice from legal counsel with regard to the appropriateness of using the outputs from historical assessments to inform the identification of timeframes within which potting is likely to hinder the conservation objectives. In addition, there may be cause to seek other expert third-party advice on the findings of the report as required potentially in response to potential legal challenge (*post*).

Legal Implications

Adopting the approach set out in this paper potentially represents a risk of legal challenge noting in particular that Natural England are not supportive of the approach. It is important to note also that the Marine Conservation for Norfolk Action

Group is understood to have sought support for a legal challenge against the Authority with regards to management of the MCZ so far.

The estimates set out in the rates of damage report at Appendix 1 indicate that the current level of risk is low and the timeframes for hindering the conservation objectives will be over several centuries (noting that Natural England agree that the impacts should be considered as 'habitat degradation'). Notwithstanding that the report is in the process of being updated, this timeframe is likely to be at odds with the views of some stakeholders and potentially Natural England, which would potentially lead to an increased likelihood of legal challenge should the approach be endorsed and used to inform Phase 2 permit conditions.

Conversely, implementing management measures which are more immediate and cause impacts to existing fishing activity could be considered as disproportionate in the context of the report's findings. It would follow therefore that there would be a risk of legal challenge arising from fishery stakeholders on that basis.

In part because of the report's findings, the adoption of this approach is considered to carry with it a risk of legal challenge which may require consultation with legal counsel going forward.

Ultimately, in the event that the report had found (or later finds following further updates as outlined above) that risk changes (including if risk is found to be higher than outlined in the original report) then the Authority would be recommended to take a different management approach which appropriately reflects the level of risk.

Adopting a risk-based approach, particularly in the context of the uncertainties surrounding the impacts of potting on rugged chalk, appears to be sound and supported by law and relevant policy. In particular, in relation to the requirements set out in s.126 of the Marine and Coastal Access Act 2009 (*ante*) and the adaptive risk management approach set out in the 'Review of the current context of Adaptive Risk Management'⁴, which provides that "*ARM should therefore be predicated upon a robust and comprehensive assessment having taken place, the outcome of which should be management that is proportionate to the risks posed by the fishery and adequately precautionary in the face of uncertainty. ARM then entails a process of monitoring, reviewing and feeding back into ongoing management decisions both to ensure their ongoing suitability and to prevent unacceptable impacts from occurring...*".

Conclusion

The recommended approach to determining risk is based on an objective assessment of the best available evidence. In lieu of other means of establishing the current level of risk on which to base the development of management measures, the approach described in this report represents the best means of ensuring that management is proportionate and effective.

Appendices

Appendix 1 - Rates of damage report V1 (January 2025)

⁴ [Current-context-of-Adaptive-Risk-Management-review-V1.0.pdf](#)

Background Documents

Cromer Shoal Chalk Beds MCZ Adaptive Risk Management Plan⁵

Minutes and papers for Action Item 13 of the 51st Eastern IFCA meeting held on 8 March 2023

Papers and minutes for Action Item 11 of the 59th Eastern IFCA meeting held on 12 March 2025

⁵ [2024 CSCB MCZ ARM Plan FINAL.pdf](#)

Appendix 1 – Rates of Damage Report V1

Cromer Shoal Chalk Beds Marine Conservation Zone Adaptive Risk Management Report: Rate of damage to rugged chalk

Executive summary

This paper seeks to estimate the level of impact caused by pot-based fishing activity within the Cromer Shoal Chalk Beds Marine Conservation Zone (the MCZ). In particular, the paper considers impacts to the 'rugged chalk', a feature of the MCZ which is notable for its high structural diversity.

The level of fishing activity is determined as the number of 'pot deployments' which encompasses interactions between pots and ropes with the rugged chalk using best available evidence.

The area of damage caused by each pot is then estimated based on data gathered from Eastern IFCA ROV surveys and analysis undertaken by third-party contractors.

The area of impact to the rugged chalk is further refined by considering 'types' of impacts which are likely to reduce the structural complexity of the rugged chalk.

The area of impacts likely to reduce the structural complexity of chalk is then scaled up by pot deployments and a total, annual area of impact is estimated. These estimates are then considered as a proportion of the area of the rugged chalk identified within the MCZ. Two estimates are provided: 0.005111% and 0.007348% per year.

The annual rate of damage is then compared to other cases where small scale impacts within Marine Protected Areas were considered. This comparison identifies that, based on the current estimates, potting activity would hinder the conservation objectives of the MCZ within a timeframe that ranges from 73.5 to 371.7 years depending on whether the impacts identified are considered as 'habitat loss' or 'habitat deterioration'.

The estimates are based on a number of assumptions and a number of uncertainties exist. In particular, the 'damage rate per pot' is estimated using a relatively small sample size and most significantly, the impact as a proportion of the rugged chalk extent assumes that rugged chalk is a two-dimensional feature, which is not the case and consideration of the total surface area of rugged chalk is likely to significantly reduce the estimated impact as a proportion of the rugged chalk, potentially by an order of magnitude.

On balance, whilst a number of uncertainties remain, the estimates provide a reasonable assessment of the rate of damage to the rugged chalk and crucially, the timeframes associated with hindering the associated conservation objectives.

Introduction

This paper is intended to inform the 2025 interim report on Adaptive Risk Management (ARM) of pot-based fishing within the Cromer Shoal Marine Conservation Zone (MCZ).

Risk management is, by its nature, imprecise and dependent on pragmatic consideration of the information which is available. Evidence relevant to managing fishing activity within Marine Protected Areas is generally lacking and this is particularly true in the case of potting in the MCZ which, until advice was received to the contrary in 2020, was assumed to be compatible with the features of the site.

The aim of this report is to outline findings based upon consideration of datasets which have been developed and / or become available since the 2023 interim report so as to provide a better understanding of the level of risk posed by potting activity.

Defining a rate of damage to rugged chalk

Since the 2023 interim report, additional fishing data has been gathered and analysed. In particular:

- a 2022 dataset, referred to as ‘the 2022 dataset’⁶, which includes fishing activity and effort (number of pots hauled) has been provided relating to all vessel sizes (previously, only catch data for vessels over 12m in overall length was available);
- as a consequence of the ‘Pot Tagging Project’⁷, the number of pots associated with each vessel operating within the MCZ has been determined and which vessels operate within the MCZ; and
- vessel trackers deployed on a voluntary basis since 2021 have generated data relating to the spatial distribution of fishing activity across the MCZ and the rugged chalk.

This data was used to estimate the number of pot deployments per year and then an estimate for area of damage annually.

Pot deployments

The number and nature of fishing vessels known to fish within the MCZ have been established through ongoing dialogue with fishery stakeholders and through the Pot Tagging Project.

In the first instance, an estimate of the number of pots deployed per year is determined by multiplying the number of pots associated with each vessel by the number of trips each vessel undertook annually. Determining the number of pot deployments using this method generated an annual average of 355,452 pot deployments per year. Over recent years the maximum number of deployments was 559,680 (in 2022) and the minimum was 146,500 (in 2010). Noting that the calculation assumes a constant number of pots per vessel, the large range between the two estimates is explained primarily by the increased number of vessels operating each year, whereas number of trips per vessel is relatively stable. This may be an artefact of changes to vessels which operate in the MCZ over time i.e. the calculation assumes that the vessels fishing now were fishing in 2010, which may not be the case and so may underestimate fishing effort historically. For that reason, the average value determined across the 14-year period is discounted. A more reliable average number of pot deployments is estimated as 446,937 during the period 2017 to 2023 (inclusive). This period was chosen because the number of vessels operating was relatively stable (between 16 and 18 per year).

A more detailed effort dataset was also used to determine the number of pot deployments. The 2022 dataset includes the number of pots hauled during each trip and using this dataset it is estimated that 323,144 pot deployments occurred during the year, calculated simply by summing the number of pot deployments reported in the dataset.

⁶ The 2022 data set is the first data release provided by the Marine Management Organisation on 13 September 2023 of combined catch records from the three catch recording systems (representing under 10m vessels, 10-12m vessels and 12m+ vessels). The data set included a caveat to the effect that the effort estimates were not of ‘a large degree of confidence’ due to some reporting errors identified.

⁷ The Pot Tagging Project has sought to procure pot tags for all pots deployed within the MCZ on a voluntary basis, prior to the Cromer Shoal Chalk Beds Byelaw 2023 coming into effect and requiring such. The Project was funded by the World Wildlife Fund.

It is noteworthy that the 2022 dataset indicates significantly fewer pot deployments during 2022 than estimated by the previous method, which assumed all pots being active for each trip. Consideration of the data identified that the total number of pots associated with a vessel are rarely all hauled and set at a given time which is also logical to assume (because pots are often ashore for repair or because fishery productivity isn't sufficient to warrant all pots being deployed etc.). Therefore, the 2022 detailed dataset is considered to be the most reliable estimate for pot deployments at this time.

In coming to this conclusion, it is noteworthy that 2022 represented a peak in fishing activity according to the MMO catch data in terms of number of trips and number of vessels, with a reduction observed in 2023. Therefore, whilst the detailed fishing activity data is only available for 2022, this data appears to be the most appropriately precautionary means of estimating pot deployments.

Tracker data has been used to determine what proportion of these pot deployments occur over the rugged chalk. Precise location, speed and heading information is provided at less than one-minute intervals for all vessels with trackers. Where this information is consistent with fishing activity (a specified heading and speed) the vessel was deemed to be fishing. The proportion of tracker reports which overlapped with the rugged chalk areas (Type 1 and Type 2 areas) was then provided for each vessel using trackers. The proportion of fishing activity over rugged chalk was found on average to be 34.99%, ranging from 4.39% to 61.29%. Pot deployment figures were then adjusted for the proportion of fishing activity which occurred over the rugged chalk. Where vessels had trackers fitted, the actual proportion was used to adjust pot deployment figures. Where a vessel did not have a tracker fitted, the average proportion was used.

The resultant number of pot deployments within the rugged chalk is therefore **118,832 pot deployments per year**.

The following important caveats are relevant to note in these calculations:

- The level of fishing activity and the spatial distribution of the fishing activity is likely to vary annually but is based on a single year of catch data which appears to represent a peak in fishing activity.
- The spatial distribution of fishing activity is estimated from tracker data from 12 of the 25 vessels known to operate (at least partially) within the MCZ. Further, those with trackers did not operate with a functioning tracker at all times.

Area of damage

Data obtained through the Authority's ROV surveys used in O'Dell and Dewey (2022) and the information provided in Tibbitt *et al.* 2020 have been further analysed to provide rates and extent of damage caused by fishing activity.

Using the data from O'Dell and Dewey (2022), which observed 62 pots interacting with rugged chalk, a rate of 'damage' per pot was estimated for both pots and rope. For the purpose of this estimate, where fishing gear (pots or rope) were noted as 'in-situ' or 'in the vicinity' of damage, this was attributed to that fishing gear. Where fishing gear was noted as 'in the area' or where no fishing gear was observed, the damage was discounted from this estimate. This is appropriate in estimating a rate of 'damage per pot' on the basis that damage seen 'in the area' of fishing gear could be attributed to natural disturbance or a previous pot deployment. Damage noted 'in the vicinity' of fishing gear was included on the basis that pots in particular are

known to move a distance before settling on the seabed, potentially causing damage before settling into a more stable position. Similarly, rope (particularly the ground rope) could shift during deployment and cause damage during that process which would also still be 'in the vicinity' of the fishing gear. However, doing so has potentially over-estimated 'damage per pot' on the basis that gear is likely to be re-set relatively close to its original deployment on occasion, particularly where an area has yielded high catch and as such, any damage 'in the vicinity' may have represented impacts from the previous deployment. Damage rates were estimated as follows:

- The instances of damage per pot was 0.11
- The instances of damage per rope was 0.29
- Total instances of damage per pot + associated rope was 0.4

Data in Tibbitt *et al.* 2020 identified a higher rate of damage 'attributed to human activity' per pot of 1.63 (65 occurrences of damage and 40 pots and associated ropes observed). However, within this study "*Impacts which were categorised as human attributed are those that could only be from a human cause and those where the cause was present, for example incidents where a pot was observed to be causing an impact*" (our emphasis). Inclusion of impacts '*that can only be from human cause*' but not necessarily associated with the pots in situ potentially over-estimates the rate of damage associated with that particular fishing gear i.e. because the damage may have occurred during a separate deployment. When scaled up to account for all pot deployments this would effectively be double counting damage. It is noteworthy also that Tibbitt *et al.* 2020 attributes certain damage types to 'human activity' which could theoretically be attributable to a natural process or a human activity other than potting. For example, the high severity damage type 'level shear' is identified in the report as being 'attributable to human activity'. This consists of chalk outcropping from the surface, similar to stalactites, which have been 'felled' leaving a clean level surface on the top of the remaining 'stump'. Such features are also associated with piddocks (borrowing mussels) which erode and weaken such structures, and which are also exposed to the high wave and tidal energy (*post*). Theoretically, natural processes could have 'felled' the chalk structure and the remaining stump could be abraded by natural or anthropogenic disturbance which then 'levels' the remaining stump.

Further, Tibbitt *et al.* (2020) did not provide a 'proximity' of damage to the gear, did not estimate the area of damage caused and excluded from the damage estimates an area of flatter chalk (but still within the area characterised as 'rugged chalk') because there was no damage observed.

By comparison, the ROV footage analysed in O'Dell and Dewey (2022) related to a broader range of rugged chalk habitats, providing estimates of gear proximity and did not assume any particular damage 'type' was the result of human activity. It is noteworthy however that a similar bias is present within O'Dell and Dewey because the ROV footage collected was gathered with the intention of identifying areas of rugged chalk and directed to areas likely to contain such using existing data sets (multibeam etc.).

On balance, the rate identified from the O'Dell and Dewey (2022) data is considered to be the most appropriate because a greater level of consideration was provided as to whether the damage was caused by the pots observed at that time (through reporting proximity, rather than assuming that the impacts were human induced or attributable to the pots at that time) and is therefore used.

Further, because O'Dell and Dewey (2022) also provided an 'area' of impact (which was not provided in Tibbitt *et al.* (2020)), the extent of damage can also be estimated.

O'Dell and Dewey (2022) categorised the area of damage by assigning a body-part of equivalent size (i.e. hand, arm, head, torso). This was used to estimate an 'average area of impact' per pot and per rope as per Table 1.

Table 1: calculations of area of damage per pot / rope

Impact size	Estimated diameter (cm)	Estimated Radius (cm)	Area (cm ²)	Frequency of damage observed (Pot)	Frequency of damage observed (Rope)	Total Area of Impact (Pots) (cm ²)	Total Area of Impact (Rope) (cm ²)
Arm	50	25	1962.50	1	5	1962.50	9812.50
Hand	15	7.5	176.63	1	10	176.63	1766.25
Head	20	10	314.00	3	3	942.00	942.00
Torso	100	50	7850.00	2	0	15700.00	0.00
Total area of impact						18781.13	12520.75
Area of impact per pot / rope (m ²)						(total area / number of pots) 0.030292	(total area / number of pots) 0.0201948

The resultant areas of impact per pot and rope are then scaled up to an annual area of damage using the estimated annual number of pot deployments. The resultant area of damage caused by potting to rugged chalk is therefore estimated as 5,999.48m² per year (i.e. 0.0504868m² x 118,832 pot deployments). As a proportion of the rugged chalk (Type 1 and Type 2 with a combined area of 18,779,638m²) this represents 0.032% of the area of rugged chalk per year.

With regards to severity, Table 2 provides a summary of the proportions of damage associated with human activity from both O'Dell and Dewey (2022) and Tibbitt *et al.* (2020).

Table 2: Severity of damage according to two separate studies

	O'Dell and Dewey (2022)		Tibbitt <i>et al.</i> (2020)	
Severity	Frequency	%	Frequency	%
High	4	16	15	23
Low	13	52	31	48
Med	8	32	19	29

Consideration of damage as presented in Tibbitt *et al.* (2020) identifies that 'low' severity damage is unlikely to reduce the structural complexity of chalk. These include 'drag' and 'burn' damage which, it could be argued, actually increase the structural complexity of chalk by creating indentations in otherwise flat surfaces. The other 'low' severity damage category relates to abrasion which primarily removes the epifauna of the chalk rather than the structure of the chalk itself.

Medium severity impacts include 'strike' damage caused by pots or anchors falling onto chalk structures and 'cut' damage where ropes cut into an outcropping piece of chalk. Whilst both of these damage types are likely to increase the rate at which structural complexity of the chalk reduces (by weakening chalk structures making

them more vulnerable to natural processes or future interactions with fishing gears), neither represent a loss of structural diversity (and in the case of ‘cut’ damage, it could be argued that structural diversity increases in a manner not dissimilar to the effect of boring mussels and other ecosystem engineering bioeroders which are in part responsible for the site’s structural diversity). Further, where medium severity impacts do lead to a reduction in structural diversity, it can be assumed that there will be an associated ‘high severity’ impact counted as a consequence and therefore, inclusion of medium severity damage would effectively be double counting. For the purpose of calculating damage rates to the rugged chalk, medium severity impacts are also discarded on this basis.

Tibbitt *et al* (2020) describes six different types of ‘high severity’ damage, three of which can also be attributable to natural processes. Interestingly, Tibbitt *et al.* (2020) identified level shear (horizontal and flat areas of exposed chalk) as the primary contributor towards high severity damage (60%) and only a single occurrence of ‘grating’. By contrast, the overwhelming majority of high majority impacts (including those not in the vicinity of potting activity) according to O'Dell and Dewey (2022) was grating (30 of 34 instances of high severity damage) and only a single occurrence of ‘level shear.’

Assuming that only ‘high’ severity damage leads to a reduction of structural diversity during a pot deployment (as outlined above), the area of damage which poses a risk to structure is adjusted based on the proportions of such identified from both studies as set out in Table 3.

Table 3. Adjusted area of damage posing a risk according to two separate studies

O'Dell and Dewey (2022)			Tibbitt <i>et al.</i> (2020)		
Adjusted area of damage per pot	Total annual damage (m²)	As a proportion of the rugged chalk (%)	Adjusted area of damage per pot	Total annual damage (m²)	As a proportion of the rugged chalk (%)
0.0080777903	959.917	0.00511	0.011611986	1379.881	0.00734775

In estimating these rates of ‘damage’ to the rugged chalk, the following important caveats are highlighted:

- The rate of damage per pot varied significantly between the two studies cited as the rate identified from Tibbitt *et al.* (2020) was 4 times greater than the rate identified from O'Dell and Dewey (2022).
- In both studies, there was a focus on more rugged areas of chalk. Damage is logically more likely to occur when potting occurs in more complex areas of rugged chalk, however area characterised as ‘rugged chalk’ is not ubiquitously complex and outcropping. Therefore there is the potential for an over-estimation in damage rates in relation to both studies.
- Both studies represent an extremely low proportion of all potting activity and are unlikely to be representative of all such interactions. Combined, the studies gathered damage data associated with 102 pot deployments in the rugged chalk which represents 0.2% of annual pot deployments.
- In both studies, underwater video footage was used, and, in both cases, the visibility was noted as potentially inhibiting identification of all damage, potentially underestimating the rate per pot.

- Many of the categories of damage relate to impacts caused to non-horizontal planes (Tibbitt *et al.* (2020). Presentation of impact as a proportion of the rugged chalk will significantly overestimate the level of impact because the rugged chalk is a three-dimensional structure, the surface area of which will be many times greater than the 'area' assumed for the purpose of this study.

Rate of damage in the context of significant risk to the conservation objectives of the MCZ

Having established a range of rates of 'damage' caused by potting, consideration is given to the extent to which this poses a 'significant risk of hindering the conservation objectives.'

Consideration has been given to how the scale of effects have been considered in decisions on whether an activity is causing adverse effects on site integrity within the Natural England Commissioned report NECR205. The report presents decisions from European and UK courts and the Secretary of State in relation to the spatial scale as a proportion of the associated site or feature.

The report considered three categories of impact: habitat loss, habitat degradation and effects on species with the two habitat related categories being relevant to the current consideration. The report distinguished between the two as follows:

- Habitat loss: where the scale of the effect refers to the direct loss of a qualifying habitat.
- Habitat deterioration: where the scale of effects refers to a deterioration in ecological function of a qualifying habitat.

In the case of damage caused by potting activity to rugged chalk, habitat deterioration appears to be the most relevant on the basis that the impact being considered is loss of structural diversity (i.e. the ecological function of the chalk) rather than the removal of chalk itself. This is particularly relevant when considering that the structural complexity of the chalk is itself created, in part, as a consequence of the deterioration of the chalk through bioerosion (particularly the bioengineering piddock) and natural processes.

A counter argument could however be made to the effect that the outcropping chalk is a feature in its own right (including a geological feature) and flattening is therefore a loss of that feature.

Consideration is given to both categories of impact for completeness. A key limitation of NECR205 is that, for the vast majority of cases considered, only the proportion of the entire site is provided rather than the proportion of the affected feature. Because this information is available in this case, consideration is given only to examples where the proportion of the feature was available to the decision makers.

Habitat loss

10 cases are provided within NECR205 where habitat loss is considered as a proportion of the feature. In 4 cases, the scale of habitat loss was not considered to be significant (ranging from 0.0000019% to 0.33%), 1 was considered to have a likely significant effect but ultimately no adverse effects on site integrity (0.41%) and 5 were considered to have an adverse effect on site integrity (0.46% to 16.5%). The lowest proportion of the feature found to have adverse effects on site integrity related to an SPA and included loss of an 'important roost site'. The potential for impact in this case was as dependent on the condition of the bird feature it supported as the

habitat itself. Rugged chalk does not support an analogous species and is not considered to be relevant on that basis.

The second lowest proportion on which adverse effects on site integrity were concluded was the *Sweetman v. An Bord Pleanála*⁸ case which identified that the 'permanent loss' of limestone pavement (an Annex 1, priority habitat under the Habitats Directive) representing 0.54% of the habitat as designated within the associated Special Area of Conservation was considered to 'adversely affect the integrity of the site'.

Taking the proportion (0.54%) referred to in that judgement as a threshold, using the rates estimated above, potting activity would have an 'adverse effect on site integrity' within the timeframe of 73.49 and 105.6 years. Noting that the site was designated in 2016, based on evidence provided to Natural England (via Net Gain) in 2010 to 2012, the estimated year that potting activity would reach this threshold based on the estimated damage rates is between 2083 and 2112.

However, there are two important components of *Sweetman v. An Bord Pleanála* relating to its applicability to potting over rugged chalk.

First, that the activity referred to in *Sweetman v. An Bord Pleanála* would have resulted in the permanent loss of the associated habitat with it being replaced with a bypass. This is not necessarily analogous with the effect of potting activity which is not permanently removing the chalk or replacing it with an artificial structure which wouldn't normally form part of the site. Rather, that the rugged chalk is then replaced with another type of feature for which the site is also designated (i.e. chalk plain and/or less complex rugged chalk). Further, that the 'damage rate' may imply a rate of a reduction, rather than a loss, of spatial complexity. That is not to say that the impacts on the chalk would not result in hindering the conservation objectives, but that the effect of potting is not as marked as in *Sweetman v. An Bord Pleanála* and as such, the threshold of 0.54% is potentially overly precautionary and may not be applicable.

The second, is that the judgement refers to an Annex 1 habitat under the Habitats Directive which was also a 'priority habitat' under the same and the judgement made specific reference to such. Chalk habitats are a Biodiversity Action Plan 'priority habitat', however, the extent to which this is analogous with the status provided by the Habitats Directive is unknown and only likely to be known in the event of a court judgement.

Habitat deterioration

Of the cases considered where the scale of impact on the feature was known, three decisions related to adverse effect on site integrity (ranging from 1.9% to 65% of the feature). There was a single case where no adverse effect on site integrity was found in relation to habitat deterioration. Although the scale of the affected area as a proportion of the feature was not known, it is noteworthy that the scale as a proportion of the site was 0.2%.

The smallest scale impact with regards to deterioration (1.9%) related to the construction of a bridge over a priority habitat, the effect of which was to alter the microclimate, with the 'functional loss' of the associated Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* which is considered to be in danger of disappearance. This is considered to be analogous with the loss of structural diversity of the chalk i.e. the 'functional loss' of the habitat rather than its actual loss.

⁸ Sweetman v. An Bord Pleanála, Case C-258/11, CJEU judgment 11 April 2013

Taking this proportion of loss as a threshold for damage to the Cromer Shoal MCZ, damage at the rates outlined above the timescale for hindering the conservation objectives of the site is between 258.6 and 371.7 years.

Habitat loss and deterioration as a proportion of the whole site

The vast majority of cases considered in NREC205 refer to impacts as a proportion of the entire site, rather than as a proportion of the relevant feature. Where the proportion of damage to the relevant feature is known, this appears to be the most relevant means of gauging the extent of the impact. However, as a means of comparison to the cases presented in the report, the level of impact as a proportion of the whole site is also considered.

The site is 321km^{2,9}. Therefore, the annual rate of damage (according to the damage rates above) as a proportion of the whole site range from 0.000299% to 0.000401% of the site.

NECR205 identified that the highest proportion of a site impacted by habitat loss for which there was no adverse effect on site integrity was 0.04% of that site. Based on the above rates, it would take between 130 and 180 years for the site to be impacted by potting activity.

NECR205 identifies that the highest proportion of a site impacted by habitat deterioration (of 0.2% of the site) where no adverse effect was identified, based on the above rates it would take between 465 and 669 years to cause an impact on site integrity.

As with the consideration of habitat loss, it is important to note that the cases relate to MPAs considered under the Habitats Directive and the Conservation of Habitats and Species Regulations 2017 (or the equivalent legislation as at the time of the decision).

Key factors which will affect the ‘rate of damage’

A summary of the key factors influencing the damage rate are provided below. It is intended that these will inform consideration of any phase 2 permit conditions¹⁰ and plans for research and data gathering under the ARM project.

- **Fishing effort** – the number of pot deployments over rugged chalk is proportionate to the rate of damage (i.e. if the fishing effort doubles, the rate of damage also doubles). The available data indicates that fishing effort within the MCZ may be increasing. However, estimates have been used in relation to the year where effort appears to have been the greatest. In addition there is a degree of uncertainty because available datasets do not provide enough spatial resolution to determine fishing within the MCZ or over the rugged chalk. Better fishing activity data and spatial data will provide more accurate estimates of damage rates and measures which reduce the likelihood of effort increases will reduce the associated risk
- **The damage rate per pot** – noting that there was a four-fold difference in damage rates between the two studies cited, further information on the rates

⁹ [Cromer Shoal Chalk Beds Marine Conservation Zone factsheet](#)

¹⁰ Phase 2 permit conditions are intended to reduce risk to an appropriate level within the context of ARM whilst other workstreams continue to gather evidence.

of damage will increase the accuracy with which damage rates can be determined.

- **Surface area** - Further consideration could also be given to the three-dimensional nature of the rugged chalk and how different damage types interact. For illustrative purposes, a cylindrical piece of outcropping chalk with a height of 1m and a radius of 0.3m will have a total surface area of 2.17m² (excluding the bottom surface which would theoretically be attached to the seabed and not exposed). The 'area' it represents for the purpose of the damage calculations above would be 0.28m², an order of magnitude less than the area in reality. No information was provided in either study as to the location of surface damage (i.e. top, side, underside) and so the estimation of damaged area could be significantly over-estimated.
- **The probability of interaction between potting gear and rugged chalk features** – The damage rate assumes that rugged chalk vulnerable to the types of damage outlined is ubiquitous across all areas characterised as 'rugged chalk'. The recent identification of two distinct types of chalk area (Type 1 and Type 2) highlights that this is not the case, and the rate could be adjusted accordingly.
- **High severity interactions** – If gear modifications or changes to fishing practices can be made which reduce the proportion of 'high severity' impacts, this will reduce the 'damage rate' relevant to reducing structural complexity. It is noteworthy that the main damage type contributing to 'high severity' impacts differed between the two studies.
- **The extent to which high severity damage translates to a 'permanent loss' or a 'functional loss' of the habitat** – In order to explore the applicability of NECR205, further consideration should be given to the consequence of high severity damage in the context of the conservation objectives of the site and the extent to which it should be regarded as 'permanent loss' or 'functional loss'. In particular, consideration can be given to the tolerance of a system to loss of structural diversity before it no longer functions in the same way (e.g. supports the same biodiversity).
- **Comparisons with natural disturbance** – In determining if the site's conservation objectives are being hindered by potting activities, it is crucial to understand the extent to which the same is true of natural processes, and particularly from the perspective of rugged chalk. The soft chalk hosts piddocks in many locations, matching the description of '*Piddocks with a sparse associated fauna in sublittoral very soft chalk or clay*' CR.MCR.SfR.Pid in the Marine Habitat Classification scheme ([Joint Nature Conservation Committee \(JNCC\), 2014](#)). Piddocks are burrowing mussels which burrow into soft structures creating structural complexity and increasing biodiversity (Pin *et al.* 2008). However, they are also known to significantly erode soft substrates ultimately damaging such in the process (Pin *et al.* 2005b, 2008). Piddocks have for example, been shown to reduce the volume of the top

8.5cm layer of rock by 41.1% over a 12-year period (Pin *et al.* 2005b). The erosive effect of the piddocks inhabiting the chalk is compounded by the relatively exposed nature of the North Norfolk Coast and its position within the North Sea (i.e. a very long fetch with regards to northerly winds) and the presence of cobbles, flints and boulders in the area which routinely interact with the rugged chalk. Further desk-based research may enable to qualitative comparison between natural and anthropogenic impacts to the chalk to again improve our understanding pending the completion of dedicated research.

Conclusions

The potential for potting to damage rugged chalk has been established for some time. Crucially however, the extent to which this damage translates to ‘hindrance of the conservation objectives’ was not understood.

The consideration of available information outlined in this report has provided for the first time an estimate of the potential for the damage caused by potting to translate into hindering the site’s conservation objective.

Taking the most precautionary view on the matter, this assessment identifies that potting on the rugged chalk would hinder the conservation objectives of the site at some point between 2083 and 2112. However, this assumes that the small-scale impacts are analogous with habitat loss which, by comparison to other cases, does not appear to be the case. With regards to characterising the same as ‘habitat deterioration’, the time period for having hindered the conservation objectives is between 276.9 and 371 years.

The estimates have a number of caveats and limitations which, if addressed, could result in the rate increasing or decreasing significantly. This is particularly true of considering the ‘surface area’ of the chalk as opposed to the area covered by rugged chalk, which is considered to have the highest potential to change the rate of damage.

It is noteworthy however that a common refrain of the fishing industry is that the area has been fished ‘for hundreds of years’, albeit most likely using fewer and lighter pots, and lobster fishing is thought to have been undertaken since at least the 1720’s¹¹. It is potentially unlikely that if the timeframes outlined in this report are significantly less than is the case in reality, that the site would have retained the ecological functioning necessary to support its designation at least 300 years after fishing started.

Noting the caveats outlined, the outputs of this report are regarded as a step in furthering our understanding of the interaction between potting and the MCZ. Rather than considering this as an end point, it is anticipated that through further research and consideration of other existing datasets, the estimates can be further refined. However, on balance, the estimates appear to represent a sound consideration of the level of risk at this time and support ARM as the most effective means of managing the fishery.

Crucially, the assessment has provided a timeframe for the first time albeit based on the application of a threshold that is more than likely to be overly precautionary. This can be used to better understand the level of risk posed within the short, medium and long-term.

¹¹ Various reports of one Daniel Defoe having visited Cromer in 1720 and having written that lobsters were being transported by train and sea to London.

References

NECR205. 2016. Commissioned by Natural England. Small-scale effects: How the scale of effects has been considered in respect of plans and projects affecting European sites - a review of authoritative decisions.

[O'Dell, J. and Dewey, S. 2022. Cromer Shoal Chalk Beds MCZ Imagery Analysis Final Report.: Seastar Survey Ltd, Natural England, Eastern Inshore Fisheries and Conservation Authority \(EIFCA\).](#)

Pinn E.H, Richardson C.A, Thompson R.C, Hawkins SJ (2005b) Burrow morphology, biometry, age and growth of piddocks (Mollusca: Bivalvia: *Pholadidae*) on the south coast of England. Mar Biol 147:943–953

Pinn1, E.H, Thompson R.C, Hawkins S. J., 2008. Piddocks (Mollusca: Bivalvia: *Pholadidae*) increase topographical complexity and species diversity in the intertidal: MARINE ECOLOGY PROGRESS SERIES

[Tibbitt, F., Love, J., Wright, J. and Chamberlain, J. 2020. Human impacts on Cromer Shoal Chalk Beds MCZ: Chalk complexity and population dynamics of commercial crustaceans: Natural England \(NE\), University of Essex.](#)

Vision

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



Action Item 9

61st Eastern Inshore Fisheries and Conservation Authority Meeting

10 September 2025

Closed Area Byelaw 2021 update and revisions

Report by: Luke Godwin (ACO)

Purpose of Report

The purpose of this report is to update members on progress towards implementing management measures in relation to 'red risk' fishing / feature interactions and propose amendments to ensure compliance with the Habitats Directive and Defra's revised approach to managing fisheries within Marine Protected Areas.

Recommendations

It is recommended that members:

- **Note** the contents of the report including the review of previous proposals, the perspective of Natural England with regard to Inner Dowsing, Race Bank and North Ridge SAC and the consideration of potential impacts of proposed revisions.
- **Agree** to the amendments to the management measures set out in Appendix A and to the revised Closed Areas Byelaw 2021 at Appendix G.
- **Direct** officers to undertake a formal consultation for the revised Closed Area Byelaw 2021.
- **Agree** to delegate authority to the CEO in consultation with the Chair or Vice-Chair to make changes to the byelaw which do not substantially alter the intended effects of the byelaw, taking into account responses from the formal consultation and any amendments advised through the formal QA process.

Background

In 2014, the Department for the Environment, Food and Rural Affairs (Defra) introduced policy¹² which required all existing fishing activity to be managed in accordance with Article 6 of the Habitats directive¹³. This policy, known as 'the revised approach', included a procedure for the delivery of such via a risk-based

¹² [Revised approach to the management of commercial fisheries in European Marine Sites: overarching policy and delivery - GOV.UK](#)

¹³ Article 6 of the Habitats Directive remains in effect through the original implementing regulations (the Conservation of Habitats and Species Regulations 2017) and in accordance with section 4 of the European Union (Withdrawal) Act 2018.

approach whereby so-called 'red risk' fishing activity / feature interactions were to be managed by the removal of fishing activity. Red risk interactions primarily relate to habitats which are very sensitive to fishing activity, any amount of which would damage or destroy that feature.

As the competent authority for inshore fisheries within its district, Eastern IFCA is responsible for meeting the requirements set out in the Habitats Directive and the revised approach including in relation to 'red risk' interactions.

Within the district, red-risk interactions relate primarily to the use of bottom-towed-gear over areas of *Sabellaria sp. reef* but also include eelgrass (Humber Estuary, North Norfolk Coast) and Boulder and Cobble habitats (The Wash). At the time the revised approach came into effect however, evidence to inform delivery of the policy, primarily relating to the location of relevant habitats which required protection, was incomplete.

The Authority began delivering the revised approach by implementing closed areas through byelaws in 2014 via the Protected Areas Byelaw, which included several closures and provided a flexible mechanism for the Authority to implement further closures as more evidence became available. The flexibility provided by this byelaw was ultimately found (by Defra) to be inconsistent with IFCA byelaw making powers provided by the Marine and Coastal Access Act 2009, and the byelaw was revised to remove the flexible provisions in 2016 (resulting in the Marine Protected Areas Byelaw 2016).

To accommodate the ongoing development of the evidence base to inform closures, the Authority adopted the approach of revoking and replacing the byelaw over time. In 2018, the Authority made an updated version of the Byelaw, called the Marine Protected Areas Byelaw 2018, and the intention was that further closures would be added over time and it was informally agreed to do so once per year. The 2018 byelaw was ultimately confirmed by the Secretary of State in March of 2020 and is currently in effect.

Further versions of the byelaw were made by the Authority in 2019, 2020 and 2021 which reflected new evidence becoming available and the need to close new areas or amend existing closures to deliver the revised approach. The most recent version of the byelaw was made by the Authority (the Closed Area Byelaw 2021) at the 46th Eastern IFCA meeting having considered evidence relating to the need for such closures at the 45th Eastern IFCA meeting. It is relevant to note that the 2019 and 2020 versions of the byelaw did not come into effect and were ultimately subsumed in the 2021 version.

The implementation of the Closed Area Byelaw 2021 is significantly delayed, and further delays pose a risk to the integrity of the 'red-risk' features within the district. Delays are primarily a reflection of the scrutiny provided on the proposals and their supporting evidence to ensure that there are no disproportionate impacts on fishery livelihoods. Factors which contributed to this are as follows:

- In 2019, the formal consultation for the byelaw identified very small-scale fishing activity was occurring in an area which was proposed to be closed. Further investigation into the matter identified that the activity was permissible

at current levels within the small spatial footprint of the so-called 'artisanal shrimp area'. Developing appropriate management to enable this activity was complicated and ongoing during the time subsequent versions of the byelaw were being developed.

- Evidence to inform the location of closed areas was the subject of very detailed evaluation by Eastern IFCA to ensure that closures were justified. This included highly complex analysis of large datasets which caused delays to proposing closures.
- Achieving agreement with Natural England (the statutory nature conservation advisor) on the location and extent of closures was complicated given that some sites relied on 'modelled' data and particularly in relation to the presence of *Sabellaria* sp. reef, which is an ephemeral feature.
- Further evidence gathering was required to confirm the presence of features which required protection, the last of which was completed in late 2023.

Developing closed areas within two sites, Inner Dowsing, Race Bank and North Ridge Special Area of Conservation (IDRBNR SAC) and Haisborough, Hammond and Winterton (HHW SAC), was particularly challenging. In both sites, large areas were considered to contain *Sabellaria* reef according to Natural England data releases, across what are referred to as 'mosaic' areas. These areas contain some reef in addition other less sensitive habitats. Extensive dialogue with Natural England to agree an appropriate approach to implementing closures ultimately resulted in Natural England proposing an 'alternative approach' to managing *Sabellaria* reef in IDRBNR SAC whereby closures were more discrete and only located in areas where reef was known to occur. In relation to IDRBNR SAC, it was recommended to the Authority not to close all areas identified through the 'alternative approach' on the basis that either more recent surveys had not identified reef as present, because the data used was very old, or because the 'reef' identified was of lower value (i.e. not as large or established as in other areas). Ultimately, Natural England maintained their advice and disagreed with the Authority's findings in this regard.

Within HHW SAC, various areas were discounted as being closed on the basis that the evidence of *Sabellaria* reef presence was of lower confidence and that Eastern IFCA would undertake monitoring in those areas and implement closures in the future as required. Natural England were content at the time that the limited closed areas proposed within HHW were sufficient in the context that further surveys would be undertaken.

Closures relating to both IDRBNR and HHW were included in the Closed Areas Byelaw 2021, which was made by the Authority at the 46th Eastern IFCA meeting. The formal consultation relating to the 2021 byelaw also led to some closures (which were already in place) being re-surveyed during 2022 and 2023. These surveys found that the closed areas no longer contained the habitat (or feature) for which protection was required.

As a consequence of the significant amount of work and dialogue being undertaken during the course of developing the byelaws to ensure that they reflected best available evidence and prevented disproportionate impacts on inshore fishing

industry, the byelaw has not been updated since 2018 and as such, areas of 'red risk' interactions are currently unprotected. It is noteworthy that the revised approach originally required the removal of red risk interactions by 2016.

Report

A number of revisions are proposed for the Closed Area Byelaw 2021, and these are set out in the subsections below. The subsections in this section provide a narrative of the proposed revisions. A simplified summary of the proposed revisions and the associated charts are at Appendix A.

Revisions to existing closures

Two closed areas which are currently in effect (via the Marine Protected Areas Byelaw 2018) were re-surveyed following reports that the associated features had partially or totally diminished since they were closed.

Closed Area 13 is in place to protect a mussel bed within The Wash by prohibiting use of bottom-towed-gear (except in the case that mussel dredges are used under a Wash Cockle and Mussel Byelaw 2021 permit). Subsequent surveys have identified that the associated mussel bed has diminished significantly (report at Appendix B) and as such it is proposed that the closed area is revised (reduced in size) to reflect this change.

Closed area 23 was implemented to protect *Sabellaria* reef. This site has since been re-surveyed and it has been found that the feature is no longer present (report at Appendix B). As such, it is proposed that this closed area is removed.

In both cases, Natural England advised that the revisions would not lead to significant adverse effects on site integrity and agreed with the revisions. The associated Natural England advice is at Appendix C.

Inner Dowsing, Race Bank and North Ridge SAC

Sabellaria reef is inherently difficult to locate and map for the purpose of developing management measures. In part, this is because *Sabellaria* reef is difficult to discern from other habitat types using available survey methods (which ordinarily includes acoustic surveys and ground truthing) but also because it is ephemeral and likely to develop in areas it was not previously located where the conditions are correct and to diminish in areas where it is already established. Natural England's formal advice on the matter is that all areas considered to be 'reef' within their data releases is to be closed to bottom-towed-gear. This would include large areas where *Sabellaria* reef may occur over time and is larger than areas where the same is known to occur or occur regularly.

Natural England's 'alternative approach' to managing *Sabellaria* reef within the site represented a reduction in the area of closures required with respect to their formal advice and a pragmatic approach to addressing the uncertainty inherent in locating the feature. It reduced the area to be considered as 'reef' from circa 2,121ha to less than 500ha (both figures are excluding buffer zones).

The areas to be considered as *Sabellaria* reef within IDRBNR are shown in Appendix D. The approach included dividing the site into two areas: one where multiple *Sabellaria* surveys had been undertaken which meant that a 'core reef' approach could be used, and one where data was more limited due to fewer surveys having been undertaken. Within the 'core reef' area, closures are only required where 'reef' was identified on a number of occasions and was more likely to be persistent. Outside of the 'core reef' area, Natural England's advice was to close areas where reef had been found at least once.

At the 45th Eastern IFCA meeting, members were presented with a careful consideration of each of the areas proposed to be closed under the 'alternative approach'. The assessment has been included at Appendix E for reference. Within this assessment, one area of *Sabellaria* reef was discounted following a survey which identified the reef was no longer present. Evidence that reef had been present was from a 2013 Cefas survey for which ground truthing (in the form of underwater photography) confirmed the presence of reef.

A further three areas within the 'alternative approach' were discounted by officers during dialogue with Natural England (and so were not referred to in the paper at the 45th meeting). Two of these areas were discounted in agreement with Natural England on the basis that the data was very old (from 1999). One of the areas was identified using Eastern IFCA data collected in 2010 which identified reef, albeit of 'low' quality and Natural England did not agree that the area did not require protection.

Therefore, at the time it was agreed, the Closed Area Byelaw 2021 closures did not include two areas which Natural England had advised as containing *Sabellaria* reef under the 'alternative approach'.

Both areas fall outside of the 'core reef' area and *Sabellaria* reef has been confirmed as present in both areas. Given the sensitivity of *Sabellaria* reef to fishing with bottom-towed-gear (it is likely that a single pass would destroy the reef given that it is made from mud excreted by the *Sabellaria* worms), and that the area is known to be capable of supporting it, it is proposed that both areas are the subject of closures in addition to those agreed at the 46th meeting.

In considering this proposal it is relevant to note the very low level of fishing activity which has occurred in the area. An assessment using Vessel Monitoring System (including inshore VMS) data, national landings data (provided by the Marine Management Organisation) and Eastern IFCA Shrimp catch data has identified an economic impact of only £971 over 12 years as a consequence of the additional closures. Areas further inshore are vastly more important for fishers using bottom-towed-gear compared to the areas closed. Overall, the potential benefit of the measure is considered likely to outweigh the potential impacts (*post*).

It is also noteworthy that, adoption of the 'alternative approach' will not meet Natural England's formal advice, which remains to close 'mosaic' areas (which would likely see a significant increase in the area closed to bottom-towed-gear) and that the alternative approach was intended only to facilitate some protection coming into effect sooner rather than later in the context of enabling further dialogue. Natural

England commissioned additional surveys of the area (and The Wash) in 2024, and a report of the findings is likely to be published in 2026 which may give cause to revisit the closures.

Haisborough, Hammond and Winterton SAC

Closed areas for the protection of *Sabellaria* reef were agreed by the Authority at the 36th Eastern IFCA meeting in relation to the 2019 version of the byelaw. Areas where there was 'lower confidence' in the presence of *Sabellaria* reef were not included within the proposed closures. Natural England were in agreement with the exclusion of these areas on the premise that the area would be the subject of further *Sabellaria* reef surveys to be undertaken by Eastern IFCA.

No such surveys have been undertaken to date. As a consequence, Natural England provided the following advice in November of 2024 with regard to the protection of *Sabellaria* reef within the site:

"Although the current assessment focusses on amber-risk interactions, it highlights the ongoing issues surrounding a lack of management for red risk interactions within the site, specifically trawling and towed gear on Annex I Biogenic Reef: Sabellaria spinulosa.

The proposed closures included in the Closed Areas Byelaw 2021, currently not in effect, do not fully reflect the formal advice on feature extent provided by Natural England, first shared with Eastern IFCA in 2015. In consideration of the low confidence of some of the data, Natural England agreed that an Adaptive Risk Management (ARM) approach may offer more proportionate management, whereby EIFCA would conduct targeted monitoring to update the feature extent with high confidence data, and update management accordingly (NE advice letter shared with EIFCA on 22 March 2019).*

We note that EIFCA directs its limited survey resources according to risks and requirements across all fisheries and MPAs within the district and do not have the capacity to survey the remaining areas within HHW SAC. Natural England can therefore no longer support an ARM approach and refer back to our formal advice that closures should be implemented over the full extent of S. spinulosa biogenic reef within this site..."

**Feature extent in the site has been updated since 2015."*

As a consequence of Natural England's updated advice, consideration has been given to closing additional areas in the site.

In the first instance, it is apparent that bottom-towed-gear fishing activity within the area is very low. There are no Vessel Monitoring System (VMS) records of fishing activity in the area (although this excludes vessels which are less than 12m in length). Shrimping activity is likely to be the main fishing activity from inshore vessels and Eastern IFCA shrimp data identified that a single vessel fished for shrimp within one part of the site on 3 occasions between 2022 and 2024 (inclusive) landing less

than 350kg of shrimps as a result. Within the ICES statistical rectangle associated with the site (which is a much larger area than the proposed closures and extends outside of the Eastern IFCA district which is, according to VMS data, where the majority of fishing activity occurs), a total of 6 tonnes of catch was landed between 2020 and 2024 inclusive. Low usage of the site by bottom-towed gear is also corroborated by expert knowledge from IFCOs. As such, additional closures within the HHW SAC are very unlikely to have any meaningful direct impacts on fishery livelihoods.

It is noteworthy however that the MMO is (at the time of writing) consulting on additional closures (to bottom-towed-gear) within the 'offshore' (beyond 6nm) part of the HHW SAC¹⁴. The MMO proposal is to prohibit use of bottom-towed-gear within the entirety of the offshore part of HHW SAC which could lead to displacement inshore. This potentially poses an increased risk of damage to *Sabellaria* reef within the inshore section of the site, particularly from larger vessels which typically fish further offshore.

In the context that no additional surveys have been undertaken, the sensitivity of *Sabellaria* reef to bottom-towed-gear and the current low use of the site, it is considered appropriate for additional closures to be put into place which reflect the latest Natural England data release for *Sabellaria* reef presence within the site. This will ensure that the area is managed in accordance with the revised approach. Given the low fishing activity in the area and the relative importance of *Sabellaria* reef ecologically, the benefit of doing so is considered likely to significantly outweigh the associated cost to fishing industry. It is noteworthy that the latest Natural England data release for *Sabellaria* reef locations within HHW SAC was used to design the revised closed areas and that this differed slightly to the information used to determine the original 2019 closed areas including a reduction of *Sabellaria* extent in one area (Appendix 1 refers).

Other existing and previously agreed closures

With the exception of the revisions set out above, the remaining closures set out in the Closed Area Byelaw 2021 are considered to remain appropriate given the currently available evidence.

It is important to note however that the Wash and IDRB&NR surveys (undertaken by Natural England) will provide additional evidence for *Sabellaria* reef (possibly during 2026). In addition, the Authority agreed that habitat surveys outside of The Wash (i.e. HHW SAC) are a priority workstream within the 2025-2030 Business Plan which will also generate evidence relevant to the management of *Sabellaria* reef. Both surveys will facilitate review of closed areas and further refinement as needed.

Impact Assessment

The Closed Areas Byelaw 2021 Impact Assessment has been updated to include reference to the proposed revisions (Appendix F). The impact assessment identifies that the additional impacts are very small in scale and unlikely to have significant direct consequences on existing fishery business models.

¹⁴ [MMO Stage 3 Consultation document - updated with extension 1 .pdf](#)

The Impact Assessment also highlights the legal requirement on the Authority to protect *Sabellaria* reef within its district, and the wider ecological benefits of doing so including enhanced biodiversity and ecological resilience to climate change which will ultimately be to the long-term benefit of fishing industry.

It is important to acknowledge the ongoing ‘spatial squeeze’ of the inshore fleet especially in the context of other marine developments (such as windfarms). As outlined above, none of the proposed revisions are likely to have significant direct impacts on existing fishing activity but do represent potential space lost to future fisheries. This is potentially true of mussel seed fisheries, particularly within the IDRBNR SAC, which are typically identified incidentally during shrimp fishing. However, where mussel seed fisheries are identified through other means (such as via acoustic surveying methods) it is possible to provide an exemption from the closures under the Authority’s byelaws which would potentially enable fishing for mussel in the area in any case.

It is as a consequence of the concern regarding the spatial squeeze of the inshore fisheries that the Authority has consistently used closures only where absolutely necessary to comply with environmental law (including the Habitats Directive). The proposed revisions to the Closed Area Byelaw 2021 are in keeping with this concept and further evidence is being sought to enable review of the measures over time to ensure that they remain relevant and necessary.

To ensure that impacts are fully understood and considered, it is proposed that the byelaw is the subject of a further formal consultation, the outputs of which can then be incorporated into the impact assessment and inform a final decision on the byelaw prior to submission to the MMO for formal quality assurance and ultimately confirmation by the Secretary of State.

Financial Implications

Undertaking a formal consultation requires advertisement within a written publication for two consecutive weeks in accordance with Defra Guidance¹⁵ and this is typically achieved through use of a public notice within the Fishing News. Such a notice can cost in the region of £3000 dependent on the size of the notice. The cost is not considered to represent a financial risk and can be accommodated within the Authority’s revenue budget.

Legal Implications

The main legal implication relates to failure to remove ‘red risk’ fishing gear / feature interactions in accordance Defra’s revised approach and the Habitats Directive. The significant delays in implementing the closures under the Closed Area Byelaw 2021 (some of which were agreed by the Authority in 2019) represents a risk of legal challenge on this basis. It is also important to note that within the IDRBNR SAC, proposed closures do not reflect what remains Natural England’s formal advice on the matter to close larger areas including ‘mosaic’ areas where *Sabellaria* reef is likely to occur but for which there is limited evidence of it doing so in reality. However, it is also the case that Natural England are in agreement with the

¹⁵ [IFCA byelaw guidance - GOV.UK](https://www.gov.uk/guidance/ifca-byelaw-guidance)

‘alternative approach’ being appropriate in the first instance and to facilitate the closures coming into effect at the earliest opportunity.

This risk should however be considered in the context that work has been undertaken over the preceding four years to ensure that the closures are not disproportionately detrimental to inshore fisheries which itself poses a risk of challenge. This is mitigated in part by the very limited fishing activity which takes place within the areas affected by the proposed revisions.

On balance, the careful consideration of evidence supporting the closures, the continued dialogue with Natural England on the matter and the adoption of the advice received largely mitigates the risk associated on both fronts.

Undertaking a further formal consultation will also mitigate risk associated with disproportionate impacts on fishery livelihoods as it will identify any unknown impacts and enable such to be taken into account as required. It is important to note however that UK law requires that the provisions of the Habitat Directive are met including at the cost of economic impacts unless there are imperative reasons of overriding public interest which do not include fishing activity.

Conclusion

The revisions to the Closed Area Byelaw 2021 are considered to be necessary to ensure compliance with UK environmental law and the benefit of the closures is likely to significantly outweigh the potential impacts on fishery livelihoods because there is very little fishing activity in within the affected areas. Failure to implement the measures poses a risk of legal challenge to the Authority on the basis that the Authority has not met the legal requirement to remove fishing activity relating to ‘red risk’ interactions.

It is therefore recommended that the revisions are agreed by the Authority and that the measures are the subject of a further formal consultation with stakeholders.

The revised Closed Areas Byelaw 2021 is at Appendix G.

Appendices (all available online at this link: [Authority Meeting Papers - Eastern IFCA](#))

Appendix A – Summary of revisions to closed areas

Appendix B - Review of Closed areas 13 and 23

Appendix C – Natural England Advice regarding closures 13 and 23

Appendix D – The areas considered as ‘*Sabellaria* reef’ within IDRBNR SAC in relation to Natural England’s ‘alternative approach.

Appendix E – Appendix 2 from Action Item 11 of the 44th Eastern IFCA meeting is available online at https://www.eastern-ifca.gov.uk/wp-content/uploads/2021/08/2021_09_08_Item_11_Appendix_2.pdf

Appendix F – Updated Impact Assessment

Appendix G – Draft (revised) Closed Area Byelaw 2021

Background Documents

Papers and Minutes for Action Item 13 of the 36th Eastern IFCA meeting held on 15 May 2019.

Papers and minutes for Action Item 11 of the 45th Eastern IFCA meeting held on 8 September 2021.

Papers and minutes for Action Item 11 of the 46th Eastern IFCA meeting held on 8 December 2021.

Vision

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



Action Item 10

61st Eastern Inshore Fisheries and Conservation Authority Meeting

10 September 2025

Wash Cockle Fishery Update

Report by: Jon Butler, ACO(DD)

Purpose of Report

The purpose of this report is to update members on the 2025 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

The Authority manages cockle fisheries in The Wash, and such management is in accordance with the associated Wash Cockle Fishery Management Plan (FMP)¹⁶. The FMP sets out how the Total Allowable Catch (TAC) for the fishery is calculated along with other policy and principles for management required to ensure a sustainable fishery which operates within acceptable environmental parameters.

At the 60th Eastern IFCA meeting, the results of the annual cockle stock survey were presented along with the proposed management measures for the 2025 fishery. It was agreed in principle to open a cockle fishery with a maximum Total Allowable Catch of 3,905 tonnes under the Wash Cockle and Mussel Byelaw 2021 and to delegate authority to the CEO in consultation with the Chair or Vice-Chair to open the fishery and to introduce, vary or revoke flexible management measures referred to in Schedule 4 of the Wash Cockle and Mussel Byelaw 2021. It was also agreed to delegate authority to the CEO in consultation with the Chair or Vice-Chair to introduce, vary or revoke flexible management measures with less than 12-hours' notice as may be required, in accordance with the provisions of the Wash Cockle and Mussel Byelaw 2021

The annual surveys had identified that the fishery is more likely to target juvenile cockles which are present at higher densities and that 16 discrete closures were required for the protection of the highest density (>1000m⁻²) year-0 cockles (those which settled last year) in accordance with the Wash Cockle Fishery Management

¹⁶ https://www.eastern-ifca.gov.uk/wp-content/uploads/2021/03/2019_07_WFO_cockle_fishery_management_plan1.5_Final.pdf

Plan. This included a relatively large closure on the Roger Sand which includes areas where year-0 cockles are less dense (between 500 and 999m⁻²) proposed on the basis that there are very few fishable adult cockles (so low impact on industry) but comprises a significant proportion of the 2024 cohort, which will be protected for future fisheries.

Report

The 2025 Wash Cockle Fishery opened on 14 July 2025 in accordance with the management measures presented at the 60th Eastern IFCA Meeting.

Uptake in the fishery

Uptake in the fishery has been on par with historical norms, with an average of 43 vessels operating since the opening of the fishery. Of the 63 permits allocated under the Wash Cockle and Mussel Byelaw 2021, 59 permits have been taken out to fish for either cockle or mussels. Of the 59 permits 16 have either not started to fish or have only accessed the Mussel Fishery.

The first few weeks of the fishery saw mixed landing with some vessels landing less than the 2-tonne daily quota. As of 22 August 2025, according to processor figures 1277t had been landed, allowing for missing data of circa 126t it is estimated there remains 2,502 tonnes of the initial 3,905 tonnes Total Allowable Catch.

Some concern has been expressed that due to the small size of cockle's prices have been low in this year's fishery which may see vessels switching from cockles to shrimp towards the end of August and into September. However, at the time of preparing this report there is no indication this has occurred, which may be due to the later opening of the fishery and fishers still being able to fish and land the full daily quota of cockles.

Revisions to the 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 can result in significant proportions of the 'juvenile cockles' being lost to the fishery. Heavy spatfall (cockle spawn which has grown to the extent it settles out of the water column onto the seabed) can exacerbate ridging-out particularly where this settles over high-density cockle patches.

At the industry meeting on 9 June 2025 concern was expressed that some of the closures could be at risk during this year's fishery. As such, officers committed to conduct surveys mid-season to determine if cockle growth had occurred to the extent that a risk of 'riding out' existed. The level of risk to beds and order of priority for surveys was agreed with industry at the meeting.

On 10 August and as a result of ongoing engagement with industry and surveys carried out by officers the closure on the Roger Sand was removed as it was determined that both the growth of and or spatfall had occurred to the extent that it increased the risk of 'ridging out'. In addition, and again following survey's the extent

of the closed area on the Pandora Sand was revised to better protect the high-density cockles on that bed.

Surveys have also been carried out of the Gat Sand, with the last being on 27 August 2025. Whilst it is not considered appropriate to remove closures at this time there remains a risk of ridging out and officers will continue to monitor the situation in the coming weeks.

In making these decisions, the CEO and the Chair used delegated authority provided at the 60th Eastern IFCA meeting.

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 11 of the 60th Eastern IFCA Meeting held on 11 June 2025.

Vision

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



Action Item 11

61st Eastern Inshore Fisheries and Conservation Authority Meeting

10 September 2025

Annual Report 2023-24

Report by: Julian Gregory, CEO

Purpose of Report

To advise members of the ongoing development of the Annual Report 2024-25 and to seek delegated Authority for the Chair and Vice-Chair to approve the report and subsequent publication.

Recommendations

It is recommended that members:

- **Note** the content of the report.
- **Agree** to delegate authority to approve the report and subsequent publication to the CEO in consultation with the Chair of the Authority.

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). The report details the Authority's work over the last financial year, progress against the priorities set for that year and other organisational metrics.

Report

Ordinarily the annual report is prepared for consideration by members at the September meeting of the full Authority. Production of the report is behind schedule this year due to other work commitments, but it is anticipated that it will be completed by the end of September 2025. It is suggested that instead of delaying publication until after the December meeting of Authority, delegated authority is given to the CEO in consultation with the Chair to approve the report and subsequent publication. A copy of the report will then be provided to members.

Financial Implications

N/A

Legal Implications

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

Vision

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



Action Item 12

61st Eastern Inshore Fisheries and Conservation Authority Meeting

10 September 2025

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 2025-26 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 2025 to end of August 2025.

The tables at Appendix 1 detail the progress against the key priorities for 2025-26, as set in the Business plan for 2025-30.

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 2025-26

Appendix 2 – Risk Register

Appendix 3 – Update on Risk Register

Background Documents

Eastern Inshore Fisheries and Conservation Authority Business Plan 2025-30.

APPENDIX 1 - Progress against Annual Priorities – June 2025 to end of August 2025 (inclusive)

Five key priorities are established for 2025-26.

Financial Year 2025-26		
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	The closures set out in the Closed Areas Byelaw 2021 have been reviewed and proposed revisions are the subject of Action Item 9 of this Authority meeting.
b) Continued implementation of Adaptive Risk Management of fishing activity within the Cromer Shoal Chalk Beds Marine Conservation Zone (carried over).	On Track	<p>Overall, delivery of the project plan is on track with the ARM plan however, some components remain delayed. A quarterly update is provided on the Authority's website¹⁷ setting out progress against the plans workstreams and these are summarised below:</p> <ul style="list-style-type: none"> • The Cromer Shoal Chalk Bed Byelaw QA process is ongoing however, re-submission to the MMO (which was scheduled for Q2) is delayed. It is anticipated that the byelaw will be re-submitted within the coming weeks. • The Natural Disturbance Study is ongoing, with ROV surveys having been undertaken within the study areas during August. An application for funding under the Fisheries and Seafood Scheme (FaSS) has been submitted and it is hoped that this funding will enable the continuation of the study during this financial year. The study is critically important to the ARM project generally and failure to continue the work may necessitate a more precautionary approach to managing potting in the MCZ. • Interim measures which include mandatory positional report via trackers and mandatory closures to support the NDS are still in place. The former

¹⁷ [CSCB MCZ ARM Newsletter - Eastern IFCA](#)

		<p>requirement is to be reviewed in the context of the National Requirement for all under 12m vessels to have !-VMS in place having come into effect.</p> <ul style="list-style-type: none"> • Monitoring of compliance with the mandatory NDS closures is ongoing and has not detected incursions. It is noteworthy that this monitoring requires a significant resource which includes daily checks of fishing vessel tracker data. • The 'rates of damage' report is the subject of Action Item 8 of this Authority meeting and is in the process of being reviewed in the context of additional data having become available to refine the outputs further. • It is intended that, following a decision in relation to Action Item 8 of this meeting, Phase 2 permit conditions will be developed and presented to members at the December Authority meeting. • The adaptive gear trials, which seeks to investigate the effectiveness of gear modifications in relation to reducing impacts on rugged chalk, are further delayed. The original survey design was not possible as a consequence of failing to secure funding, which was required primarily for the analysis of accelerometer data gathered by the study. Developing an alternative survey design has yet to establish an effective means of carrying out the study in the challenging marine environments associated with the North Norfolk Coast.
c) Completion of 'amber/green' gear/fishing interaction assessments and development and implementation of management measures as required (carried over).	Delayed	<p>This workstream has remained the main priority workstream within the Marine Science team alongside the 'Cromer Shoal' priority. The first of the 17 assessments have been completed, including having received agreement from Natural England during the reporting period and several other assessments are now nearing completion. The situation remains that feedback from Natural England in relation to assessments submitted earlier (in 2024) are being incorporated into ongoing assessments.</p> <p>It was identified during the reporting period that there was insufficient capacity within the Marine Science Senior Officers to continue to Quality Assure draft</p>





		<p>assessments which has the potential to cause further delays to the workstream. To address this, a grade 6 Marine Science Officer has been appointed to provide additional capacity for QA and coordinate revisions based on Natural England advice.</p> <p>It is also noteworthy that Natural England feedback on assessments is typically seeking further detail in order to confirm the outcomes of assessments and that this is generating unexpected additional work across the assessments.</p> <p>It remains the case that every effort is being made to progress the workstream, including re-prioritisation of other workstreams, most notably the delivery of 'red-risk interactions management'.</p>
d) Participation in the national 'Coastal Health' project and the pilot in The Wash (carried over).	In Progress	Contribution to the Coastal Health project was limited during this period to attendance at meetings and review of products and additional sample collection of Wash cockles.
e) Habitat mapping in relation to <i>sabellaria</i> reef within MPAs outside of the Wash and North Norfolk Coast (new priority).	In progress	Following the review of the Closed Areas Byelaw 2021, <i>Sabellaria</i> reef evidence gathering within Haisborough, Hammond and Winterton SAC is considered the priority and surveys will be programmed in during the remainder of the financial year. <i>Sabellaria</i> reef surveys have been undertaken by Natural England within Inner Dowsing, Race Bank and North Ridge during 2024 and it is anticipated that data will become available for use in a review of the Closed Areas Byelaw 2021 during the 2026/27 financial year.
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).	Complete	The byelaw was confirmed by Defra at the end of February and the byelaw has now been fully implemented (including in relation to fishing within the Wash mussel fishery).

b) Implementation of Wash Cockle and Mussel Byelaw access policies (transition) (carried over).	Complete	This workstream was completed during the reporting period and included production and distribution of relevant admin and educational materials, completion of the 'Wash Training Course' for all fishermen named on a permit and the administration of permits under the Eligibility Policy for the mussel fishery. Both the Byelaw and the policies are now fully implemented.
c) Develop appropriate management of private shellfish aquaculture within The Wash (carried over).	Delayed	As previously reported, this workstream remains significantly delayed. Defra continue to lack the capacity to consider the application or progress it further. Wash shellfish lays continue to be managed under interim measures at this time.
d) A review of relevant byelaws inherited from Eastern Sea Fisheries Joint Committee (carried over).	In progress	The workstream is programmed in for Q3 of the 2025-26 financial year.
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	I-VMS requirements came into effect via MMO licence conditions in May 2025 and resource has been allocated to facilitating the launch of this measure including through promulgation of MMO messages via IFCOs and the Authority's website.
b) Development of measures (through byelaws and / or permit conditions) to implement standardised	In Progress	With the I-VMS measure having been implemented via an MMO Licence condition, work has begun on considering the implementation of standardised reporting rates across all vessels (i.e. to require vessels 12m and over to report via VMS+ at a rate of once in every 3 minutes) via permit conditions.

reporting rates across of VMS units (revised priority).		<p>The Wash cockle fishery 2025 included a requirement for increased reporting rates for 12m and over vessels which has proved successful.</p> <p>Consideration of including enhanced reporting rates is a feature of the Shrimp Permit Conditions review in addition to a review of Whelk permit conditions.</p>
c) Consider gathering vessel tracking data through alternative means (in lieu of I-VMS) (new priority).	In Progress	<p>Interim measures have been implemented to gather I-VMS analogous data from vessels operating within the Cromer Shoal MCZ (and more specifically the rugged chalk areas) and similar measures are the subject of consultation within the cockle fishery (with an alternative tracker option being considered in relation to vessels 12m and over in length).</p> <p>These arrangement remain in place whilst the I-VMS roll-out remains in its early stages and prior to the confirmation of a Statutory Instrument (to replace the existing MMO licence conditions). It is noteworthy that there are a number of issues which are impacting the availability of I-VMS data including device faults and one of the two approved suppliers having stopped reporting data to the UK VMS hub.</p>
4. Fisheries Management Plans		
a) Supporting the planning / carried over).	In progress	No relevant FMPs were at this stage during the reporting period.
b) Supporting the publication phase including by reviewing and evaluation plans (carried over).	In progress	No relevant FMPs were published during the reporting period.
c) Supporting post-publication phase including implementation (carried over).	In progress	Dialogue regarding the implementation of FMPs is ongoing including through attendance and contribution to associated meetings.

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 (carried over).	In Progress	Engagement with the publicised consultations has continued. This has included attendance at the East Marine Plan Focus Group workshop in August.
b) Stakeholder engagement to raise awareness of marine planning and identify key issues (carried over).	In Progress	Promulgation of relevant stakeholder events has been undertaken in relation to publicised engagement events.
c) Contributing to policy development by providing expert advice and relaying information from our stakeholders (carried over).	In Progress	Input has been provided as requested via the publicised consultations.

Key:

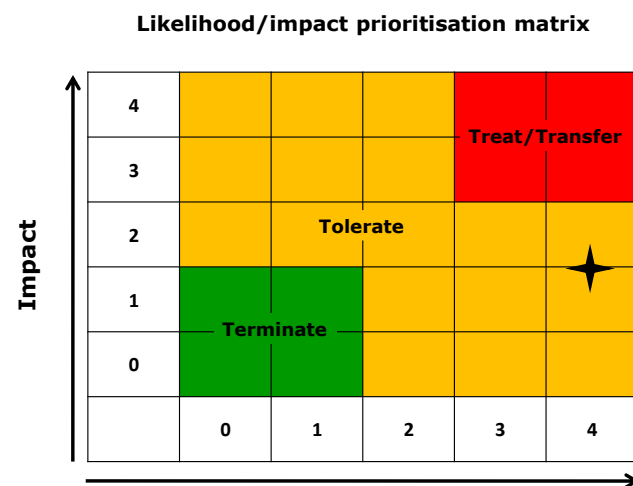
	Complete		Progress stalled / delayed
	In progress		Not started

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 IFCA's 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		<ul style="list-style-type: none">During 2024-25 three new / replacement vessels entered service and a fourth underwent a life extending refit.Alternative sources of funding sought where appropriate e.g. EMFF & Defra CDEL funding supported the purchase of FPV Seaspray, FPV Thunderstruck and C-Runner.Promote Eastern IFCA output and effectiveness to funding authorities through engagement with Council leaders and Financial Directors.Agreement in place with funding authorities for capital funding contributions each year.Assets managed and maintained to reduce the likelihood of early retirement or unexpected depreciation.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.	Tolerate
			Reputation	Financial				
			4	4	Finance Directors agreed to annual capital contributions from 2019-20 onwards to cater for the cost of asset replacement as an alternative to requests for a lump sum amounts as assets are replaced. No guarantees were given or implied. Eastern IFCA will explore all avenues for funding.			
			Drive for savings may impact County Councils' decisions regarding Eastern IFCA funding. Visible presence reduced, enforcement and survey activities compromised.	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		<ul style="list-style-type: none">• Provide a leadership function.• Be proactive and identify issues early.• Engage with all partners routinely• Operate transparently and utilise effective communications approaches.• Use Business Plan to prioritise and communicate outputs, Measure progress/deliver outputs.• Represent community issues to, and support their engagement with, higher authorities.• Recent revisions undertaken to the ARM project for the MCZ to address wider stakeholders concerns about engagement.• Effective business planning process in place.• Leading role where appropriate e.g. Op Blake.• Proactive approach to raising issues with Defra.• Identify opportunities to facilitate delivery of Government objectives through outputs and contribute to Government fisheries and environmental targets by embedding into work plans.• Careful consideration of findings and recommendations from the 2018-2022 quadrennial report and incorporation into delivery of duties as appropriate.	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 Eastern IFCA utility and effectiveness created at MMO/Defra Loss of Partner confidence Media scrutiny of individual Authority members	3		3		<ul style="list-style-type: none">Actively and regularly engage with all partners including media outlets.Review use of social media and web-based information noting its unavoidable use to misinterpret and spread misinformation.Embed professional standards and practices.Deliver change efficiently and effectively.Promulgate successful outcomes.Assure recognition and understanding through clear and concise publications and effective promulgation of such as appropriate.Routine updating of news items on website.Monitor media presence and engage where appropriate.Targeted and meaningful dialogue with stakeholders which caters for intended audiences to reduce likelihood of misinterpretation or misrepresentation.	Treat
			Reputation	Financial	Possible – disenfranchised partners seek to introduce doubt as to Eastern IFCA professionalism, utility, and effectiveness			
			4	2				
			Eastern IFCA perceived to be under performing. Eastern IFCA considered poor value for money. Eastern IFCA perceived as irrelevant.	Negative perceptions introduce risk to continued funding				

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 designated areas.	3.5		2		<ul style="list-style-type: none">Fishing activities authorised by Eastern IFCA are assessed per Habitats Regulations and MaCAA; management routinely includes mitigation to prevent adverse effects on MPA integrity.Eastern IFCA is fully engaged in national fisheries/MPA project, prioritising management of highest risk fisheries in MPAs and implementing new management measures.Effective monitoring of fishing activity and enforcement of measuresAdaptive 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.	Tolerate
			Reputation	Financial	Possible – Eastern IFCA's approach to managing sea fisheries resources actively addresses our environmental obligations.			
			4	3				
			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).				

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 social and economic problems	3		3		<ul style="list-style-type: none">• Annual stock assessments of bivalve stocks in The Wash• Annual review of the level of threat via the Strategic Assessment• Ability to allocate sufficient resources to monitoring and effective enforcement.• Consultation with industry on possible management measures.• Review of management measures in accordance with Defra guidance.• Develop stock conservation measures as required for crab, lobster and whelk fisheries through engagement with the FMP programme and fishing industry and continue support for industry led Fisheries Improvement Plan• SWEEP research into primary productivity levels within the Wash.• Regular engagement with the industry to discuss specific matters.• Continued research into the cockle and mussel mortality events.• Whelk research is ongoing to identify level of risk posed and potential mitigation for sustainability concerns.• 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.	Treat
			Reputation	Financial	Possible - Bivalve stocks have high natural variation; “atypical mortality” affecting 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.			
			3	3				
			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.				

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). Prosecution casefiles compromised. Loss of data in the event of fire or theft Breakdown in dissemination of sensitive information between key delivery partners.	4		2		<ul style="list-style-type: none">All computers are password protected. Individuals only have access to the server through their own computer.Secure wireless internetRemote back up of electronic filesAccess to electronic files is restricted.Up to date virus software installed on all computers.Important documents secured in safes.ICT equipment and policies provided by public sector provider – including encrypted laptops/secure governmental email system.All Eastern IFCA personnel undergo DPA training.Electronic backup of all Eastern IFCA documents held by ICT provider offsite.Policies and processes developed to ensure data security and compliance with data protection legislation.	Tolerate
			Reputation	Financial	Possible - Limited staff access to both electronic and paper files. Office secure with CCTV, keypad entry system and alarm.			
			4	4				
			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.				
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		<ul style="list-style-type: none">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 £140k 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 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		<ul style="list-style-type: none">Continuation of a new Several Order as a high priority within the 2025-26 5-year 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 priorities responses to information requests from Defra.Industry dialogue will be prioritised as required to make progress.	Treat
			Reputation	Financial				
			4	4	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.			
			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 March 2025 to end of May 2025

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 publication of 5-year Business Plan.
Eastern IFCA fails to maintain relevance amongst partners	No change in risk rating or mitigation since last update.
Negative media comment	No change in risk rating or mitigation since last publication of 5-year Business Plan.
Degradation of MPAs due to fishing activity	No change in risk rating or mitigation since last publication of 5-year Business Plan. However, it is noteworthy that progression of the Closed Area Byelaw 2021 workstream leading to confirmation of the byelaw will potentially change (reduce) the associated risk for this factor.
Shellfish and fish stocks collapse	No change in risk rating or mitigation since last publication of 5-year Business Plan.
Failure to secure data	No change in risk rating or mitigation since last publication of 5-year Business Plan.
New Burdens funding discontinued	No change in risk rating or mitigation since last publication of 5-year Business Plan.
The new Several Order to replace that element of the Wash Fishery Order 1992 is substantially delayed.	No change in risk rating or mitigation since last publication of 5-year Business Plan

Vision

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



Information Item 14a

61st Eastern Inshore Fisheries and Conservation Authority Meeting

10 September 2025

Marine Protection Quarterly Report

Report by: Jon Butler, Assistant 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 May 2025 to July 2025 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. Monthly updates have been sent to members.

Report

This report covers a period which historically see's increased levels of fishing activity across the district with the opening of the Wash Cockle Fishery, albeit whelk activity was seen to decrease as water temperatures increased. Reports continued from industry that the Crab Fishery remained poor with landings not being able to meet demand. The Lobster Fishery appears to be slightly better with good prices. Bass had a very short run; however landings were good for industry. Officers focused on dedicated patrols with MMO colleagues to ensure compliance due to concerns raised previously regarding 'black market fish'. Industry continues to raise concerns regarding high levels of seal predation from nets within the fishery with the growing grey seal population across the district.

RSA activity is always a focus during this period. The North Norfolk beaches normally see increased levels of fishing activity and reports of underside Mackerel being landed. Mackerel did not seem to show in high numbers this year and as a result there were few reports of non-compliance.

An industry meeting was held to discuss the 2025 Cockle Fishery; there was no consensus on an opening date with some preferring an early opening in June whilst others suggested an August opening would be better. Discussion was had regarding the proposed closed areas for juvenile cockles and industry and officers agreed to with industry which beds would be monitored for signs of 'ridging out'. There have been a number of compliance

issues detected through routine inspections and officers have a continued presence on the quayside.

Financial Implications

None

Legal Implications

None

Appendices

Appendix 1 – Marine Protection Quarterly Report

Background Documents

Not Applicable

Appendix 1: Marine Protection Report May -July 2025

May 2025

Area 1 (Hail Sand Fort to Gibraltar Point) – High priority is the submission of intel following patrols, as well as re-engagement with fishers through face-to-face contact and phone calls. Prioritise a joint patrol with the MMO/NE IFCA, coast patrols visiting key ports with a high visibility visit to Grimsby. Lincs vessel patrol to gather intel of fishing activity, and visit Donna Nook over low water. Compliance inspections of commercial gear and catch and engagement with recreational anglers.

Area 2 (The Wash and North Norfolk Coast to Brancaster) – High priority is compliance inspections of commercial whelk vessels, as well as engagement with last years permit holders with no current permit. Landing inspections of vessels active in the shrimp and mussel fisheries, with joint MSC inspections with the MMO and monitoring of areas closed to the shrimp fishery. Submission of intel following patrols.

Area 3 (Brancaster to Great Yarmouth) – Shore patrols focusing on engagement and education of recreational anglers are of high priority. Compliance landing inspections of vessels in the whelk, and crab and lobster fisheries, as well as crab and lobster premises inspections. Submission of intel, in particular related to whelk fishing activity.

Area 4 (Suffolk Coast) – Compliance inspections of vessels in the bass and whelk fisheries. Shore patrols focused on recreational angling activity with landing inspections, engagement and education. Submission of intel following patrols.

Enforcement Outcomes

Enforcement planning and actions are risk-based and intelligence led and 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 (Hail Sand Fort to Gibraltar Point): Shore patrols to multiple ports including Fosdyke and Saltfleet, little commercial activity occurring and a small number of recreational anglers engaged with.

Area 2 (The Wash and North Norfolk Coast to Brancaster): Three visits to King's Lynn mainly due to reports of invasive Chinese mitten crab being landed. Boston and Brancaster visited on one occasion, activity low as fishers preparing for start of cockle season.

Area 3 (Brancaster to Great Yarmouth): Four visits to East Runton and Sheringham reflecting the on-going monitoring of the closed areas within the MCZ.

Area 4 (Suffolk Coast): Multiple visits to all key ports in area due to increase in fishing activity across Suffolk, patrols covered commercial ports as well as areas targeted by recreational anglers.

Enforcement metric	Number completed			
	Area 1	Area 2	Area 3	Area 4
Shore Patrols	3	4	6	13
Port visits (1 per month)	12	5	22	40
Catch inspections (landings observed)	0	0	1	7
Catch Inspections	0	0	1	1

(Landings not observed)				
Vehicle Inspections	0	0	0	0
Premises inspections	1	1	0	2
Enforcement actions/Offences	0	0	0	0
Intelligence reports submitted	0	2	4	5
Fishers engaged	2	8	24	76
Vessel Patrols target of 90 per year (April -March) Achieved to date: 12	0	2	4	0
Boardings	0	0	0	0
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	<i>Intertidal biogenic reef</i>	<i>Subtidal biogenic reef: Sabellaria spp. (Ross worm), subtidal stony reef, subtidal mixed sediments, subtidal mud.</i>	<i>Intertidal seagrass beds, subtidal mixed sediments, subtidal mud.</i>	<i>Eelgrass beds (Humber)</i>
Protected Areas	1-13	14-29	30-35	36
	2 monitoring occasions (areas visited: 9, 10, 11, 12)	No monitoring occasions	1 monitoring occasion (areas visited: 30, 31)	No monitoring occasions

Enforcement messages received

Area 1 (Hail Sand Fort to Gibraltar Point)

- Concern from member of the public about vessels trawling off Gibraltar point, confirmed that there are currently no fishing restrictions in that area.

Area 2 (Wash and North Norfolk Coast to Brancaster)

- Report from a cockle fisherman that there are significant levels of ridging out within the closed areas on the Wrangle sand, concern that the area could be lost if it is closed.

Area 3 (Brancaster to Great Yarmouth)

- Dead dogfish washed up on West Runton with no sign of injuries or disease, likely to be discarded bycatch and not a pollution incident.
- Discussions with ex-fisherman regarding Atlantic seals and how they are destroying pots and nets to get to the catch, concerned that they will destroy inshore fisheries.

Area 4 (Great Yarmouth to Harwich)

- Meeting with Orford Trust to discuss commercial trawling in the River Alde and Ore, and whether EIFCA have the ability to manage the activity. Will investigate their rights to the seabed and respond in due course. This will feed in to the HRA of the Alde-Ore.
- Discussion with fisher regarding crab tiling at Breydon Water, explained that traps are maintained all year round but shore crabs are only taken during peak weeks. Traps have been removed from areas where the gulley had been silting up. This will feed in to the HRA of Breydon Water.
- Fisherman enquiring about stern trawl gear geometry for skate and rays, confirmed with MMO and followed up with fisherman.

Fishing trends

Area 1 (Hail Sand Fort to Gibraltar Point)

One commercial fisherman active outside of Grimsby, crab and lobster catches reported to be steady.

Area 2 (Wash and North Norfolk Coast to Brancaster)

Whelk catches now starting to decrease due to increase in sea temperature, were getting between 1000 and 2000kg per trip but dropped to below 1000kg over the last two weeks, £1.45 per kg. Shrimp activity is still steady with approx. 12-13 boats active, price is good at just under £10 per kg so fishers not needing a lot per trip.

Area 3 (Brancaster to Great Yarmouth)

Mackerel has started to show in south Norfolk with a landing at Winterton.

Area 4 (Great Yarmouth to Harwich)

Good increase in fishing activities across Suffolk. Bass coming in throughout the area with steady numbers and fish of a good size, being caught both offshore and reports of some being caught from the shore live too. Cod being landed in both Felixstowe and Lowestoft and all being of fish box length size. Whelk still being landed into Suffolk but this is expected to ease off into the Summer. Trawlers have mostly all swapped from herring gear to sole trawls now in readiness. Crab and lobster are being caught in expected numbers for Suffolk.

June 2025

Area 1 (Hail Sand Fort to Gibraltar Point) – High priority is the submission of intel following patrols, as well as re-engagement with fishers through face-to-face contact and phone calls. Prioritise a joint patrol with the MMO/NE IFCA, coast patrols visiting key ports with a high visibility visit to Grimsby. Lincs vessel patrol to gather intel of fishing activity, and visit Donna Nook over low water. Compliance inspections of commercial gear and catch and engagement with recreational anglers.

Area 2 (The Wash and North Norfolk Coast to Brancaster) – High priority is the submission of intel following patrols and compliance inspections of commercial whelk vessels, as well as engagement with last years permit holders with no current permit. Landing inspections of vessels active in the shrimp and mussel fisheries, with joint MSC inspections with the MMO and monitoring of areas closed to the shrimp fishery.

Area 3 (Brancaster to Great Yarmouth) – High priority is the submission of intel following patrols and shore patrols focusing on engagement and education of recreational angler. Compliance landing inspections of vessels in the whelk, and crab and lobster fisheries, as well as crab and lobster premises inspections. Submission of intel, in particular related to whelk fishing activity.

Area 4 (Great Yarmouth to Harwich) – Compliance inspections of vessels in the bass and whelk fisheries. Shore patrols focused on recreational angling activity with landing inspections, engagement and education. Submission of intel following patrols.

Enforcement Outcomes

Enforcement planning and actions are risk-based and intelligence led and 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 (Hail Sand Fort to Gibraltar Point): Little commercial activity along the Lincolnshire coast with one commercial fisherman active at Skegness. Two shore patrols both visiting Skegness, as well as Fosdyke, Boston and Gibraltar Point.

Area 2 (The Wash and North Norfolk Coast to Brancaster): Commercial activity has slowed as vessels begin to prepare for the upcoming cockle season, three patrols with two visits to busiest port of King's Lynn.

Area 3 (Brancaster to Great Yarmouth): Multiple visits to all North Norfolk ports with East and West Runton and Sheringham visited regularly to check the MCZ closed areas. Multiple patrols to monitor RSA activity targeting bass and mackerel from the beaches.

Area 4 (Great Yarmouth to Harwich): Multiple visits to all key commercial ports as activity starts to increase across the Suffolk coast.

Enforcement metric	Number completed			
	Area 1	Area 2	Area 3	Area 4
Shore Patrols	2	3	16	12
Port visits (1 per month)	6	4	60	24
Catch inspections (landings observed)	0	0	17	6
Catch Inspections (Landings not observed)	0	1	0	1
Vehicle Inspections	0	0	0	0
Premises inspections	0	0	1	4
Enforcement actions/Offences	0	0	0	0

Intelligence reports submitted	0	0	4	1
Fishers engaged	1	7	124	65
Vessel Patrols target of 90 per year (April -March) <i>Achieved to date: 31</i>	0	5	6	2
Boardings	0	0	2	2
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	<i>Intertidal biogenic reef</i>	<i>Subtidal biogenic reef: Sabellaria spp. (Ross worm), subtidal stony reef, subtidal mixed sediments, subtidal mud.</i>	<i>Intertidal seagrass beds, subtidal mixed sediments, subtidal mud.</i>	<i>Eelgrass beds (Humber)</i>
Protected Areas	1-13	14-29	30-35	36
	4 monitoring occasions (areas visited: 8, 9, 10,)	2 monitoring occasions (areas visited: 23, 24, 25, 27, 28)	1 monitoring occasion (areas visited: 31, 32)	No monitoring occasions

Enforcement messages received

Area 1 (Hail Sand Fort to Gibraltar Point)

Area 2 (Wash and North Norfolk Coast to Brancaster)

- Discussions with various Wash fishermen regarding the cockle fishery, there was no consensus on when the fishery should be opened at the industry meeting with some asking for an earlier start, whilst others would have preferred later. There have been reports of new spatfall on the Roger sand and Pandora. Fishermen walking the sands have been focusing on the edges of the high density Year-0 closed areas to ascertain whether the cockles have extended past the closed area, small cockles tend to yield better and are worth more.

Area 3 (Brancaster to Great Yarmouth)

- There is a level of enhanced fishing taking place inshore between East Runton and Sheringham, particularly around the closed area boxes. There is a suggestion that fishers are increasing their level of activity inshore to prove to EIFCA that most of the money the industry makes comes from inshore fishing, and any potential closures would be detrimental to their income.

Area 4 (Great Yarmouth to Harwich)

- Recreational fisher contacted EIFCA with suggestion that there should be a ban on landing all female lobsters, as well as increase in 3cm of the minimum landing size.
- Enquiry passed on from the Association of IFCA's regarding occasional inshore trawling in the Suffolk area, fisherman contacted with the relevant information.
- Reports of a vessel trawling the river at Aldeburgh with little regard for other users as well as the damage caused, EIFCA have been in discussion with the Orford Trust to discuss trawling in the River Alde and Ore.

Fishing trends

Area 1 (Hail Sand Fort to Gibraltar Point)

No fishing trends reported

Area 2 (Wash and North Norfolk Coast to Brancaster)

Catches are low in the crab and lobster fishery and has been hard to predict. Some commercial fishers have caught bass but not in any great numbers, others are sticking to whelk which seem to be consistent and provide reliability.

Area 3 (Brancaster to Great Yarmouth)

Catches are low in the crab and lobster fishery and has been hard to predict. Some commercial fishers have caught bass but not in any great numbers, others are sticking to whelk which seem to be consistent and provide reliability.

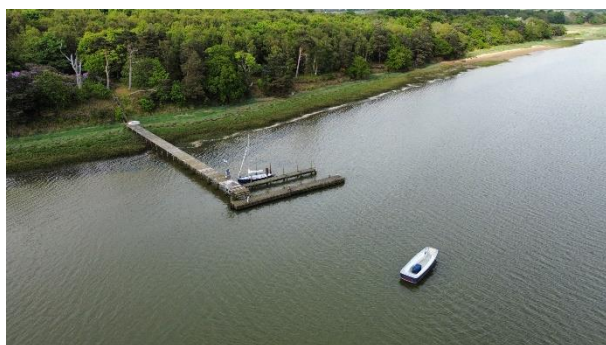
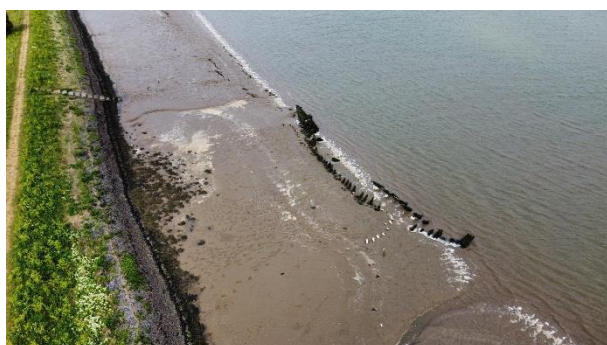
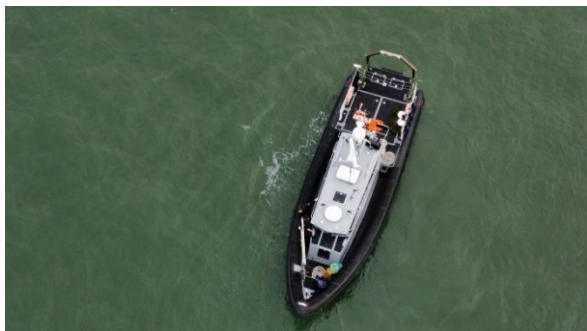
Area 4 (Great Yarmouth to Harwich)

Small bass in rivers around Shotley and the Alde and Yare but starting to disappear now. Mixed species caught from Southwold but not in any great numbers. Recreational anglers catching whiting and dab.

Spotlight on the use of drones within the Marine Protection team

Drones are Small Unmanned Aircrafts (SUA), within Unmanned Aerial Systems (UAS) as defined by the Civil Aviation Authority. Drones are typically miniature aircraft controlled from the ground by a pilot; they can have various camera attachments and have recording capabilities. Drones can be used in dynamic environments, as a fast response to monitor, record and evidence illegal activity that may not otherwise be seen, as well as being used for routine observations and checks. Eastern IFCA uses drones to monitor

fishing activity including in relation to compliance with relevant fisheries and environmental legislation as well as to gather information and evidence about fishing activity and the marine environment to inform fisheries management decisions.



July 2025

Area 1 (Hail Sand Fort to Gibraltar Point) – High priority is the submission of intel following patrols, as well as re-engagement with fishers through face to face contact and phone calls. High visibility port visit to Grimsby, as well as visits to other key ports. Shore patrols and engagement with recreational anglers and compliance inspections of commercial gear and catch. Lincs coast patrol to gather intel of fishing activity and carry out pot hauling.

Area 2 (The Wash and North Norfolk Coast to Brancaster) – Joint MSC shrimp gear inspections with the MMO are of high priority. Submission of intel following patrols, particularly in relation to the whelk fishery is also of high priority. Monitor cockle fishing activity at sea and carry out landing inspections. Whelk gear inspections to be carried out at sea.

Area 3 (Brancaster to Great Yarmouth) – Crab and lobster landing compliance inspections, as well as premises inspections. Shore patrols to engage with, and educate recreational anglers with a focus on the Sea Palling area. Submission of intel following patrols is of high priority.

Area 4 (Great Yarmouth to Harwich) – Whelk landing compliance inspections of targeted vessels. Compliance inspections of bass fishing vessels, particularly at Felixstowe Ferry. Shore patrols, as well as inland water patrols, with engagement and education of recreational anglers, as well as landing inspections. High priority is the submission of intel following patrols.

Enforcement Outcomes

Enforcement planning and actions are risk-based and intelligence led and 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 (Hail Sand Fort to Gibraltar Point): Visits to all ports along the Lincolnshire coast including to Grimsby to monitor activity which falls in to the EIFCA district. Little commercial activity other than Skegness and Grimsby.

Area 2 (The Wash and North Norfolk Coast to Brancaster): Large increase in the number of patrols, particularly in Boston and King's Lynn, due to the opening of the Wash cockle fishery. Increase in number of inspections and engagement with fishers also reflects this.

Area 3 (Brancaster to Great Yarmouth): Multiple visits to all North Norfolk ports, with a focus at Sea Palling reflecting the levels of commercial and recreational activity in the area.

Area 4 (Great Yarmouth to Harwich): Multiple visits to all ports with a focus on the commercial activity at Lowestoft and Southwold. Patrols to Shotley and Levington as ongoing work at Mersea island has displaced vessel activity in these areas.

Enforcement metric	Number completed			
	Area 1	Area 2	Area 3	Area 4
Shore Patrols	2	20	14	15
Port visits (1 per month)	8	21	58	33
Catch inspections (landings observed)	0	188	24	11
Catch Inspections (Landings not observed)	0	34	0	3

Vehicle Inspections	0	0	0	0
Premises inspections	2	4	4	2
Enforcement actions/Offences	0	2	0	0
Intelligence reports submitted	2	1	3	4
Fishers engaged	7	237	77	72
Vessel Patrols target of 90 per year (April -March) <i>Achieved to date: 46</i>	0	8	4	1
Boardings	0	0	6	2
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	<i>Intertidal biogenic reef</i>	<i>Subtidal biogenic reef: Sabellaria spp. (Ross worm), subtidal stony reef, subtidal mixed sediments, subtidal mud.</i>	<i>Intertidal seagrass beds, subtidal mixed sediments, subtidal mud.</i>	<i>Eelgrass beds (Humber)</i>
Protected Areas	1-13	14-29	30-35	36
	5 monitoring occasions (areas visited: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10)	2 monitoring occasions (areas visited: 24, 28)	3 monitoring occasions (areas visited: 33, 34, 36)	1 monitoring occasion

Enforcement messages received

Area 1 (Hail Sand Fort to Gibraltar Point)

- No messages from Commercial or recreational sectors.

Area 2 (Wash and North Norfolk Coast to Brancaster)

- Wash cockle vessel has reported they had a broken iVMS unit, Succorfish have yet to provide a date they will be able to visit the vessel. The MMO confirmed that if a vessel has made contact with the supplier and are attempting to get the unit fixed, the vessel can continue to put to sea and fish.

Area 3 (Brancaster to Great Yarmouth)

- Engagement with various fishermen who made comments regarding the seasons having appeared to change in terms of the catch and new species they are getting. Seem to also be catching more berried and undersized lobsters which is a poor sign for the stock, the quality and quantity of crab being caught is also very poor.
- Some Fishermen believe the MCZ has more vessels fishing more pots than ever before and that a pot limit is required.

Area 4 (Great Yarmouth to Harwich)

- Due to planned works there is limited access to Mersea island, commercial fishers are working out of different ports for the time being.
- Recreational angler fishing on the River Orwell reported that the rivers are fishing well, and seem to be healthy, caught and returned 48 undersized bass within a few hours of fishing.

Fishing trends

Area 1 (Hail Sand Fort to Gibraltar Point)

Very little commercial activity, one fisherman at Skegness targeting crab and lobster. Some vessel fishing from Grimsby in district.

Area 2 (Wash and North Norfolk Coast to Brancaster)

Whelk price remains at £1.50 per kg, catches dropping off as water temperature warms. Shrimp price remains high at £9.00 per kg.

Area 3 (Brancaster to Great Yarmouth)

Main fisheries being crab and lobster, crab has been worst year yet and only now starting to pick up inshore, lobster are now starting to be caught in large numbers inshore. Very high density potting inshore in Cromer MCZ. Bass only had a short run of 3 weeks of sizeable worth fishing for commercially, now the majority are undersize, but effort continues. Recreationally lots of species being caught, bass throughout, mackerel now showing up, horse mackerel, and the odd tope. Inland is also now picking up that the freshwater season has started and many targeting bass inland.

Area 4 (Great Yarmouth to Harwich)

Bass and sole are the main desired catch by fishermen and sole are being caught in good numbers currently. Bass are very hit and miss, with the bigger catches being caught well out to sea. Plenty of smaller bass in the rivers and from the beaches. Plenty of smoothhound being caught, but mainly as a bycatch, the same goes for thornback ray too. Whelk fishing still continues, be it on a relatively small scale, but boats are sticking with the whelks as the catches are consistent and reliable. Lobsters and crabs being caught by a few boats in South Suffolk, and a few spider crabs also in the mix.

Vision

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



Information Item 14b

60th Eastern Inshore Fisheries and Conservation Authority Meeting

12 March 2025

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 2025-26 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 Marine 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.

The reporting period of this report covers two separate financial years and business plans.

Report

Overview

This report describes progress against the business critical workstreams during June, July and August.

During the reporting period, a significant resource was allocated to the development and publication of management measures towards the opening of the cockle fishery which included a novel permit conditions (for the protection of small cockles) and a new requirement for all vessels to operate with trackers. Management of the fishery also included continuous monitoring of closed areas to detect signs of ridging out (whereby cockles force each other out of the beds as they grow) to inform adaptive management of the fishery.

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

Shrimp management

Shrimp effort is monitored to ensure that it remains within agreed thresholds in accordance with the Shrimp Effort Limitation Scheme Policy. Shrimp fishing effort updates are provided on the Authority's website¹⁸.

The Shrimp Permit Year runs from 1 August to 31 July, and an annual Total Allowable Effort (TAE) is set during September each year to achieve the agreed 5-year rolling average of 1,101 trips per year. Work is underway to agree a TAE including in dialogue with the Shrimp Fishery Working Group.

Study of the Wash Embayment, Environment and Productivity (SWEEP) and Environmental Health Monitoring (EHO)

A total of three SWEEP samples were not collected during the reporting period (two in June and one in July) due to poor weather. All EHO samples were collected during the reporting period.

High E.coli levels were reported within four separate sites during July and one site during August. As a result, one shellfish production area (Heacham and Hunstanton) was closed to cockle fishing because of excessively high E.coli levels (>180,000 E.coli per 100g flesh) and an Action State was called at another (Wells-the-Pool) which resulted in additional sampling being required. It is noteworthy that sampling for the Wells-the-Pool production area is not undertaken by the Authority.

SWEEP sonde readings were collected from all sites during March, April and May. There were no concerns with regards to food availability.

Wash Cockle and Mussel management

The Wash cockle Fishery opened on July 14 following careful consideration of stakeholder feedback (during a consultation and industry meeting) and Natural England advice.

Management has included a revision to the permit conditions for the protection of small cockles and adaptive management of closed areas in the context of the risk of die-off (primarily through 'ridging out') in certain areas which have been monitored continuously during the reporting period.

A full update on the fishery, including the work undertaken by Marine Science Officers is provided at Item 10 of this meeting.

Management of Whelk Fisheries

Monthly monitoring of the whelk fishery has indicated that the Landings per Unit Effort in The Wash continued to increase over the reporting period which is a positive development in the context of concerns regarding the sustainability of the Wash fishery as reported within the 2024 review of permit conditions. Risk remains in The Wash

¹⁸ [Shrimp Effort Updates - Eastern IFCA](#)

however on the basis that the overall trend within The Wash has been a downward decline in recent years.

Work is underway to inform the development of additional management measures (through permit conditions) in the context of the risk identified in the Wash and the objectives and actions of the Whelk Fisheries Management Plan which is to include further consultation with industry and is anticipated as leading to additional permit conditions being presented at the December Authority meeting.

Provision of whelk samples from Suffolk fisheries is a priority to inform a review of the increased minimum landing size within the area (of 55mm). Work has progressed including the provision of required derogation from national minimum Conservation Reference size rules to enable sample collection.

Assessments of unplanned fisheries

There were no 'unplanned fisheries' during the period.

Advice in relation to sustainable development

16 'consultations' were received during the period including Marine Licence Applications, and pre and post-application examinations. Of these 9 have been completed with advice provided.

A number of the consultations relate to windfarm and / or energy infrastructure including in relation to the Sizewell C nuclear power facility.

Monitoring district-wide Biosecurity risk

No new biosecurity risks were identified during the reporting period.

Financial Implications

None identified

Legal Implications

None identified

Appendices

Not applicable

Background Documents

5-Year business Plan 2025-30