

# **Cromer Shoal Chalk Beds MCZ**

## **Project Board**

### **Meeting 23**



**Date:** 8<sup>th</sup> January 2025

**Time:** 15:30

**Venue:** Online via Teams video conferencing

#### **Agenda:**

1. Apologies
2. Notes of last meeting
3. Actions and Decisions
4. Progress against ARM plan (SH)
5. Risk review
  - a. Project Risks (SH)
  - b. MCZ Risks (SH)
6. Matters arising
  - a. Incursion report (SH)
  - b. ARM Budget and Funding (SH)
  - c. February Stakeholder Group meeting proposal (EC)
7. Research Task & Finish Group update (RWJ)
8. Management Task & Finish Group update (LG)
9. Stakeholder Group update (EC)
10. Communications update (EC)
11. Date of next meeting (SH)
12. AOB

## **Supplementary Material**

### **Item 4: Progress against ARM plan**

Please see Appendix 1.

### **Item 5a: Project Risk review**

Please see Appendix 2

### **Item 5b: MCZ Risk review**

No update. Next review due January 2025.

## **Item 6a: ARM Budget and Funding**

**By:** Samantha Hormbrey, SMSO

### **Purpose:**

To share the estimated and projected costs for ARM related work against confirmed funding to inform members of the financial restraints and requirements and to ensure transparency.

### **Recommendations:**

It is recommended that members:

- **Note** the contents of the budget

### **Report**

This report provides a summary of the estimated costs, spend to date and projected costs for each ARM project against confirmed funding streams so that shortfalls and surpluses can be identified and managed. Table 1 presents a summary of confirmed and applied for funding streams.

Costs have been estimated for each project and broken down into 'actual costs', which represent additional expenditure not included in the Authority's annual budget, and 'costs associated with officer and vessel time' which are already covered by the Authority's annual budget. It should be noted that costs associated with officer time have been calculated based on 2023/2024 rates as they were the most up to date at the time of calculating. Further, vessel day rates and fuel rates are based on those for *FPV Sebastian Terelinck* and *RV Three Counties*. Whilst much of the vessel based work will likely be completed on the new Authority vessels, *FPV Thunderstruck* or *FPV Protector IV*, day and fuel rates were not available for these vessels at the time of calculating.

**Table 1:** Summary of funding streams for ARM projects, including spend for 2023/2024. Where funding has been applied for, but it is not yet confirmed, text is grey italics.

<b>Funding Source</b>	<b>Period</b>	<b>Amount confirmed (or applied for)</b>	<b>Spent</b>
<b>Natural Disturbance Study</b>			
Blue Marine Foundation	2023/2024	£25,000.00	£3,634.95
Natural England	2023/2024	£25,000.00	£16,333.90
Natural England	2024/2025	£25,000.00	
Fisheries and Seafood Scheme	2024/2025	£70,457.16	
<i>Hornsea Three Community Fund</i>	<i>2025/2026</i>	<i>£54,249.00</i>	
<b>Tagging Project</b>			
World Wide Fund for Nature	2024	£15,000.00	
<b>Adaptive Gear Trials</b>			
<i>Esmee Fairburn Foundation</i>	<i>2025/2026</i>	<i>£33,000.00</i>	

Funding has so far been sought on an annual basis for specific projects within ARM. Whilst long term funding opportunities have been explored, none were found that were suitable. For these reasons, there is no confirmed funding for the 2025/2026, 2026/2027 and 2027/2028 financial periods. The Authority has applied for funding for the *Natural Disturbance Study* for 2025/2026 and the North Sea Wildlife Trusts have submitted an expression of interest for funding for *Adaptive Gear Trials* planned for 2025/2026.

### Fishing Activity Mapping

Actual costs associated with the *Fishing Activity Mapping* project include trackers and subscription fees and have been estimated for the 2024/2025 and 2025/2026 financial years (Table 2). To be fully transparent costs associated with officer time spent on the project have also been estimated and presented in Table 2. It is anticipated that the Statutory Instrument for IVMS will come into effect in 2025, removing the need for the Authority to supply and fund trackers and subscriptions in order to obtain vessel positions required for the project. As such there are no actual costs anticipated for subsequent financial years, though officer time will be required to process and analyse data. It should be noted that prior to the current financial year, the cost of trackers and subscriptions fees have been allocated to the Authority's Marine Science budget and no alternative funding has yet been identified to cover these costs for this or the next financial years.

Projected actual costs total £1,279.68 for each financial year and as no funding has been secured to cover these costs leaves a nominal shortfall of £1279.68 per year, albeit the cost can be absorbed by the Authority's annual revenue budget.

**Table 2:** Summary of the financial projection for the Fishing Activity Mapping project.

<b>Fishing Activity Mapping</b>		<b>2024/ 2025</b>	<b>2025/ 2026</b>	<b>2026/ 2027</b>	<b>2027/ 2028</b>
<b>Actual costs</b>	Total estimated	£1,279.68	£1,279.68		
	Spend to date (Q1 -Q3)	£639.84			
	<b>Projected outturn</b>	<b>£1,279.68</b>			
<b>Income</b>	<b>Funding secured</b>	<b>£0.00</b>	<b>£0.00</b>		
<b>Financial projection</b>	<b>Shortfall</b>	<b>£1,279.68</b>	<b>£1,279.68</b>		
	<b>Unfunded shortfall*</b>	<b>£0.00*</b>	<b>£0.00*</b>		
	<b>Surplus</b>				
<i>Costs associated with officer time</i>	<i>Total estimated</i>	<i>£2,332.80</i>	<i>£2,332.80</i>		
	<i>Spend to date (Q1 -Q3)</i>	<i>£1,555.20</i>			
	<i>Projected</i>	<i>£2,332.80</i>			

\*Paid from the Authority's annual revenue budget.

### Tagging Project

Officers secured £15,000 funding for the *Tagging Project* from the World Wide Fund for Nature for the 2024 period. It was anticipated that this funding would be allocated to equipment costs, largely the tags them self, and participant fees. However, it has recently been agreed by the funders that the funding can be allocated to cover costs

associated with officer time to ensure it is spent by of the funding period (31<sup>st</sup> December 2024).

Projected costs amount to £7,207.87 leaving £7,792.13 unspent which can be allocated to officer time (Table 3). It is projected that associated staff costs will total £8,467.67 by the end of the funding period (31<sup>st</sup> December 2024). As these costs are already covered by the Authority's budget, the surplus, allocated to staff costs, is projected to provide £7,792.13 of income generation which could be allocated to project related costs that occur beyond the funding period.

**Table 3:** Summary of the financial projection for the Tagging project.

Tagging Project		2024	2025/ 2026	2026/ 2027	2027/ 2028
<b>Actual costs</b>	Total estimated	£15,000.00			
	Spend to date (Q1 -Q3)	£7,207.87			
	<b>Projected outturn</b>	<b>£7,207.87</b>			
<b>Income</b>	<b>Funding secured</b>	<b>£15,000.00</b>			
<b>Financial projection</b>	<b>Shortfall</b>				
	<b>Surplus</b>	<b>£7,792.13</b>			
<i>Costs associated with officer time</i>	<i>Total estimated</i>	<i>£8,045.57</i>			
	<i>Spend to date (Q1 -Q3)</i>	<i>£8,467.67</i>			
	<i>Projected</i>	<i>£8,467.67</i>			

### Natural Disturbance Study

The Natural Disturbance Study is a multi-year project which began in the 2023/2024 financial year, initially receiving funding from Natural England and Blue Marine Foundation for that year (Table 1). Due to challenges with weather and contractor availability, some of the surveys planned for Autumn 2023 were delayed until May 2024, resulting in a surplus to be used to cover the cost of these surveys when completed beyond the financial year (Table 5).

For this financial year, funding has been secured from Natural England and Fisheries and Seafood Scheme (FASS), totalling £95,457.16. Whilst the Natural England funding agreement is flexible when it comes to how the funding is allocated and broken down across project costs, the FASS funding is much more restrictive. A breakdown detailing how the FASS funding can be allocated across different project components is provided in Table 4. It should also be noted that there is a requirement for the Authority to contribute 25% of project costs for the FASS funding, however, it has been confirmed that NE's contribution can cover these match funding requirements.

Table 4 details a breakdown of the estimated costs, spend to date and projected spend and provides an estimate of how much of the projected costs can be allocated to the FASS funding. The flexibility of the NE funding means that any costs that cannot be covered by the FASS funding can be allocated against the NE funding, as such no shortfall is predicted for the current financial year. Whilst it is not anticipated that all the FASS funding will be spent, based on current spend and projections, the FASS funding can only be claimed if actually spent, consequently no surplus is anticipated, when considering actual costs (Table 5). However, whilst the total amount of funding

confirmed appears to be significantly greater than the estimated actual costs presented in Table 4 and 5, a significant proportion of the FASS funding is associated with officer time and vessel costs. As most of these costs are already covered by the Authority's revenue budget, this creates what might be referred to as a surplus which could be considered in the Authority's budget management processes in order to support unfunded or future project related costs. It is projected that a 'surplus' of £37,314.03 will be generated from covering these costs.

On considering estimated costs and projections, it is important to note that contingency has been built in when estimating costs, particularly around survey components due to the particularly challenging environment in which the project is taking place in an attempt to reduce the level of risk and ensure project success. Spend so far is under that projected as it had not been necessary to use all contingency days predicted. Further, FASS funding can only be allocated to costs which occurred after the 13 August 2024 when the project application was formally accepted by FASS and which were included in the original application. Consequently, there are a number of costs which cannot be allocated to FASS funding.

Estimated costs for the next three financial years are presented in Table 5. No funding has yet been secured for these years, but the Authority has submitted an application to the Hornsea Three Community Fund to cover costs for the 2025/2026 financial year (Table 1).

**Table 4:** Breakdown of estimated costs, spend to date, projected spend and the portion which can be allocated to FASS funding for 2024-25

Natural Disturbance Study		Estimated costs	Estimated FASS Funded	Total Spend (Q1-Q3)	FASS Funded (Q1-Q3)	Total Projected spend	FASS Funded
<b>Actual Costs</b>	Contractor time	£14,075.00	£3,300.00	£4,602.50	£2,375.00	£13,977.50	£3,300.00
	Equipment	£26,553.50	£19,215.30	£2,775.50	£1,319.50	£15,177.10	£11,401.50
	Licence application	£50.00	£0.00	£50.00	£0.00	£50.00	£0.00
	Materials	£0.00	£0.00	£404.24	£0.00	£1,875.85	£0.00
	Travel & Subsistence	£5,070.30	£1,380.60	£2,028.63	£1,716.68	£4,036.53	£1,380.60
	Venue & catering	£525.00	£330.00	£0.00	£0.00	£525.00	£330.00
	<b>Total</b>	<b>£46,273.80</b>	<b>£41,627.40</b>	<b>£9,860.87</b>	<b>£5,411.18</b>	<b>£35,641.98</b>	<b>£16,412.10</b>
<i>Costs associated with officer and vessel time</i>	<i>Staff time</i>	£70,531.93	£49,776.49	£33,123.64	£15,441.36	£60,393.28	£33,554.07
	<i>Vessel costs</i>	£18,620.00	£4,053.27	£6,817.68	£2,306.64	£9,471.00	£3,759.96
	<i>Total</i>	£89,151.93	£53,829.76	£39,941.32	£17,748.00	£69,864.28	<b>£37,314.03</b>

**Table 5:** Summary of the financial projection for the Natural Disturbance Study.

Natural Disturbance Study		2023/2024	2024/2025	2025/2026	2026/2027	2027/2028
<b>Actual costs</b>	Total estimated	£50,000.00	£46,273.80	£47,788.83	£47,788.83	£47,788.83
	Spend to date (Q1 -Q3)	NA	£9,860.87			
	<b>Projected outturn</b>	<b>£25,031.15</b>	<b>£35,641.98</b>			
			FASS £16,412.10 NE £19,229.88			
<b>Income</b>	<b>Funding secured</b>	<b>£50,000</b>	<b>£95,457.16</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>
			FASS £70,457.16 NE £25,000.00			
<b>Financial projection</b>	<b>Shortfall</b>			<b>£47,788.83</b>	<b>£47,788.83</b>	<b>£47,788.83</b>
	<b>Surplus</b>	<b>£19,968.85</b>	<b>£43,084.15</b>			
			*FASS £37,314.03 NE £5,770.12			
<i>Costs associated with officer and vessel time</i>	<i>Total estimated</i>	NA	£89,151.93	£109,310.46	£109,310.46	£109,310.46
	<i>Spend to date (Q1 -Q3)</i>	NA	£39,941.32			
	<i>Projected</i>	NA	£69,864.28			

\* FASS funding is only received if a claim is made so any 'surplus' generated is against staff and vessel costs and does not include unspent funding.

## Adaptive Gear Trials

The Adaptive Gear Trials are proposed to commence during the 2025/2026 financial year so have not been included in the financial projections for the current, or subsequent, financial years. Estimated costs equate to £40,260.00 actual costs (Table 6), the majority of which are contractor costs required to complete data processing and analysis components of the trials. A detailed breakdown of costs is provided in Table 6.

**Table 6:** Summary of the financial projection for the Adaptive Gear Trials.

Adaptive Gear Trials		2024/ 2025	2025/ 2026	2026/ 2027	2027/ 2028
<b>Actual costs</b>	<b>Total Estimated</b>		<b>£40,260.00</b>		
	Contractor time		£30,000.00		
	Equipment		£9,000.00		
	Travel & Subsistence		£1,260.00		
	Spend to date (Q1 -Q3)				
	Projected outturn				
<b>Income</b>	<b>Funding secured</b>		<b>£0.00</b>		
Financial projection	Shortfall		<b>£40,260.00</b>		
	Surplus				
Costs associated with officer and vessel time	<i>Total estimated</i>		£33,022.80		
	<i>Officer time</i>		£14,972.80		
	<i>Vessel time</i>		£18,050.00		
	<i>Spend to date (Q1 -Q3)</i>				
	<i>Projected</i>				

The North Sea Wildlife Trusts have applied for funding to cover contractor and equipment costs; however, the funding is limited in that it can only cover equipment costs up to 10% of the total project cost. Consequently, if this funding is secured it is estimated that £7,260.00 of equipment costs will remain to the Authority. As funding has not been confirmed, it is not included in Table 6, reflecting a shortfall of £40,260.00 if this were the case. Costs associated with officer and vessel time are presented in Table 6, however, as these costs are already covered by the Authority budget, they are not considered material costs that require additional funding.

## Summary

Table 6 presents a summary of the financial projections for each project for this and the next three financial years and details the surplus/shortfall from the previous financial year.



**Table 6:** Summary of financial projections for ARM projects. 'Surplus' highlighted in green and shortfalls in red.

Project	2023/ 2024	2024/ 2025	2025/ 2026	2026/ 2027	2027/ 2028
Fishing Activity Mapping	£0	£0	£0		
Tagging Project		£7,792*			
Natural Disturbance Study	£19,968	£43,084 (FASS £37,314* NE £5,770)	£47,788	£47,788	£47,788
Adaptive Gear Trials			£40,260		

\*'Surplus' generated by claiming against officer and vessel associated costs.

## **Item 6b: February Stakeholder Group Meeting proposal**

**By:** Ellie Collishaw, PO

### **Purpose:**

To propose an agenda for the February Stakeholder Group Meeting.

### **Recommendations:**

It is recommended that members:

- **Agree** the February Stakeholder Group Meeting agenda
- **Note** the costings of the February Stakeholder Group meeting

### **Report**

Following the revision of the engagement plan Eastern IFCA have committed to at least one face-to-face Stakeholder Group meeting per year during the first quarter of the year, intended to be in February. With this in mind outlined below is a proposed agenda for a February in person meeting with estimated costing and resource requirements detailed in Table 4. It is proposed that the focus of this meeting would be on the development of phase two permit conditions, with discussions and feedback contributing to the related consultation planned for early 2025. A suggested agenda is set out below, the time and date of the meeting has already been determined and is included below:

#### ***Cromer Shoal Chalk Bed MCZ Stakeholder Group Draft Agenda***

##### ***Meeting 10: Phase 2 Permit Conditions***

***Northrepps Village Hall, School Cl, Northrepps, Cromer, NR27 0LB***

***Thursday 20<sup>th</sup> February 2025, 6:00pm – 9:00pm***

##### **Welcome**

- *Welcome and ground rules*
- *Progress against ARM plan*

##### **Management TFG**

- *Management updates*
- *Phase 2 Permit Conditions: Facilitated Discussion*

##### **Dinner**

##### **Research TFG**

- *Natural Disturbance Study update*
- *Social value study update*

##### **Round up**

- *ARM next steps*
- *Focus for the next 6 months (2025) & Q&A*

Previously the stakeholder group in person meetings have been three hours in length, with half an hour dinner break. This allows time for Q&A following updates and facilitated discussion sessions. Additionally the dinner break in the middle is intended to reduce information fatigue. Either side of the meeting time is allocated to officers for travel, meeting preparation and clearing up and takes the village hall booking to 5 hours. Table 4 outlines the estimated costs and staff resources required for the meeting.

**Table 4:** Summary of cost, resource requirements for meeting 10.

	<b>Estimated cost</b>	<b>Resources/ Staffing</b>
<b>In-person meeting</b>	Northrepps Village Hall Hire – 5 x £12/h = £60 Catering – approximately £400	Approx. 5-7 staff CEO, ACO, 1-2 SMSO, PO, 2 MSOs minimum

Appendix 1 – Progress against ARM plan

ARM Plan			RAG rating	2021				2022				2023				2024				2025				2026				2027			
				Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Assess		Potting Assessment			v5.0																										
		Interim report																													
Management	Voluntary Code of Best Practice	Define the issues																													
		Develop and appraise																													
		Implement																													
		Monitor																													
		Evaluate and adapt																													
	Cromer Shoal Chalk Beds Byelaw 2023	Byelaw	Define the issues																												
			Develop and appraise																												
			Seek confirmation																												
			Implement																												
			Monitor																												
			Evaluate and adapt																												
		Permit conditions	Define the issues																												
			Develop and appraise																												
			Seek confirmation																												
			Implement																												
			Monitor																												
Research	Assessing impacts of potting																														
	Mapping sensitive features																														
	Mapping fishing activities																														
	Trialing alternative fishing practices																														
	Determining the value of rugged chalk																														

Q1: Jan - Mar

Q2: Apr - Jun

Q3: Jul - Sep

Q4: Oct - Dec

RAG rating:

On track/complete

Delayed

Not started/ significant delay

Scheduled

Key Milestones:

Potting Assessment updated

Code of Best Practice launched

Byelaw agreed by the Authority

Interim report 2023 published

Permit conditions confirmed

Final rugged chalk extent defined

Baseline fishing activity determined

Value of rugged chalk determined

Interim report 2025 published

Byelaw comes into effect

First review of permit conditions

Findings from adaptive gear trials

Second review of permit conditions

Findings from disturbance study

Potting Assessment updated

Third review of permit conditions

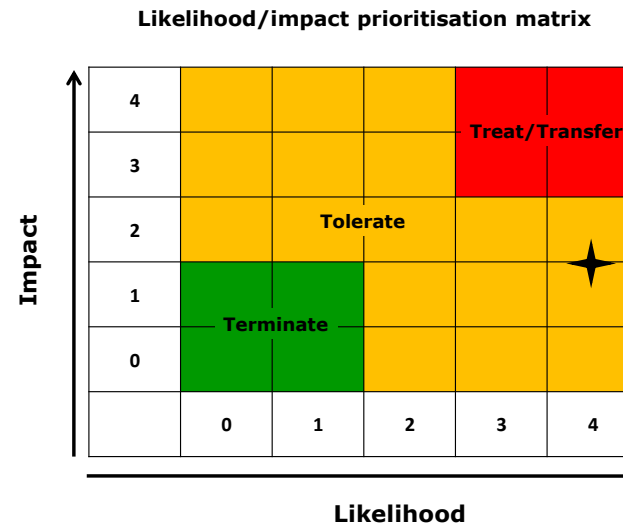
## Appendix 2

### Cromer Shoal Chalk Beds MCZ Adaptive Risk Management Project: Risk Management

This risk matrix sets out risks to completion of the project's aims, considering the severity of the impact and the likelihood of such occurring, and the mitigation in place or needed to address the risk as necessary.

Impact and likelihood is ranked on an arbitrary scale from 0 (low) to 4 (high) and plotted on figure 1 (below) to identify a level of associated risk for each factor identified. One of four actions are assigned to each risk factor dependant on the level of risk as per the table below.

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 description	Implications	Impact Severity	Impact Likelihood	Risk rating	Mitigation	Action
Inability to secure funding for the project	<p>Without sufficient funding, or sufficiently robust budgetary management, the project may not have funds to deliver its objectives.</p> <p>In particular, multi-year research projects which underpin an ARM approach may not be feasible or sufficiently robust (where compromises are made to account for a lack of funding) without sufficient external funding.</p> <p>Failure to secure sufficient funding would carry reputational implications also, particularly in the context of multi-year research projects where funding cannot be secured to complete a project after having invested in such already (noting that those having funded the project in previous years would not ultimately have achieved the intended benefit)</p>	<p><b>4 (High)</b> – Failure to sufficiently fund robust research projects would preclude an ARM approach to management and result in project failure.</p> <p>This includes failure to ensure funding is sufficient to enable methodology required to generate robust conclusions, the impact of such potentially having to abandon an ARM approach to meet the legal duties on the Authority to manage the site.</p>	<p><b>2 (likely)</b> – Project management and administration is undertaken as part of the Authority’s duties to manage the MCZ and therefore budgeted for within the Authority’s budget. The research underpinning the ARM approach however exceed revenue budgets and require external funding. Such funding is typically provided for individual financial years rather than extending to the lifetime of the project which increases the risk that such will not be identified. Mitigation is in place however to reduce the likelihood.</p>	<b>(8)</b> <b>Med</b>	<p><b>In place:</b></p> <ul style="list-style-type: none"> <li>Careful budget management including oversight by Project Board</li> <li>Forward looking financial planning, including identifying funding opportunities ahead of time</li> <li>Eastern IFCA Executive oversight of financial planning and funding applications</li> </ul> <p><b>Potential further mitigation</b> (if risk increases):</p> <ul style="list-style-type: none"> <li>Consider agreement from the Authority to utilize reserves to fund project critical gaps</li> </ul>	Tolerate
Non-compliance with voluntary management measures (fishing industry)	<p>There are three forms of voluntary measures in place, the implications for non-compliance vary.</p> <p><b>Voluntary Code of Best Practice:</b> non-compliance increases the risk potting activity poses to the conservation objectives of the MCZ.</p>	<p><b>3 (high)</b> – voluntary measures are implemented in acknowledgement that there will be a component of non-compliance.</p> <p>The severity of the impact is dependent, to an extent, on the level of non-compliance, and the measures. However, they also</p>	<p><b>4 (very likely)</b> – Non-compliance has been noted with respect to the Code of Best Practice and the voluntary closures. In addition, uptake of trackers is low, encompassing half the fleet at best.</p>	<b>(12)</b> <b>High</b>	<p><b>In place:</b></p> <ul style="list-style-type: none"> <li>Actively engage with fishers, including in-person and in writing, to encourage compliance</li> <li>Provide clear information on voluntary measures to facilitate compliance</li> </ul>	Treat

	<p><b>Use of vessel trackers:</b> Non-compliance reduces the amount of information available to undertake ARM, develop appropriate management measures, and ensure monitor / evidence compliance with other voluntary measures.</p> <p><b>Incursion into areas closed for the purpose of the NDS:</b> non-compliance undermines any conclusions from the NDS.</p>	<p>serve to reduce risk to the MCZ and non-compliance will ultimately mean an increase of risk to the MCZ.</p> <p><b>Use of vessel trackers:</b> any non-compliance undermines the utility of the information gathered, only complete coverage will have the intended effect i.e. using the data to inform an assessment and monitoring / evidencing compliance with other measures.</p> <p><b>Incursion into areas closed for the purpose of the NDS:</b> non-compliance will undermine the results of the study and increase risk to the MCZ.</p>			<ul style="list-style-type: none"> <li>• Clear messaging about the benefits of compliance and importance to the project</li> <li>• Providing trackers free of charge to fishing industry</li> <li>• Providing handheld GPS plotters to vessels without such free of charge (to facilitate compliance with voluntary closure)</li> </ul> <p><b>Potential further mitigation:</b></p> <ul style="list-style-type: none"> <li>• Implement voluntary measures as regulatory measures</li> <li>• Determine alternative means of reducing risk to the MCZ</li> </ul>	
The Cromer Shoal Chalk Beds Byelaw 2023 is not confirmed or is significantly delayed	Risk to the rugged chalk increases over time and cannot be mitigated without regulatory management measures. The key implication therefore relates to an inability to implement management required to meet the conservation objectives of the MCZ. The flexible permit byelaw will also enable a dynamic approach to management in accordance with an ARM approach specifically informed by research and monitoring.	<b>4 (very high)</b> – Risk to the MCZ cannot be sufficiently reduced without a regulatory mechanism to implement management measures.	<b>1 (unlikely)</b> – The byelaw is well justified and has a clear vires under MaCAA (s.154 specifically). The byelaw making process was adhered to (including resolving objections), reducing the likelihood challenge or the need for a local enquiry.	<b>4 (Med)</b>	<p><b>In place</b></p> <ul style="list-style-type: none"> <li>• Due diligence during byelaw making process.</li> <li>• The need for a byelaw has clear basis in law.</li> </ul> <p><b>Potential further mitigation</b></p> <ul style="list-style-type: none"> <li>• None identified</li> </ul>	<b>Tolerate</b>

Failure to implement management measures which are proportionate to the risk posed and adequately precautionary	<ul style="list-style-type: none"> <li>Increased risk to the conservation objectives of the MCZ</li> <li>Legal challenge (Judicial Review) of decisions made by the project and / or Authority</li> <li>Requirement to implement more precautionary measures</li> <li>Loss of buy-in from stakeholders undermining a collaborative approach to management as required under ARM</li> </ul>	<p><b>4 (very high)</b> – where management measures are not sufficiently precautionary the ultimate consequence is project failure i.e. that ARM is not sufficient to mitigate the level of risk to rugged chalk and the MCZ generally.</p> <p>Where management measures are disproportionately precautionary, impacts on fishing industry may lead to challenges of the ARM approach (although severity of this consequence are likely to be lower).</p>	<b>2 (possible)</b> – Given the uncertainty around the extent to which damage caused by fishing is hindering the conservation objectives of the MCZ (particularly in the context of natural disturbance), the paucity of evidence about the interaction and the economic and social importance of the fishing industry operating to the MCZ, identifying and implementing proportionate management is highly challenging.	<b>8 (Med)</b>	<p><b>In Place</b></p> <ul style="list-style-type: none"> <li>Collaborative approach with stakeholders and Natural England as the Statutory Nature Conservation Advisor</li> <li>Consultation on proposed management measures</li> <li>Undertaking impact assessments of proposed permit conditions to identify benefits &amp; impacts</li> </ul> <p><b>Potential further mitigation</b></p> <ul style="list-style-type: none"> <li>None identified</li> </ul>	<b>Tolerate</b>
Failure to evidence effectiveness of management measures	<ul style="list-style-type: none"> <li>Project failure</li> <li>Requirement to implement more precautionary measures</li> <li>Loss of buy-in from stakeholders undermining a collaborative approach to management as required under ARM</li> </ul>	<b>4 (very high)</b> – Ultimately without monitoring, the project would fail on the basis that reduction in risk cannot be evidenced.	<b>1 (unlikely)</b> – monitoring requirements for Phase 1 permit conditions primarily relate to the monitoring compliance (rather than evidencing the effect on rugged chalk) which is informed by a well-established compliance monitoring function (Eastern IFCA). However, it is not possible to monitor compliance absolutely.	<b>4 (Med)</b>	<p><b>In place</b></p> <ul style="list-style-type: none"> <li>Monitoring program agreed within ARM Plan</li> <li>Compliance monitoring undertaken by Eastern IFCA in accordance with established, intel-led approach</li> <li>Establishment of Evidence Sub-Group (to the Stakeholder Group) to incorporate evidence streams not</li> </ul>	<b>Tolerate</b>



					<p>available to Eastern IFCA</p> <p><b>Potential further mitigation</b></p> <ul style="list-style-type: none"> <li>• Implementation of Inshore Vessel Monitoring System through national SI (outside of IFCA control)</li> <li>• Implementation of higher reporting rates for 12m and over vessels (once national SI is in place)</li> </ul>	
<p>Lack of stakeholder buy-in for management measures</p>	<ul style="list-style-type: none"> <li>• Collapse of a collaborative approach to management as required under ARM.</li> <li>• This would also increase the risk of non-compliance with management measures.</li> </ul>	<p><b>3 (High)</b> – whilst ‘buy-in’ for management measures increases compliance with regulatory measures such also have a strong deterrent (i.e. sanctions).</p> <p>Lack of ‘buy-in’ from all stakeholders increases the risk of legal challenges and reputational risks.</p>	<p><b>3 (likely)</b> – The project is highly contentious and conflict between different stakeholder interests are routine, often resulting in criticism of the project to the effect that it hasn’t met the polarised viewpoint of one or both such groups.</p>	<p><b>9 (Med)</b></p>	<p><b>In place</b></p> <ul style="list-style-type: none"> <li>• Established Stakeholder Group</li> <li>• Application of Eastern IFCA consultative exercises during management measure development</li> <li>• Production and publication of an Engagement Strategy</li> <li>• Incorporation of stakeholder evidence into development of management measures and decision making.</li> <li>• Transparent decision making process and</li> </ul>	

					reporting to stakeholders  <b>Potential further mitigation</b> <ul style="list-style-type: none"> <li>None identified</li> </ul>	
Change in Natural England advice (i.e. that a precautionary approach is required)	<ul style="list-style-type: none"> <li>Requirement to adopt a precautionary (rather than ARM) approach to management with potentially disproportionate impacts on fishing industry.</li> </ul>	<b>3 (High)</b> – a change in Natural England advice could ultimately lead to a move to a precautionary approach being adopted, challenge of NE position (e.g. judicial review) or challenge from NE.	<b>1 (unlikely)</b> – The project is progressing broadly in line with the ARM plan however, increased risk in other parts of this assessment (e.g. non-compliance with voluntary measures) increases the likelihood associated with this risk.	<b>3 (Med)</b>	<b>In place</b> <ul style="list-style-type: none"> <li>Close working relationship with Natural England</li> <li>Transparency regarding progression of the ARM plan</li> <li>Mitigation in place to address other relevant risks as set out in this assessment</li> </ul> <b>Potential further mitigation</b> <ul style="list-style-type: none"> <li>None identified</li> </ul>	<b>Tolerate</b>
Unable to deliver research projects (practical components including <ul style="list-style-type: none"> <li>Vessel breakdown</li> <li>Research equipment / contractors unavailable</li> </ul>	Ultimately, without sufficient evidence to support an ARM approach, a precautionary approach is required.	<b>3 (high)</b> – ultimately failure to deliver research would result in project failure however, the consequences are most likely to relate to delays in delivery of components, rather than failure to deliver an entire research project due to logistical issues.	<b>3 (likely)</b> – research project have been delayed during the project primarily due to limited weather windows and unavailability of research equipment, both of which are not within the control of the project. In particular, the availability of multi-beam equipment is very limited and alternative suppliers are limited.	<b>9 (High)</b>	<b>In place</b> <ul style="list-style-type: none"> <li>Careful project management including development of an ARM Plan and reporting against its delivery</li> <li>Oversight by Eastern IFCA Executive function and Project Board</li> </ul> <b>Further Potential Mitigation</b>	<b>Treat</b>

<ul style="list-style-type: none"> <li>Poor weather</li> <li>Lack of internal resources</li> </ul>					<ul style="list-style-type: none"> <li>Identify alternative means of obtaining research equipment</li> </ul>	
National I-VMS requirement does not come into effect in a timely manner	Without I-VMS the Authority cannot adequately monitor compliance or gather fishing activity data to inform further assessments.	<b>3 (high)</b> – without I-VMS, alternative means of gathering fishing activity (spatial and temporal) could be implemented (e.g. additional catch returns) however, this would represent a significant burden to industry and the Authority (in terms of facilitating a system to capture the information and monitor compliance) and result in data with less confidence.	<b>2 (possible)</b> –Government has committed to implementing I-VMS previously, however delivery has been delayed on a number of occasions. The position of the new Government on the matter is also unknown.	<b>6 (Med)</b>	<p><b>In Place</b></p> <ul style="list-style-type: none"> <li>Facilitation of a national roll-out of I-VMS requirements is an Eastern IFCA Business Plan Priority</li> </ul> <p><b>Further Potential Mitigation</b></p> <ul style="list-style-type: none"> <li>Implementation of requirement to report via an alternative tracker device.</li> </ul>	<b>Tolerate</b>