

**PAPERS FOR
STATUTORY MEETING**
to be held at 1030 HOURS on
WEDNESDAY 28TH APRIL 2010
at the
OFFICES OF THE JOINT COMMITTEE

EASTERN SEA FISHERIES JOINT COMMITTEE



STATUTORY MEETING

28th April 2010

AGENDA

To note apologies for absence.

Chairman's announcements.

Declaration of members' interests.

Action Items:

1. To receive and approve as a true record, minutes of Statutory Meeting, held on 27th January 2010.
(Enc. White)
2. Matters arising.
3. Election of Vice Chairman
4. To receive and approve the Finance Officer's report on payments made and monies received during the period 16th January 2010 to 31st March 2010.
(Enc. Buff)
5. To receive and approve the Finance Officer's report on the Audit of Accounts for the year 2008/2009.
(Enc. Lilac)
6. To receive the Clerk's report on the meeting of the Personnel Sub-Committee held on 27th January 2010.
(Enc. Yellow)
7. To receive the Deputy Clerk's report on the Marine Stewardship Council (MSC) Fisheries Certification Pre-Assessment report on the Wash Cockle and Mussel Fisheries.
(Enc. Green)
8. To receive the Clerk's report on the outcomes from the recent Wash Cockle court cases.
(Enc. Blue)
9. To receive the Clerk's update report on the proposed introduction of a Vessel Monitoring System (VMS) for the Wash.
(Enc. Buff)
10. To receive the Deputy Clerk's report on a Defra consultation regarding the Orders to establish Inshore Fisheries and Conservation Authorities.
(Enc. Lilac)

11. To receive the Clerk's report on the movement of seed mussel from the Wash.
(Enc. Yellow)
12. To receive the Joint Committee's 2009 Annual Report and Research Report.
(Enc. Green)
13. To receive the Marine Environment Officer's report on the proposed Dudgeon Offshore Wind Farm.
(Enc. Lilac)

Information Items:

14. Area Officers' quarterly report.
(Enc. Blue)
15. Vessels' quarterly report.
(Enc. Buff)
16. Senior Research Officer's quarterly report.
(Enc. Lilac)
17. Marine Environment Officer's quarterly report.
(Enc. Yellow)

To consider any other items, which the Chairman is of the opinion are Matters of Urgency by reason of special circumstances, which must be specified.

NB *All enclosures to follow.*

Signed

Matthew Mander
Clerk and Chief Fishery Officer
to the Joint Committee
14th April 2010

DRAFT
STATUTORY MEETING

Minutes of the STATUTORY MEETING of the Joint Committee held on **Wednesday 27th January 2010**, at the offices of the Joint Committee, 6 North Lynn Business Village, Bergen Way, King's Lynn, Norfolk, PE30 2JG at 1030 hours.

PRESENT

Cllr S F Williams	Lincolnshire County Council - Chairman		
Cllr R A Ward	Suffolk County Council – Vice Chairman		
Cllr C Brewis	Lincolnshire County Council		
Cllr A H Turner, JP	Lincolnshire County Council		
Cllr D Callaby	Norfolk County Council		
Cllr J Dobson	Norfolk County Council		
Cllr H Thompson	Norfolk County Council		
Cllr T Goldson	Suffolk County Council		
J Abbott)		
R Brewster)		
R Garnett)		
N Lake)		
I Large) Defra		
T Pinborough) Appointees		
C A R Southerland)		
S Williamson)		
M Yates)		
Dr Tomlinson	Environment Agency		
M R Mander	Clerk and Chief Fishery Officer		
D Vaughan	Deputy Clerk)	
C M Hurley	Finance Officer)	
J Stoutt	Marine Environment Officer)	Present by
C Donnelly	Natural England)	Invitation
J Sooben	MFA)	

APOLOGIES

Apologies for absence were received from Councillor Sale (SCC)

DECLARATION OF MEMBERS' PERSONAL INTERESTS

Messrs Brewster, Garnett, Lake, and Williamson, declared an interest in items 3a, 8, 10, & 12 on the agenda.

ST10/01 MINUTES OF THE STATUTORY MEETING OF THE JOINT COMMITTEE HELD ON 29th JULY 2009

Members agreed the minutes were a true record of proceedings.

ST10/02 MATTERS ARISING

There were no matter arising.

ST10/03 PRESENTATION ON THE NORTH SEA MARINE CONSERVATION ZONES PROJECT (NET GAIN) BY NET GAIN LIAISON OFFICERS

Two liaison officers from Net Gain gave a presentation to members, explaining the process which will be undertaken to identify areas for conservation, to be designated as MCZs, which would provide an opportunity to protect the marine ecosystems. Their plan would be to "look after a little bit of everything". Data would be collected at a local level, with specific software being designed to compile the data. Meetings would take place at which it was hoped all interested parties would be represented. Each meeting would have a professional facilitator to ensure that all parties had an opportunity to express themselves.

Following the presentation members asked a variety of questions on matters which included finance, sources of data, who makes the final decision on the sites?, what species of flora and fauna are to be protected?, will information from the Regional Hubs be taken seriously? The liaison officers present were not in a position to answer all the questions but advised they would ask the Project Manager for guidance.

Members thanked the liaison officers for their presentation.

ST10/04 REPORT ON "NET GAIN" (THE NORTH SEA MARINE CONSERVATION ZONE PROJECT) AND THE JOINT COMMITTEE'S REPRESENTATION IN THIS PROJECT

Having heard the presentation, Members were aware of the project but the question remained, who would represent the Committee at the Regional Hub Meetings. Officers felt there were two options available. Either the Committee could have an active role in providing data and directly influencing which sites should be put forward for recommendation or they could, bearing in mind that in the future IFCA's would be responsible for managing the MCZs, take a more passive role and not be involved in the final process to determine sites for designation. The more passive role would mirror the role being taken by the MFA.

Members queried whether the Committee should be instrumental in dictating sites which they would later have to manage. However, most believed they should remain more detached but provide any relevant data, providing the situation could be monitored and reviewed if the members felt they should have more influence in the process. Cllr Dobson was concerned that if the Committee went down the route of the second option it may be too late to become involved and the designated zones may be unsatisfactory. Dr Tomlinson noted that the project had to ultimately be signed off by the Secretary of State, generally there would be an appeals process prior to signing off the recommendations, he questioned whether there would be this option, unfortunately the liaison officers were unable to answer this.

The Clerk did not feel the Committee were in a position to represent the commercial fishermen or any other stakeholder group, but they could provide fisheries data, he was however concerned that the timescale did not provide sufficient time to gather the views of a disparate group like the fishing industry. Mr Williamson felt there were too many bodies being invited to take part, he believed it should be between those creating the zones and those affected by them then the meeting would be more constructive, he did not believe those who were not affected should be invited to comment. This opinion was mirrored by Mr

Southerland who felt those with no idea about fishing should not be in a position to dictate where fishermen go.

It was Resolved that the Committee would have limited involvement in the MCZ selection process, with the proviso that they continue to review the situation and if necessary take a more active role in the process.

Proposed: Mr Large

Seconded: Councillor Callaby

All agreed

ST10/05 FINANCE OFFICER'S REPORT ON THE FINANCE & GENERAL PURPOSES SUB-COMMITTEE MEETING HELD ON 13th JANUARY 2010

The Finance Officer advised that the Finance and General Purposes sub-committee had discussed both the proposed levy for 2010/2011 and the forecast for 2011-2014. When discussing the forecast years members had accepted it was particularly difficult to forecast when the full implications of becoming an IFCA were not known.

Members Agreed to accept the report.

ST10/06 ESTIMATES OF EXPENDITURE FOR THE PERIOD 1ST APRIL 2010 TO 31ST MARCH 2011

Councillor Dobson noted loan charges were mentioned under Three Counties and questioned what these were for, it was explained this was for the purchase of the vessel. Mr Lake noted that the legal and professional fees showed an increase in the forecast years and asked the reason for this, Councillor Turner also queried what expenditure came under the heading of professional fees. Members were advised this included Audit fees, HR advice and any other professional advice such as that given by Suffolk County Council with regard to the purchase of a new vessel.

Whilst discussing legal fees the Clerk advised members that two cases had recently been taken to court, one had been heard and thrown out the other had been removed prior to being heard. To date the cost incurred for these two cases was approximately £18,000, which would be taken from the £20,000 reserve set aside for these cases. With these costs in mind the Clerk believed the estimated expenditure under this budget heading was reasonable. Councillor Brewis questioned whether the Officers felt the legal representation was adequate or whether specialists should be employed. The Clerk advised that professional maritime lawyers were employed and had been used by the Committee for a number of years.

Councillor Dobson advised that the press had quoted a lack of evidence as the reason for the case being thrown out and requested an explanation. The Chairman advised three letters had been received on the matter and an internal review was ongoing, the Committee would be advised once the review was complete.

Taking into account the advice provided by the Finance and General Purposes Sub-Committee, the Committee **Resolved, in accordance with Section 101(6) of the Local Government Act 1972, to approve estimates of expenditure for the period 1st April 2010 to 31st March 2011, amounting to a Levy on Constituent County Councils of £1,279,660.**

Proposed: Councillor Turner

Seconded: Councillor Brewis

All in favour

ST10/07 PROVISIONAL THREE YEAR FORECAST OF ESTIMATES OF EXPENDITURE FOR THE PERIOD 1ST APRIL 2011 TO 31ST MARCH 2014

Councillor Brewis questioned whether there would be sufficient money in the Vessel Replacement Fund to purchase a new vessel when the time arose, it was acknowledged there would not be but in the current financial climate it was not thought prudent to be asking the County Councils for more money.

Mr Lake noted the level of income and questioned whether Net Gain would be providing funding towards the policing of the protected areas. The Clerk advised that he felt New Burden Money was the route to go down to get funding for new workloads.

Councillor Dobson questioned why Three Counties operating costs showed a large increase. The Finance Officer advised that this was taking into account the age of the vessel and the possibility that an extensive refit may be required. Councillor Dobson then questioned the interest rate being paid on the vessel's loans and questioned if these could not have been got at a better rate. The Chairman advised that at the time this was the best rate available.

Members agreed to note the forecast.

ST10/08 FINANCE OFFICER'S REPORT ON PAYMENTS MADE AND MONIES RECEIVED DURING THE PERIOD 10TH OCTOBER 2009 to 15TH JANUARY 2010

It was **Resolved** to accept the Finance Officer's report on payments made and monies received during the period 10th October 2009 to 15th January 2010 and approve payments of £295,955.52 and receipts of £30,226.64.

Proposed: Cllr Callaby
All Agreed

Seconded: Cllr Ward

ST10/09 REPORT ON THE MEETING OF THE WASH MANAGEMENT SUB-COMMITTEE HELD ON 25TH NOVEMBER 2009

Members agreed to receive the report.

ST10/10 REPORT ON THE MEETING OF THE RECREATIONAL SEA ANGLING SUB-COMMITTEE ON 25TH NOVEMBER 2009

Prior to discussing the proposal the Clerk felt it was necessary to clarify to members that there was a need to acknowledge that commercial fishermen were not the only sector with an interest in the fisheries and the Committee must consider the requirements of all sector in its decision making process. Councillor Turner believed the Committee's first priority should be to the livelihoods of the commercial fishermen. Mr Pinborough advised that it was clearly pointed out in the meeting paper provided by the area officers that anglers provided a great deal of income to the area and with more fish there would be greater footfall and more money into the local economy and as an IFCA the committee would have to be responsible for all sectors. Mr Garnett expressed his concern about the number of fish being landed by anglers.

Mr Abbott advised that the angling community had asked the committee to look into a way of monitoring an existing situation with a species that may be in decline, to see what could be done to improve it. The result may also be of benefit to commercial fishermen.

The Clerk advised that the task of investigating and monitoring the numbers of flounder in the district would be too large a task for the research team to take on given their current

commitments. Consequently Newcastle University had been contacted with a view to a student carrying out a consultancy project for an MSc project. It was anticipated the cost to the committee would be approximately £2,500. Mr Southerland felt this was a particularly interesting species to pick as historically the species had been quite prolific but had declined considerably until about two years ago when there seemed to be a small increase in numbers.

It was Resolved that further discussions should take place with University of Newcastle scientists and if appropriate fund the development of a Flounder Management Plan for the proposed EIFCA district.

**Proposed: Councillor Callaby
All Agreed**

Seconded: Dr Tomlinson

As part of the obligations under the role of an IFCA the Committee would have a duty and obligation to ensure anglers were able to easily find out what sizes and legislation applied to the species they could catch. With this in mind investigations had taken place into erecting up to 25 signs displaying the current size limitations etc, at strategic points throughout the district. As the signage would need to be vandal proof, weather proof and planning approved the estimated overall cost of this was £25,000, however Officers were hoping to fund this either through a grant from the European Union Fisheries Control Fund or New Burden money.

It was Resolved that the Officers should progress the project but signs should not be erected unless funding was provided, and no money was to be spent until planning permission had been granted.

**Proposed: Councillor Brewis
Agreed**

Seconded: Councillor Callaby

ST10/11 UPDATE REPORT ON THE PROPOSED INTRODUCTION OF A VESSEL MONITORING SYSTEM FOR THE WASH

The Clerk gave a brief resume of the process so far advising that the current situation was that EU funding had been granted at 50% match funding, however the committee were not in the position to provide the other 50% therefore the Clerk had written requesting the same level of funding be provided but as a 95% grant, meaning VMS could be fitted, but to fewer vessels. The Clerk believed if this was granted then the Committee could select vessels on a risk based approach, which would effectively mean fitting the units to 28 of the larger vessels. No response had been received regarding the fund but the Committee were asked whether or not the Clerk should go ahead with this scenario if the 95% funding was agreed to.

Some industry representative did not feel the risk posed by a larger vessel was any greater than that posed by any of the smaller vessels, they also felt that if VMS was likely to be brought in on a national level for larger vessels then it would be a waste of money and the units should initially be fitted to the smaller vessels. The Clerk defended this by advising that he felt there was a greater risk posed by the larger vessels, and should VMS be fitted on a national basis then the committee's units could be moved from the larger vessels and put on to smaller vessels, to avoid duplication.

Mr Lake felt the committee was opening themselves up to a raft of legal issues. Mr Lake also questioned why an AIS system was not being used when it was suitable for the MCA. The Clerk informed members that legal advice had been given which implied that an AIS system was possibly open to legal challenge, he also advised that it was possible to switch off an AIS whilst a VMS system was tamper proof. Mr Lake asked to see a copy of the legal advice.

Mr Lake questioned how a VMS system was meant to improve enforcement capabilities when it would not prove a vessel had been fishing it would only give its position, he felt that in view of the fact the position of the vessels in the recently aborted cases had not been in dispute, the Committee would be no better off with VMS. The Clerk responded, that the Committee did not have the resources to keep a vessel at sea 7 days a week therefore it made sense to be intelligence led in decisions on how to use the Committee's assets.

Members also discussed a draft letter which answered a variety of questions relating to VMS, which would be sent to owners of vessels on which VMS units were to be fitted, providing funding could be set at 95%.

It was Resolved that if the EU Commission agreed to the use of the grant at 95% then the Clerk should begin the process of fitting VMS units to 28 vessels which operate within the Wash Fishery Order 1992. At that point in time the letter drafted by the Clerk should be sent to the owners of the 28 vessels involved.

**Proposed: Councillor Turner
Agreed**

Seconded: Councillor Callaby

ST10/12 REPORT ON THE PROCUREMENT OF A NEW SUFFOLK PATROL/RESEARCH VESSEL

The Deputy Clerk outlined to members the procedure which had been followed to purchase a new vessel using EU funding. Unfortunately the process had failed at the tender stage, as the tenders were either in excess of the funding available or did not meet the timescales involved. Further discussion with the marine surveyor had indicated it would be possible to purchase a nearly new, second hand vessel and fit it out to meet the Committee's specifications, for the amount of money which the Committee had agreed to pay to match fund the EU grant. There was some concern about what age of second hand vessel could be purchased, but the Clerk was optimistic a vessel of 1 to 2 years old could be bought.

It was Resolved that the Clerk & Chief Fishery Officer should, using professional advice, identify a suitable vessel, up to a maximum value of £250,000, (to include modifications) and that the Vessel Sub-Committee be granted the delegated authority to approve the purchase of a suitable vessel as identified by the Clerk & Chief Fishery Officer.

**Proposed: Councillor Callaby
Agreed**

Seconded: Councillor Brewis

ST10/13 REPORT ON THE PROPOSED CHANGES TO THE DAILY QUOTA FOR THE RELAYING MUSSEL FISHERY IN THE WASH

Following a meeting of the Wash Management Sub-Committee all Wash Fishery Order 1992 Entitlement Holders had been circulated a questionnaire requesting their views on whether or not the daily quota for the mussel relaying fishery should be varied, and if so by how much. Having considered the results of the questionnaire the Clerk suggested to the members that he write to the Minister requesting a variation to allow a daily quota of 8,000kg / day to be applied to the mussel relaying fishery.

Some industry members were concerned that by increasing the quota it would be setting a precedent for the cockle fishery. The Clerk acknowledged that some members of the industry may link the two arguments however, he felt there were strong, differing environmental arguments for each fisheries. . It was however, noted that the Minister would confer with Natural England to check any variation met with conservation requirements. Mr

Garnett advised that smaller vessels would not be in a position to carry 8 tonnes giving the larger vessels an advantage. Unfortunately the Committee constantly faced a difficult decision to balance the needs of all industry members.

It was Resolved to apply to the Minister to vary the maximum daily quota for the relaying mussel fishery to 8,000kg.

**Proposed: Councillor Brewis
Agreed**

Seconded: Councillor Callaby

ST10/14 REPORT ON THE 2010-2011 ESFJC BUSINESS PLAN

The draft Business Plan had been made available on the ESFJC website for members to consider. The Plan highlighted the work which the Committee intended to complete for the following 12 months as well as highlighting the Committees risks.

It was Resolved to approve the Draft Business Plan.

Proposed: Councillor Brewis

Seconded: Councillor Ward

ST10/05 REPORT ON THE PROPOSED STRATEGIC ENVIRONMENTAL POLICY FOR THE JOINT COMMITTEE

Members were advised that the proposed policy covered two main aspects, the Consultation Strategy and the Environmental Performance Evaluation. It was apparent that once the Committee became an IFCA the Environmental responsibilities would increase, along with the workload. With this in mind the Officers proposed that detailed consideration would be given to any issues which fell within the confines of the Committee's district out to 6 nautical miles. However for matters outside the district Officers would provide relevant information and advise which would be the appropriate body to deal with the matter. The Clerk requested the Members' view on whether or not they approved of this approach.

It was Resolved to agreed to the approach in principle but requested that once compiled the Strategic Environmental Policy be put before the Committee for comment.

Proposed: Councillor Brewis

Seconded: Councillor Ward

ST10/06 REPORT ON THE STOUR AND ORWELL ESTUARY MANAGEMENT STRATEGY

An overview of the Management Strategy was provided for members. Essentially it explained the obligations the strategy would create for the Committee.

It was Resolved to endorse the Stour and Orwell Estuaries Management Strategy.

Proposed: Councillor Ward

Seconded: Councillor Goldson

ST10/07 REPORT ON THE PROPOSED DOCKING SHOAL AND RACE BANK WINDFARMS

Members were reminded that they had in place an objection to the proposed Docking Shoal and Race Bank Offshore Windfarms. This objection had been due to lack of evidence that

the windfarms would not have a detrimental effect on shellfish stocks. Cefas, as the authoritative experts, had recently provided information which suggested that this had now been proved. However, whilst this issue may have been clarified there remained the problem of where the cable routes would run and how much damage they would cause to fishing grounds.

Mr Large advised that the objection should not be withdrawn as there had been no work carried out on the effects of electromagnetic fields on fisheries, and these were planned to be buried 0.5m below the surface all the way through the Wash. Mr Garnett expressed his concern that whatever objection was put in Cefas would over rule. Councillor Goldson was also concerned that there was no evidence to the report that the windfarms would have no impact of fisheries, and whilst this may be the case it was also possible they might devastate the fisheries.

Councillor Brewis was concerned that the Committee might lodge an objection which they could not prove, either way it was unproven science. Having assisted on some of the surveys carried out by the windfarm companies Mr Lake was concerned that they were only a snapshot of information, he felt surveys should be carried out over a longer period of time, such as the 6 years taken over the razor fish study.

It was clear the members felt there was still a need to object to the windfarms, although the original reason for the objection may have been partially satisfied. It was Resolved that the Committee should maintain its objection but it should be more clearly worded to reflect all aspects.

Proposed: Councillor Dobson

Seconded: Councillor Brewis

Councillor Brewis requested that members be kept up to date with any new information regarding windfarms.

ST10/09 AREA FISHERY OFFICERS' QUARTERLY REPORTS

Members were advised the report was in a new format and had been compiled by the individual area officers.

Members agreed to note the reports and thanked the officers involved.

ST10/10 VESSELS' QUARTERLY REPORTS

Councillor Brewis expressed his gratitude to the crew for taking him onboard for a day in the Wash.

Members agreed to note the report and again acknowledged that efforts of the officers involved.

ST10/11 MARINE ENVIRONMENT OFFICER'S QUARTERLY REPORT

Members agreed to note the report.

ST10/12 SENIOR RESEARCH OFFICER'S QUARTERLY REPORT

Members agreed to note the report

There being no other business the meeting closed at 1330 hours.

STATUTORY MEETING

**AGENDA ITEM
No 4**

28th April 2010

**Finance Officer's Report on Payments Made and Monies Received during the period
16th January 2010 to 31st March 2010**

Payments made during the period 16th January 2010 to 31st March 2010

	MONTH10	MONTH 11	MONTH 12	TOTAL
	£	£	£	£
Transfers to ESFJC Salaries & Wages Acct.	65,000.00	0.00	60,000.00	125,000.00
Rent, Rates & Service Charges	1,476.08	6,904.69	70.00	8,450.77
General Establishment	7,411.68	9,742.14	5,685.47	22,839.29
Legal Fees	4,998.50	1,809.47	0.00	6,807.97
Staff Travelling & Subsistence	682.47	829.08	5.10	1,516.65
Members' Allowances	460.82	0.00	0.00	460.82
Training & Fisheries Management	250.00	295.00	3,814.49	4,359.49
Moorings/Harbour Dues	36.60	52.44	473.41	562.45
Pisces III Operating Costs	69.86	334.10	585.00	988.96
New Suffolk Catamaran Preliminary Costs	555.33	0.00	0.00	555.33
Three Counties Operating Costs	2,442.03	1,231.71	2,149.31	5,823.05
Three Counties Loan Costs	0.00	11,181.89	30,598.74	41,780.63
ESF Protector III Operating Costs	5,320.49	2,034.20	5,314.82	12,669.51
Vehicle Operating Costs	928.38	780.83	456.39	2,165.60
Wash & North Norfolk Coast EMS Project Manager Fund	636.81	440.51	14.09	1,091.41
Research Fund	265.90	150.00	669.66	1,085.56
VAT (Recoverable)	2,936.01	3,889.53	2,053.10	8,878.64
Petty Cash	50.00	0.00	50.00	100.00
TOTAL PAYMENTS MADE	93,520.96	39,675.59	111,939.58	245,136.13

Monies received during the period 16th January 2010 to 31st March 2010

	MONTH 10	MONTH 11	MONTH 12	TOTAL
	£	£	£	£
Treasury Deposit Interest	30.83	0.00	0.00	30.83
Bank Interest	0.00	0.00	17.68	17.68
Lincolnshire County Council Levy 2010/2011	0.00	0.00	383,898.00	383,898.00
HM Revenue & Customs VAT	0.00	0.00	8,058.73	8,058.73
Wash Fishery Order - Licences	0.00	120.00	0.00	120.00
Wash Fishery Order - Lay Rents	0.00	715.00	1,026.40	1,741.40
Wash Fishery Order - Mussel Samples	2,160.00	1,215.00	315.00	3,690.00
Legal Fees - Recovery of Costs	50.00	50.00	50.00	150.00
Wash & North Norfolk Coast EMS Project Manager Fund	0.00	9,000.00	7,557.50	16,557.50
Research Fund	0.00	0.00	15,750.00	15,750.00
Miscellaneous Recharges & Credits	339.09	0.00	0.00	339.09
TOTAL MONIES RECEIVED	2,579.92	11,100.00	416,673.31	430,353.23

STATUTORY MEETING

28th April 2010

**AGENDA ITEM
No. 5**

Finance Officer's report on the Audit of Accounts 2008/2009

The audit of the Joint Committee's accounts for the year ended 31st March 2009 has been completed.

Annual Governance Report

The Audit Commission's Annual Report on Governance which summarises conclusions from the audit was sent to the Members of the Finance and General Purposes Sub-Committee, which has responsibility for the approval of the Joint Committee's Statement of Accounts, prior to the District Auditor signing off the accounts.

Auditor's Opinion - Finance Statements

The District Auditor issued an unqualified opinion and audit certificate on the financial statements on 17th February 2010.

During the course of the audit, the auditors considered that the use of provisions and one sundry creditor to reflect anticipated expenditure in 2009/2010 relating to planned expenditure approved by the Joint Committee in 2008/2009 and expenses partially paid in 2008/2009 was not appropriate. The correct procedure in line with guidelines set out by the Chartered Institute of Public Finance Accounting (CIPFA) was to create a further 'ear-marked' reserve, the Legal and Enforcement Reserve, to hold these funds and that the provisions and sundry creditor should be written back. These adjustments which have necessitated alterations to several of the 'core' statements have had the cumulative effect of strengthening the balance sheet by reducing expenditure in the year but increasing the funds set aside in reserves.

Auditor's Opinion - Value for Money Conclusion

The District Auditor issued an unqualified conclusion on the Joint Committee's arrangements for securing value for money on 17th February 2010.

A certified copy of the Statement of Accounts for the year ended 31st March 2009 is currently available via the Joint Committee's website.

The Joint Committee is asked to receive this report.

Christine Hurley
Finance Officer
19th April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

1. Annual Governance Report February 2010 (2008/2009) Audit
2. Audit Commission letter dated 17th February 2010

STATUTORY MEETING

28th April 2010

**AGENDA ITEM
No. 6**

Clerk's report on the meeting of the Personnel Sub-Committee held on 27th January 2010

At the commencement of the meeting members elected Councillor Goldson as the Chairman and Mr Southerland as the Vice Chairman of the sub-committee.

Equal pay audit

The Clerk informed members that the Equal Pay Audit review conducted by Lincolnshire County Council highlighted that the current pay scales did not conform with the Age Discrimination Act. In order to be compliant it would be necessary to amend the pay scales to a maximum of six increments, allowing any member of staff to reach the top of their scale within five years. Many of the Joint Committee's staff had reached the top of their scales, however, four members of staff would need to have their salary scales amended, with effect from April 2009. After consideration and given that this was a legal requirement members agreed to implement the review's recommendations.

Staff pay and structure review

Initially the Clerk had felt there was no requirement for such a review, however, following staff appraisals it was apparent that some roles had changed significantly over the last ten years and there was a need for the review to take place. The current staff structure did not reflect the same shift in emphasis in the Joint Committee's role from one of enforcement to research and fisheries management. If the review was carried out prior to becoming an IFCA it would identify whether or not there were the skills and expertise required to develop the organisation. Norfolk County Council's HR department had indicated they would be in a position to carry out such a review. The Clerk believed half the funds set aside to assist the transition from ESFJC to EIFCA could be used to carry out the review. Members agreed to the review on the provision that the costs did not exceed the Clerk's estimated figure of £5,000.

Training

A further outcome of the staff appraisals had been that some members of staff requested specific training. Funding for this would have to come from the Joint Committee's training budget rather than any IFCA funding as the training was for officer development, and not specifically geared to IFCA transition.

Members considered the individual requests for training. It was questioned whether the officers were aware of the amount of their own time they would need to put into the training. It was also questioned whether it was possible to provide the funding for the training with the proviso that the staff remain in the Joint Committee's employ for a minimum length of time. It was felt this was not an option. The Clerk assured members that the Officers involved were aware the training would be carried out in their own time and they were prepared to do so. Members agreed that the requests for specific training should be met.

Assistant Marine Environment / Research Officer post

Members noted that the post had previously been discussed and considered by the full committee, and additional funding for the new post had been agreed in the Levy for 2010-2011 and the Forecast for

2011-2014, however, the Clerk raised the matter with the sub-committee to give them the opportunity to discuss the role and purpose of the post in case there were any concerns. It was noted that a current employee had expressed an interest in the post, and if that incumbent was offered the post there would be a need to advertise their current position. Members agreed that the post of Assistant Marine Environment Officer & Research Officer should be created from the 1st of April 2010. It was also agreed that the Clerk be delegated powers to discuss the position and if appropriate offer the post to the internal candidate.

The Joint Committee is asked to consider and approve the Clerk's report.

Matthew Mander
Clerk & Chief Fishery Officer

19th April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) Unconfirmed minutes of the Personnel Sub-Committee Meeting held on 27th January 2010.
- 2) Lincolnshire County Council HR Department's Equal Pay Audit report.

28th April 2010

Deputy Clerk's report on the Marine Stewardship Council Pre-Assessment of the Wash cockle and mussel fisheries.

Objective Two of the Joint Committee's 2010-2011 Business Plan clearly identifies that the Wash cockle and mussel fisheries should be assessed against Marine Stewardship Council (MSC) criteria to determine whether or not these fisheries are managed in a sustainable manner. Three activities associated with this action have been identified, namely:

- 1) research and collate fisheries data relating to these fisheries within the district;
- 2) apply for pre-assessment of the fisheries;
- 3) implement identified requirements to meet MSC criteria and submit for full assessment.

Points 1 and 2 have now been completed; all three points are discussed within this document. Support to conduct this work has been provided by Natural England.

Personnel from Natural England issued tender documentation for the MSC pre-assessment of the Wash cockle and mussel fisheries. Upon receipt and review of the quotes and supporting documentation, a decision was made by Natural England to fully fund the project (£5,935 + VAT). The Deputy Clerk and Charlotte Bentley (Natural England Marine Advisory – Fisheries) met with Dr Andrew Hough of Moody Marine Ltd. in February 2010 to conduct the MSC pre-assessment interview upon which a large part of the pre-assessment report would be based. Following this interview, documentation to support the claims made by the Deputy Clerk regarding the management of the fisheries was provided to Moody Marine by Joint Committee and Natural England personnel. It should be noted that the Joint Committee's agreed management policies for the cockle and mussel fisheries aided greatly throughout the pre-assessment process.

The completed pre-assessment report (which can be downloaded from the Joint Committee's website) received towards the end of March, considered four fisheries as detailed below:

Species: Cockle (*Cerastoderma edule*)
Geographical Area: The Wash (within Wash Fishery Order bounds)
Method of Capture: Hand Raked (Fishery 1)
Suction Dredged (Fishery 2)

Species: Mussel (*Mytilus*)
Geographical Area: The Wash (within Wash Fishery Order bounds)
Method of Capture: Hand Raked (Fishery 3)
Dredged (Fishery 4)

The MSC certification standard is based upon three principles: Principle 1 relating to the status of the target stock; Principle 2 relating to the condition of the ecosystem upon which that stock depends; and Principle 3 relating to the management system. To be certified, a fishery must 'pass' each Principle. Also, a fishery must not fall below the minimum required standard for any of the questions (Performance Indicators) posed. No issues were identified for any of the four fisheries in regards to Principles 1-3. The recommendation therefore from Moody Marine was to continue with the full MSC process.

Officers are of the opinion that the findings of the pre-assessment report validate the fisheries management measures and approach that the Joint Committee, Natural England and the fishing industry have taken over the last few years.

As it is not in the general public's or the Joint Committee's interest to fund a full assessment of the four fisheries, Officers are of the opinion that as any benefits resulting from the attainment of full MSC certification are accrued by the fishing industry, they should progress this project from this point forward. It should also be noted that no budgetary allocation has been made to fund (fully or partially) the MSC assessment process for these fisheries. Officers are not of the opinion that income derived from the Wash Fishery Order 1992 licence should be used to fund this work as the accreditation of a fishery does not develop a fishery but results in increased marketing opportunities for either processors or fishermen to pursue. Officers would however support any project to gain MSC certification of these fisheries through the provision of reports and data as well as through the attendance of interviews with the certifying organisation (not an inconsiderable commitment if MSC certification is to be attained as the Joint Committee is the sole management body of the fisheries).

In any development of this project it is envisaged that the fishing industry would be the client in the process and tender for and contract an MSC accredited assessment organisation to conduct the full certification assessment process. Moody Marine has provided a quotation to provide a full assessment of the four fisheries which underwent the pre-assessment process. The cost to complete a full MSC assessment of the four fisheries was £32,426 + VAT. It should be noted however that if an objection to a decision was made during the wider stakeholder consultation - part of the assessment process - this would incur an additional cost. Other costs associated with maintaining the MSC certification are associated with the annual audit inspections (circa £2-3,000/yr) and to recertify the fisheries as an MSC certificate is valid for a five year period. If a decision is made to maintain the fisheries' certification after this point the fisheries would have to undergo the full certification process at a cost of approximately £20,000 for these fisheries.

Cost of attaining and maintaining MSC Certification for the Wash cockle and mussel fisheries

Pre-Assessment	Initial Full Assessment	Investigation of objections	Year 1	Year 2	Year 3	Year 4-5	Year 6
			Annual Review	Annual Review	Annual Review	Full Assessment	Annual Review
£5,935	£32,426	Unknown	£2,500*	£2,500*	£2,500*	£20,000*	£2,500*

**NB. Costs are indicative only.*

Once a fishery has achieved MSC certification then the supply chain and restaurants may also want to become certified through the MSC chain of custody certification process. To do so will incur additional costs. Officers recommend that the industry issues tender documentation for any future project in order to get competitive quotes which can then be considered.

It is the Officers' proposal to support the fishing industry through the provision of information and advice if the fishing industry (collectively or sponsored by a company) decide to commission an MSC assessment of the Wash cockle and mussel fisheries.

The Joint Committee is asked to consider and approve the Officers' proposals.

Duncan Vaughan
Deputy Clerk & Fishery Officer

21st April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 3) Moody Marine Ltd. March 2010. Pre-Assessment Report for the Wash Shellfish Fisheries (cockle and mussel). Accessible from: <http://www.esfjc.co.uk/paperwrk.htm>
- 4) Moody Marine Ltd. 23rd March 2010 Pre-Assessment Report letter.
- 5) Extract from Mood Marine Pre Assessment proposal detailing their main assessment process. January 2010 – attached.

Extract from Moody Marine Pre Assessment Proposal. January 2010.

THE MAIN ASSESSMENT PROCESS

We have set out below a brief guide to the main assessment process. Further information can be supplied on request or can be found at www.msc.org.

Initiation of Main Certification Assessment

On review of the pre-assessment report, should the client wish to proceed, then immediately upon formal acceptance of a proposal for main assessment, Moody Marine will commence assessment activities. These are detailed below.

Selection of Team

We would consult with stakeholders (those identified in the pre-assessment and any others identified) to determine appropriate nominees for team members. We would then propose a list of potential team members for stakeholder consultation. Stakeholders would, of course, include the client and the nominees – we seek a team that is happy to work together and to interact productively with the client. Finally, on the basis of comments received and the certifier's opinion, we would appoint a final team. However, the certifier's decision is final in this matter.

Planning

On commencement of the main assessment, we will provide a provisional timescale for the assessment. However, once a team has been selected we will provide an updated timetable to the client and stakeholders of key milestones for the forthcoming assessment.

Stakeholder Consultation

Moody Marine will establish a database of contact details for relevant stakeholders. Stakeholders are informed of the assessment and their views and information are sought throughout the assessment process. This provides an open and transparent forum for those wishing to contribute to the process.

Key elements of stakeholder input would be:

- Team member nomination and comment on final nominees
- Invitation to provide comment and/or information on the fishery proposed for certification (open throughout the process)
- Consultation on the draft scoring indicators and guideposts
- Invitation to meet with team members during the assessment visit and subsequent meetings as appropriate
- Consultation on proposed peer reviewers
- Consultation on draft final report
- Consultation on final report and potential entering of Objections Procedure

Assessment Visits

Part of the assessment will include a visit the fishery with direct observations of fishing techniques, discussions with fishers and inspection of records etc. Meetings with key stakeholders may also take place at this time.

Chain of Custody

Certification of a fishery alone does not allow the sale of certified product. This requires separate Chain of Custody (CoC) certification.

We generally address CoC assessments in two ways, depending on the client;

- Assessments of processors, retailers etc are carried out by specialists (generally HACCP assessors) within Moody International Certification
- For fisheries certified by Moody Marine, and for the first point in the chain (i.e. receipt of fish from the certified fishery), we always try to have CoC assessments carried out by the fishery certifier. This allows us to fully cover interactions with the fishery and add confidence to both assessments.

Analysis and Reporting

The final report will set out clearly the current status of the fishery in terms of development, operation and management. As MSC certification is based on a numerical scoring system, the report will also introduce the scoring methodology used, the scores attributed to the fishery and the rationale behind these scores. Finally, we make a recommendation as to whether or not each fishery should be certified. This report is provided to the client for review regarding its accuracy.

The recommendation made by the certifier will be one of the following:

- Unconditional certification
- Certification with conditions to be met within specified timeframes following certification. It should be noted that all fisheries certified to date have involved the setting of conditions by the assessment team.
- Certification only when specific pre-conditions have been met (possibly with additional conditions following certification)
- Certification withheld

The certifier may also make recommendations on fishery management appropriate to the MSC requirements.

Peer Review

As part of the MSC methodology, each report is also sent to a minimum of two peer reviewers for comment. Peer reviewers are selected for their knowledge of the local and more general issues concerning the type of fishery under assessment. Naturally, we select reviewers with no direct interest in the certification of the fishery in question.

Objections

The MSC has a formalised objections procedure (available from the MSC website: www.msc.org). This allows stakeholders who disagree with the certification determination to challenge the decision. To date, objections have been associated with large and highly controversial fisheries. Depending on the nature of the objection, the client may be liable for additional costs.

Maintenance of Certification

Once certification has been approved a contractual agreement is established between Moody Marine and each fishery for ongoing annual surveillance audits. Cost will be minimised if these are done concurrently for each fishery.

STATUTORY MEETING

**AGENDA ITEM
No. 8**

28th April 2010

Clerk's report on the outcomes from the recent Wash cockle court cases

At the Statutory Meeting, held on 27th January 2010, members briefly discussed the unsuccessful court cases heard between the 12th and 18th January 2010. The Chairman advised members that he had instructed the Clerk to provide two reports relating to the cases. The first report was to review the unsuccessful prosecutions of two Wash fishermen for alleged offences committed during the 2008 suction dredge cockle fishery. The second report was requested to respond to letters of complaint that the Chairman had received regarding the conduct of Fishery Officers involved in the cases.

Review of the cases

The Joint Committee brought prosecutions against two skippers alleged to have fished closed areas during the 2008 suction dredge cockle fishery. The cases were planned to be heard back to back over six days, commencing on the 12th January 2010. On 15th January the District Judge dismissed the first case against Mr Campbell at the close of the prosecution case and upon the application by the defence that the prosecution had failed to prove there was a case to answer. On 18th January, the court was informed that the second case against Mr L. Lake was withdrawn.

The Joint Committee's prosecution team provided a review of the cases. The report highlighted some of the peripheral issues that the District Judge was required to deal with that may have had some influence on the decision but the main conclusion was that the evidence adduced by the officers in the witness box did not come up to their proofs. The prosecution case relied heavily on proving the position of the fishing vessel over an extended period of time. The evidence provided was technical and complex but nonetheless felt to be compelling by the prosecution team.

After lengthy consideration by the prosecution team, the Clerk and the Chairman of the Joint Committee, the second case against Mr L. Lake was not proceeded with on the basis that the same officers who had previously failed to convince the District Judge were the mainstays of the case and success depended on conveying similarly technical evidence to the court.

The prosecution team's report recommended five actions to address the main failings in the cases.

1. That the Chief Fishery Officer and the Joint Committee's lawyers review the procedures in place for the recording of evidence and the preparation and training of its officers in the skills required for presenting evidence in court.
2. That consideration be given to improving the methods of monitoring the activities of fishing vessels including VMS and a requirement for the lashing and stowing of equipment when transiting waters closed to fishing.
3. That procedures relating to the recording of evidence by tape recording, computers and video evidence be reviewed, including the recording and playback of radar evidence.
4. That satellite tracking of the Joint Committee's assets be utilised for evidential purposes as well as management purposes.

5. That the maintenance and calibration of all the Joint Committee's evidence gathering apparatus is reviewed and the method of recording such matters is improved.

The Clerk and Deputy Clerk have been working hard to act on the recommendations in the report.

1. Addressing the training requirements, links have been established with Wells Police Marine Unit and potential training opportunities have been identified. Initially, the Clerk and Deputy Clerk have been invited to join a Police Special Constable basic training course in order to determine whether it would be of benefit for other officers to attend. Other opportunities include joining County Council Trading Standard training courses and the use of private consultancies.
2. Officers have already purchased more powerful viewing scopes to assist monitoring fishing vessels at sea from the shore. The helmet camera for use by boarding officers has also been ordered after previous agreement by members. Making the stowing and lashing of gear whilst transiting closed areas a Wash Fishery Order licence condition needs to be explored further but officers recognise the potential benefit this may have.
3. Officers have visited two other Sea Fisheries Committees to view alternative radar recording systems in use. The skipper and mate from the patrol vessel are currently preparing a final report on available alternatives to the hardware and software currently onboard FPV/ESF *Protector III*.
4. VMS units have been successfully trialled onboard the Joint Committee's vessel, *RV Three Counties*. Potential benefits from permanently installing such units require further consideration by officers.
5. A review of the recording procedures in place has already been conducted and improvements made.

The cost to the Joint Committee from losing the cases has been high in terms of its reputation, morale of officers and financially. The total legal cost to the Joint Committee from losing the case and not proceeding with the second case was £40,000. The Joint Committee's reputation as one of the leading organisations was also damaged by the events. Fortunately the relationships that had been developed with local fishermen and Natural England seem to have been strong enough to overcome this difficult period. All the Joint Committee's staff were understandably disappointed with the outcome but a determination to improve performance has emerged and will no doubt lead to a stronger and more effective enforcement team in the future.

Complaints against officers

The Chairman of the Joint Committee received two letters of complaint from Mr Leigh Lake and Mr Neil Lake regarding the conduct of officers during the trial, the Clerk was also accused of having a vendetta against the Lake family and John Lake Shellfish Ltd.

The Clerk provided a detailed report to the Chairman addressing each point that the two individuals made in their letters. The Clerk strongly defended the actions of the officers accused of serious misconduct, including providing false testimony and of leading a witness in court. It is interesting to note at the close of the case that the District Judge was at pains to say that he did not criticise the officers involved in the hearing.

Defending an accusation of having a vendetta is far more difficult as it is more often than not based on an individual's perception rather than reality. In the report to the Chairman, the Clerk relied on his record to prove the accusation was untrue and highlighted where possible the mechanisms that were in place to avoid this from happening in the event that any officer did consider pursuing this course of action.

The Chairman wrote to Mr Campbell, Mr Leigh Lake and Mr Neil Lake notifying them that he was satisfied that following his investigation there was no evidence to support their complaints against any individual officer.

The Joint Committee is asked to receive and approve the Clerk's report.

Matthew Mander
Clerk & Chief Fishery Officer

19th April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) Letter to the Chairman of the Joint Committee from Mr Leigh Lake dated 19th January 2010.
- 2) Letter to the Chairman of the Joint Committee from Mr Neil Lake dated 21st January 2010.
- 3) Letter from the Chairman to Mr Campbell, Mr Leigh Lake and Mr Neil Lake, dated 18th February 2010.
- 4) Unconfirmed minutes of the Statutory Meeting held on 27th January 2010.
- 5) Clerk's report to the Chairman of the Joint Committee.
- 6) Review of the cases by the Joint Committee's legal team.

28th April 2010

Clerk's update report on the proposed introduction of a Vessel Monitoring System (VMS) for the Wash

At the Statutory Meeting, held on 27th January 2010, members considered the ways forward for the proposed Vessel Monitoring System (VMS) in the Wash following confirmation of the level of financial support that was available from the European Union Fisheries Control Fund.

Members agreed with the officers' proposal to use the available funding to purchase and install VMS units on the largest 28 vessels in the Wash fleet. The proposal relied on the European Union (EU) Commission agreeing that the secured funding could be used at the originally proposed 95% funding rate rather than the awarded rate of 50%.

Following the Clerk's submission of the revised proposal, confirmation was received on 17th February 2010 that the EU Commission had rejected the proposal on the grounds that in 2009 there had been nothing deemed eligible for the Joint Committee at a rate of 95%.

Given the clarification on the financial position, officers believe the Joint Committee have three options;

1. Do nothing
2. To match the available EU funding from ESFJC reserves (£43,882) and purchase and install the 28 units as proposed.
3. To make the industry pay for the introduction of the VMS through increased WFO licence payments.

Do nothing

The project has always been based on the principle that the VMS would be introduced at no costs to the fishermen except for certain circumstances such as theft of the unit. The revised, agreed proposal was based on a risk based approach with only vessels over 11m in length requiring the installation of the VMS units. Under Article 9 of the Council Regulation 1224/2009, all vessels over 12 metres in length will be required to operate a satellite based monitoring system from 1st January 2012. The recent decline in cockle stocks and the predicted modest fisheries in the next couple of seasons determine that the urgency to introduce a VMS for the Wash has reduced.

ESFJC funding

The Joint Committee have sufficient reserves to co-finance the introduction of the VMS if agreed. It could be argued that the introduction of the VMS would be a good investment for the Joint Committee. Through introducing a more risk based, targeted enforcement approach, made possible by the information provided by the VMS, the deployment of the patrol vessels could be reduced, saving considerable operational costs. Alternatively the patrol vessels could be tasked more frequently to monitor and enforce fisheries occurring elsewhere in the district affording better protection.

Industry funding

Currently under existing EU legislation, owners of vessels over 15 metres in length are required to finance the maintenance and airtime of the national VMS. An amendment to the Sea Fisheries (Conservation) Act 1967 through the Marine and Coastal Access Act 2009, permits the Joint

Committee to raise money through the Wash Fishery Order 1992 (WFO) licence toll to pay for the 'regulation' of the fisheries. The purpose of the proposed introduction of the VMS is to allow for better management and regulation of the fisheries. It is therefore entirely appropriate for the Joint Committee to consider using the WFO licence money to finance the VMS project. Under these arrangements consideration on whether to restrict the VMS scheme to the 28 vessels or extend it to cover all licensed vessel would need to be given.

Officers' proposal

Officers remain fully supportive of the introduction of a VMS for the Wash. Recommendations from Agenda Item 8 are also consistent with this view. It is firmly believed that remote monitoring of all commercial fishing vessels is likely to occur in the medium term. Better understanding of commercial fishing activities for marine spatial planning and effective management and protection of marine protected areas are likely to be the key drivers. The upcoming relaying mussel fishery will be a useful test in determining whether the flexible approach to management can be effective in the absence of a VMS.

The Joint Committee would have justification in pursuing either Options 2 or 3. However given the current financial climate, projected returns from the fisheries (particularly cockle) and the subsequent reduced risk of illegal activity associated with the fisheries, Officers propose that Option 1 should be supported.

The Joint Committee is asked to consider and approve the Officers' proposal.

Matthew Mander
Clerk & Chief Fishery Officer

19th April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) Statutory Meeting Agenda item 10 - VMS paper. 27th January 2010.
- 2) Unconfirmed minutes of the Statutory Meeting held on 27th January 2010.
- 3) Email from the MFA to the Clerk confirming VMS decision by the EU Commission. dated the 17th February 2010.

STATUTORY MEETING

**AGENDA ITEM
No. 10**

28th April 2010

Deputy Clerk's report on a Defra consultation regarding the Orders to establish Inshore Fisheries and Conservation Authorities.

On the 22nd of March 2010 Defra issued a consultation regarding the development of Orders establishing individual Inshore Fisheries and Conservation Authorities (IFCA) of which Eastern Inshore Fisheries and Conservation Authority (EIFCA) will replace the Eastern Sea Fisheries Joint Committee. The closing date for responses to the consultation is the 14th of June 2010. The consultation can be downloaded from the Defra website at:

<http://www.defra.gov.uk/corporate/consult/inshore-fisheries2010/index.htm>

Responses should be sent to Ms. Reine Loader, IFCA Implementation team, Defra Marine and Fisheries Directorate, Area 2C, Nobel House, 17 Smith Square, London, SW1P 3JR or via email: ifcaboundary.consultation@defra.gsi.gov.uk

The consultation poses 59 questions of which questions 1-5, 34-37 and 47-59 are pertinent to EIFCA as are three charts that should be considered in conjunction with the consultation document relating to the proposed EIFCA district. The three charts consist of an overview of the proposed EIFCA district and two detailed charts showing the northernmost boundary between EIFCA and North Eastern IFCA and the southernmost boundary between EIFCA and Kent and Essex IFCA on the River Stour.

The consultation is set out in two parts with various subsections.

Part 1: This sets out the proposed general rules and principles for establishing the core provisions for each IFCA district and authority.

Part 2: This sets out the proposed operation of the procedures adopted by IFCAs. These items may not be included within the IFCA establishing Order.

Each of the questions posed in the consultation relating to EIFCA are detailed below along with the officers' proposed response.

Q.1 Do you agree that, where sea fisheries resources are absent or minimal in an estuary (for example, due to low salinity in the upper parts of the estuary) or where there is little or no exploitation taking place, this is a sensible starting point for deciding whether part of an estuary should or should not be part of an IFC district?

Yes. An IFCA should not be drawn in to management of water bodies where there is little marine influence as freshwater management is not an area in which IFCA should be expected to become experts in especially as this expertise is already held within other organisations such as the Environment Agency.

Q.2 Do you agree that where ending an IFC district's boundary would leave part or all of a site of special scientific interest, a national nature reserve, a Ramsar site, a European marine site, or a marine conservation zone without the protection of an IFCA the area of the district in an estuary should be expanded to include it?

No. In the case where this would confer an IFCA responsibility for the management of a protected area inland and further than marine influences are present, other relevant authorities are better placed to confer protection and management of this feature.

Q.3 Do you agree with the general principle of using population, land area, length of seashore and Band D Council Tax properties as the basis for calculating the portion of levy that each local authority must contribute to the IFCA?

Although this is a general question in relation to IFCA's as a whole, the response only considers the Officers views in relation EIFCA.

No. General comment: the Defra general principles as set within the consultation do not incorporate any reference to the distribution of fishing activity or environmental designations through out an IFCA district. In the current situation, the majority of the Joint Committee's work is centered on Norfolk as this is where the majority of the fishing interest is centered and much of the environmental work, as such, the Norfolk County Council meets a higher proportion of the total levy set for the Joint Committee.

A more equitable solution is proposed below so long as the three constituent County Councils agree on the approach. The current funding arrangement is set out below. The ESFJC 2010-2011 levy has been adjusted to incorporate the £49,576 that Lincolnshire County Council (LCC) is also levied by North Eastern Sea Fisheries Committee to manage the coastline from Donna Nook to Horseshoe Point (proposed to transfer to the management of EIFCA in 2011). Taking this into account, the total levy that ESFJC would have made for 2010-2011 to cover a district from Horseshoe Point in Lincolnshire to Felixstowe in Suffolk would have been £1,329,236. As actual levies for 2010-2011 are known, these have been used to demonstrate the financial contribution of the three counties under:

- A) the existing levy formula,
- B) the existing levy formula incorporating the additional £49,576 from Lincolnshire C.C.
- C) the proposed levy contributions when applying the new formula proposed by Defra.

County Council	2010 - 2011 levy (%)	2010 - 2011 levy (£) (A)	Theoretical levy (%) incorporating LCC £49,576	Theoretical 2010-2011 levy (£) incorporating LCC £49,576 (B)	Defra proposed levy (%)	Theoretical 2010-2011 levy contribution based on Defra proposals incorporating LCC £49,576 (C)	Theoretical variance for 2010-2011 (A) - (C)
Lincolnshire	30	£383,898	32.6	£433,474	27.48	£365,274	-£18,624 (-4.85%)
Norfolk	40	£511,864	38.5	£511,864	44.38	£589,915	+£78,051 (+5.25%)
Suffolk	30	£383,898	28.9	£383,893	28.14	£374,047	-£9,851 (-2.57%)
Totals	100	£1,279,660	100	£1,329,236	100	£1,329,236	+£49,576

It is the Officers recommendation that the Levy proportions for the three County Councils are:

Lincolnshire = 32.6%
 Norfolk = 38.5%
 Suffolk = 28.9%

For this to be the agreed formula all three County Councils need to provide Defra with a consolidated representation indicating that this is the percentage contribution that they are content to accept. If the Joint Committee agrees to the Officers recommendation, the Clerk will write to the Chief Executives of each constituent county council to inform them of the Joint Committee's agreement with the Officers recommendation. It is then incumbent on each constituent county council to write to Defra indicating their agreement or otherwise with the recommendation.

Q.4 Do you agree that a byelaw's area of application should not expand or contract merely because the district has expanded or contracted?

Yes. EIFCA will review all SFC legacy byelaws shortly after vesting.

Q.5 Do you have any other comments in relation to the general principles we have set out in this section of the consultation?

No.

Q.34 Do you think that the title "Eastern IFCA" appropriately represents the proposed district?

Yes. Reflecting this Officers have already obtained the domain name www.eastern-ifca.gov.uk

Q.35 Based on the general principles and legislative basis used to establish the seaward and landward extent of IFC districts, as outlined in Part 1 (Section 1), do you agree with the proposed boundaries and limits of the Eastern IFC district, particularly within the:

- *Mouth of the Stour Estuary/Harwich Harbour;*
- *Great Ouse; and*
- *Nene.*

Yes. Officers have held several discussions with the Chief Officers in two adjacent SFC/IFCA districts and agreement has been reached that the proposals as set out within the Defra consultation document are sensible given the parameters that any boundary decision must be based upon (see enclosed charts for Defra boundary suggestions).

Q.36 Based on the general principles and legislative basis used to establish the membership structure of IFCA's, as outlined in Part 1 (Section 1), do you agree with the proposed membership structure in relation to MMO appointees and local authority representation on the Eastern IFC district?

Yes. The current membership of ESFJC consists of eleven Elected Members with three County Councillors from Lincolnshire and Suffolk and four from Norfolk. The proposal sets out an EIFCA committee comprising seven elected members with two from Lincolnshire and Suffolk and three from Norfolk. Although this is a reduction in the representation of local authority elected members of the EIFCA, the proposal continues to reflect the weighting of the additional financial contribution proportioned to Norfolk through the levy.

Q.37 Based on the general principles and legislative basis used to establish the percentage levy contributions, as outlined in Part 1 (Section 1), do you agree with the proposed percentage levy contributions for the Eastern IFC district?

No. See the Officer's response to Question 3.

Q.47 Are there any other optional provisions that you would like to see included in the Order establishing each IFC district and Authority?

No.

Q.48 Do you agree that any member of the IFCA Committee may be elected as Chair or Vice-Chair by a majority vote after being seconded by another IFCA member?

No, Officers strongly disagree with this proposal for three reasons.

- 1) The existing situation - set out within the Joint Committee's Standing Order - where the Chair/Vice Chair of the Joint Committee must be an elected member, works very well. This prevents accusations from stakeholders that the organisation is beholden to any particular stakeholder group i.e. if the Chair and Vice Chair were commercial/recreational fishermen, rightly or wrongly the organisation is likely to be accused of bias to this sector.
- 2) Bearing in mind the new duties that IFCA's will be expected to carry out, and a strong expectation for a significant culture change to occur from SFC to IFCA, it is difficult to expect that this will happen if MMO appointed members with their key interests are elected to the Chair/Vice Chair posts due to the influence these positions can have. This has most recently been manifest in conflict arising from the selection of stakeholders from the Regional Hubs to the Stakeholder Advisory Panel (SAP) as part of the Marine Conservation Zone project. Conflict is present as stakeholders that are part of the Regional Hub but not part of the SAP are unhappy at being represented at the SAP meeting by a stakeholder from a different sector.
- 3) In the Joint Committee's current situation if enforcement action is to be taken against an individual, a summary of the legal advice is provided to the Chair and Vice Chair along with a recommendation for action. Action is only sanctioned following approval by the Chair and Vice Chair. As much of the legal advice is of a privileged nature and concerns fisheries and environmental legislation the Chair and Vice Chair are in a position to gain either a commercial advantage or privileged legal advice. A very recent example from the Joint Committee is where both Natural England and the Joint Committee had been taking very expensive legal advice regarding the legality of fisheries and environmental legislation in relation to two cases which involved vessels owned and operated by fishermen that had commercial or family ties to a commercial fishermen who is a Defra Appointed Member to the Joint Committee.

Q.49 Do you agree that where the members of the IFCA Committee feel that the Chair (or Vice Chair) is failing to exercise his or her duties in accordance with the Act or the standing orders of the Authority, a member of the IFCA can propose a vote of no confidence to effect their removal?

Yes, however, if this is to be considered then a clear appeal process should be developed.

Q.50 Notwithstanding that the Chair should be re-elected each year, how long do you think their continuous tenure should last (assuming they are re-elected each year):

- Four years;
- Eight years; or
- Ten years?

Four years. With a continuous tenure longer than this it is very possible that the organisation will become entrenched in its views and approach. It is worth noting that the Joint Committee limits the term of a Chair/Vice Chair to two years with the Vice Chair taking over the role of the Chair after two years of tenure. The Chair/Vice Chair also rotates through the constituent County Councils.

Q.51 Do you agree that IFCA's should be able to appoint a sub-committee in so far as is necessary to exercise its functions?

Yes. Officers consider the existing situation at ESFJC where sub-committees are used, to be very useful to progress work streams in a timely manner. It is the Officers' experience that sub-committee meetings reduce the amount of agenda items for consideration at Statutory Meetings enabling papers presented to these meetings to be analyzed in depth where required. Sub-committees can have various delegated responsibilities

to make decisions or can be restricted to making recommendations to the Statutory committee for consideration.

Q.52 Do you agree that, where practical, a member that leaves before the end of their period of appointment ends should give one month's written notice to the IFCA Committee and the relevant officer of the body that appointed him or her?

Yes.

Q.53 Do you agree that for a serving IFCA Committee member found guilty of an offence under fisheries legislation, or other offences, that is deemed to be prejudicial to the effective management of sea fisheries resources, (either through conviction in court or accepting an administrative penalty) their appointment should be terminated and they should not be eligible for reappointment for five years?

Yes. This should be made explicitly clear in the appointment letter and be automatic upon summary conviction or acceptance of a Fixed Administrative Penalty notice issued by either the MMO, the Welsh Assembly Government or any IFCA. There should not be any subjectivity involved *c.f. deemed to be prejudicial* – who deems this: Chief Officer, Chairman? See answer (3) to Q.48.

There should be clear instruction that once charges for a fisheries or marine environmental offence including obstruction have been laid in the courts by an enforcement body (IFCA, MMO, EA etc.) against an IFCA member - whether elected or appointed - then that member should be suspended from membership to the IFCA until the case has either been heard or dropped. This then removes any question regarding the conduct of either the IFCA or the individual under investigation.

Q.54 Do you agree that a member of an IFCA Committee who declares a personal interest may still take part in the meeting and vote, unless the personal interest is also a prejudicial interest?

Yes.

Q.55 Do you agree that if a member has a prejudicial interest then it must be declared and the member should be able to take part in any discussion but not be able to vote on the matter under discussion?

Yes.

Q.56 Do you agree that IFCA Committee members who do not disclose prejudicial or personal interest before voting or taking part in discussion and/or vote where they could be deemed to have such an interest can be disqualified from membership of the Authority?

No. *N.B.*

- 1) Only prejudicial and not personal interests should be considered in the context of Q.56
- 2) Who will determine that a member's interest is prejudicial or not?
- 3) Who will disqualify the member (MMO or Chairman)?
- 4) What framework will be used to consider points 2 and 3?
- 5) Experience would suggest that the determination as to whether or not a prejudicial interest exists, when there is no clear pecuniary element evident, is difficult to assess.

Q.57 Do you agree that every IFCA Committee member, unless suspended or disqualified, or because of a declared prejudicial interest, should be entitled to vote on the business of the Committee?

Yes.

Q.58 Do you agree that if it is subsequently found that a member voted on an item of business upon which they should not have been entitled to vote, that any actions or proceeding up to the point where the committee takes a further vote to ratify (or not) that decision, any actions up to that point will be deemed to be valid?

Yes. If in the instance of a vote, it is found that the subsequent voiding of the votes by members now deemed to have had a prejudicial interest that the vote would still have been carried no further action in relation to vote itself should be taken. However, action should also be taken to disqualify the member from membership of the Authority.

In the situation where the disqualification of a vote or votes would result in a change of voting outcome the Chief Officer along with the Chair and Vice Chair (unless they are the member in question) should discuss the situation and decide on the most appropriate course of action to take. This may result in the convening of an emergency full committee meeting or delay until the next scheduled full committee meeting to discuss the matter and gain agreement on the action to be taken. Action should also be taken to disqualify the member from membership of the Authority.

Q.59 Do you agree that each IFCA Committee should consider provision to allow reasonable rates to be paid for any loss of earnings to MMO-appointed members, where this can be demonstrated to have been incurred as a direct result of attending IFCA-related meetings?

Yes. MMO Appointees should be paid a fixed daily wage and expenses to attend Statutory or sub-committee meetings where the member can demonstrate a loss of earnings. This wage should be standardised across IFCAs or should be stipulated by Defra on an annual basis to ensure parity between IFCAs.

It is the Officers' proposal to write to Defra following direction provided during the Statutory meeting from the Joint Committee in response to the consultation outlining the Joint Committee's position in relation to the questions set out within the Defra consultation.

The Joint Committee is asked to consider and approve the Officers' proposals.

Duncan Vaughan
Deputy Clerk & Fishery Officer

21st April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) Defra: Consultation on the principles and content of the Orders establishing Inshore Fisheries and Conservation districts and their associated Authorities. 22nd March 2010.

28th April 2010

Clerk's report on the movement of seed mussel from the Wash

The mussel fishery in the Wash and its approaches continues to evolve, as managers, the Joint Committee is required to ensure that developments in fishing practices or markets do not undermine the sustainability of the fishery whilst not unnecessarily restricting change. It is accepted that the mussel fishery in the Wash has been transformed from one that relied on the natural beds to provide directly marketable mussels to one where the natural beds support the cultivated fishery through providing a seed resource.

The change in the Wash mussel fishery also reflects changes that have occurred across Europe. The global markets demand a thin, clean shelled, high yielding mussel. Fishermen met this requirement through moving seed mussel to areas where high growth is achieved.

Officers believe that the demand for seed both locally and internationally provides the next management challenge for the Joint Committee. It is predicted that the demand for seed mussel, particularly from Holland, the largest producers of mussel in Europe, will increase the interest and value of seed mussel in the Wash and its approaches.

Regulation No.3 of the Wash Fishery Order 1992 (WFO) stipulates that the removal of seed by road from the Regulated fishery can only take place under the written authority in that behalf of the Joint Committee signed by the Clerk. This legislation was introduced to facilitate the controlled movement of seed mussel from the Wash to the Several Orders located in a number of the North Norfolk coastal ports. It was seen as an important provision to help support this small scale but locally highly important coastal fishery.

In order to allow the Wash Several fishery to maximise its potential, many of the management measures applicable to the Regulated fishery have been lifted, including the minimum landing size and daily quota. The lifting of the management measures was in line with counsel's advice that the only arguable reason to apply management restrictions to the Several fishery would be if it could be shown that by not doing so allowed for damage to the Regulated fishery to occur.

This situation creates a management challenge for the Joint Committee. The mussel relaying fishery is open to any of the 68 WFO Entitlement holders. However not all of the WFO Entitlement holders are also lay holders in the Wash Several fishery, therefore any conditions placed on the movement of mussel through Regulation No.3 of the WFO or WFO licence conditions would only restrict the activities of those individuals that did not have lays. This is because the lay holders could move the mussel on to their lays and then would be free to move it out of the Wash as they determined. It is important to note that some lay holders exercised these rights and removed large quantities of mussel from the Wash to Holland during the period when Eider duck numbers increased.

An additional consideration is that whilst there is a mechanism to restrict seed movement by road from the Regulated fishery, there are no such provisions to restrict movement by sea. Conceivably vessels could transport the seed to a port outside of the Joint Committee's district before landing and continuing by road to its final destination.

The forthcoming relaying mussel fishery in the Wash, provisionally to start on 10th May 2010, has an agreed Total Allowable Catch (TAC) of 1,000 tonnes. Some fishermen fear that the available tonnage

will see a significant proportion of the mussel being relayed outside of the Wash and wish to see further restrictions introduced to prevent this from happening.

Officers' proposals

To safeguard fully against this eventuality would require some significant changes. The most important change would be to the conditions of the lay leases by reapplying Regulation No.8 of the WFO, a minimum landing size. The level of TAC available to the relaying fishery reflects the increasing stock levels, and it is agreed through the Appropriate Assessment submitted to Natural England that this stock may be removed without having an adverse impact on the mussel populations and meet the Conservation Objectives for the site. Given the received legal advice, as stated above, lay holders may well be successful if they object to this measure.

Without the ability to apply a restriction equitably to all WFO Entitlement holders, officers are of the opinion that the only actions that can be taken at this time is to monitor the relaying fishery closely, record movements of mussels and consult with lay holders and WFO Entitlement holders to determine the level of support for the creation of a Code of Conduct by which interested parties agree to restrict the sale and distribution of seed mussel from the Wash.

Officers' propose that any persons providing the necessary information required under Regulation No.3 of the WFO should be authorised by the Joint Committee to move seed mussel by road from the Regulated fishery.

The Joint Committee is asked to consider and approve the officers' proposal.

Matthew Mander
Clerk & Chief Fishery Officer

19th April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) Regulation No.3 of the WFO.
- 2) Regulation No.8 of the WFO.
- 3) Appropriate Assessment for the 2009/2010 relaying mussel fishery in the Wash.
- 4) Counsel's advice on the application of the WFO.

STATUTORY MEETING

28th April 2010

**AGENDA ITEM
No. 12**

The Joint Committee's 2009 Annual Report and Research Report

The Joint Committee's Annual report and Research report are available to view in draft via the Joint Committee's website: www.esfjc.co.uk/paperwrk.

The Joint Committee is asked to receive and approve the reports.

Matthew Mander
Clerk & Chief Fishery Officer

19th April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) The Joint Committee's draft annual report for 2009.
- 2) The Joint Committee's draft research report for 2009.

28th April 2010

Marine Environment Officer's report on the proposed Dudgeon Offshore Wind Farm

In August 2009 Officers submitted to the Department of Energy & Climate Change a holding objection to the proposed Dudgeon Shoal Offshore Wind Farm (OWF), to be located approximately 32km north of Cromer. This was consistent with the Joint Committee’s decision (ST07/67) to object to OWF proposals until such time that Members make a decision to remove the holding objections based on information obtained by Joint Committee officers during discussions with members of the fishing industry, energy developers, regulators and scientific advisors.

Underlying the Joint Committee’s objection to the Dudgeon OWF was uncertainty over the longer-term impacts of OWFs on the marine environment, including fisheries. The Joint Committee has maintained its initial position that until evidence has been gathered from the construction and operation of Round One OWFs, over a sufficient period of time, further projects should not be progressed. The Joint Committee Officers’ response raised specific concerns relating to:

1. Temporary increases in suspended sediment concentrations on shellfish during construction, and subsequent deposition of disturbed sediments;
2. Localised impacts on benthic communities during construction;
3. Impacts of underwater noise during construction on noise-sensitive fish;
4. Impacts of electromagnetic fields (EMF) emitted by wind farm cables during operation on EM sensitive species; and
5. Displacement of fishing activity during construction and/or operation, increasing effort in other areas.

The developers Dudgeon Offshore Wind Ltd. (DOWL) requested to meet with Joint Committee Officers to discuss these issues. This meeting was held on 8th March 2010 with DOWL and local fisheries consultants Brown & May Marine (BMM). An outline of DOWL’s response to each issue is outlined below (Table 1), with reference to DOWL’s correspondence with the regulators, the Marine & Fisheries Agency (MFA).

Table 1. Issues discussed at ESFJC, DOWL & BMM meeting, 8th March 2010.

Issue		Points made in response to ESFJC concerns
1	Suspended sediment levels and re-deposition (including impacts of chalk)	<ul style="list-style-type: none"> • A small proportion of the Dudgeon site / cable route has underlying chalk – therefore chalk release will be minimal. • At CEFAS¹’s request, Warwick Energy (WE) commissioned surveys of chalk plumes at the Thanet OWF site (majority of area has underlying chalk), which identified that plumes were not greater than existing plumes being caused by ferries.
2	Benthic communities	<ul style="list-style-type: none"> • CEFAS (via the MFA) advised in September 2009 “the benthic surveys have shown that the region is impoverished and unlikely to be significantly impacted by the development”. • Reports have been produced on benthic communities at operational

¹ Centre for Environment, Fisheries & Aquaculture Science – government advisors on fisheries and marine ecology

Issue		Points made in response to ESFJC concerns
		OWFs, e.g. North Hoyle, Burbo and Kentish Flats.
3	Impacts of underwater noise	<ul style="list-style-type: none"> • Herring has been identified as the only species likely to be affected. • WE is committed to implementing soft-start procedures. • CEFAS have suggested a 6-week prohibition on piling (1st Oct to 14th November) to protect spawning herring, but WE may challenge this when further data become available on actual spawning times of herring in this area. • No impact identified from noise on larvae of different fish and shellfish species – they seem to be fairly robust. • CEFAS highlighted that it is not known for certain that shellfish are insensitive to noise; therefore uncertainty should be acknowledged.
4	Electromagnetic fields (EMF)	<ul style="list-style-type: none"> • The creation of EMF depends on the cable type (AC or DC transmission). • MFA issued a condition on the FEPA licence for the Sheringham Shoal OWF that elasmobranch surveys must be undertaken (to identify whether there were any EMF effects). • Uncertainty remains, following COWRIE report published in 2009. • CEFAS highlighted that it is not known for certain that shellfish are insensitive to EMF; therefore uncertainty should be acknowledged.
5	Displacement of fishing effort	<ul style="list-style-type: none"> • MFA reported its overall conclusions regarding the Dudgeon site, i.e. that it is at the limit of range for smaller vessels, fished sporadically by relatively few vessel and that the impacts of the construction, operational and decommissioning phases are likely to range from minor adverse at worst through negligible, to the possibility of some benefit from cover provided as scour protection. • WE is committed to working with the fishing industry, and will negotiate with fishermen in relation to disruption along the cable export route.

Officers propose that the Joint Committee maintains its objection to the Dudgeon Offshore Wind Farm, consistent with its agreed approach, until such time that the Joint Committee's concerns over longer term uncertainties have been satisfied.

J C Stoutt
Marine Environment Officer
21st April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

1. Dudgeon Offshore Wind Ltd (June 2009) Dudgeon Offshore Wind Farm – Environmental Statement.
2. Letter of objection to the proposed Dudgeon OWF from Marine Environment Officer to Robert Lilly, Department of Energy & Climate Change, 28th August 2009.
3. Marine & Fisheries Agency response (incorporating comments from CEFAS and the MFA District Inspector) to Warwick Energy regarding the Dudgeon OWF Environmental Statement, 15th September 2009.
4. Dudgeon Offshore Wind Ltd response, 12th November 2009, to MFA comments.

29th July 2009

Area Fishery Officer's quarterly report January 2010 to March 2010

Area 1: Donna Nook – Sutton Bridge. Fishery Officer Jason Byrne.

General

The main fishing activity this quarter took place on the lay mussels. The brown shrimp fishery had still not recovered due to the water temperatures being low resulting in shrimp still being hard in the sands waiting for the water temperatures to rise. During this quarter some of the Boston fishermen decided to walk some sands in the search of cockles suitable for hand raking. Other fishing activities throughout this quarter included potting for whelks and long-lining for cod & skate.

Port Summary

Chapel Point – Saltfleet

Only seven landings were achieved by one vessel long-lining for cod & skate averaging 1,000-1,500 hooks being used per trip. The hot spots that are normally targeted by this vessel proved to be very poor, the skipper then decided to work other areas to try and increase catch - without much luck. Towards the end of this quarter a King's Lynn twin beaming vessel was also sighted along the Lincolnshire coast trawling for sole.

Skegness – Gibraltar Point

Only one vessel was up and running and potting for whelks off the Lincolnshire coast, with an average of 700 pots being used. This vessel made nine landings during the quarter, into Skegness.

Boston

Brown shrimp

35 landings of brown shrimps were made by eight vessels, nearing the end of the quarter only three vessels continued to target this fishery.

Mussels

There were six vessels working private lays, having made 70 landings of marketable mussel. All of which were sold to Holland & France.

Seed Mussels

14 trips were achieved by three vessels fishing for seed mussels off the Lincolnshire coast area, which were relayed onto private lays within the Wash.

Hand raked Cockles

At the start of the quarter two vessels made one landing each of hand raked cockles, taken off the Dills Sand.

Fosdyke

MFV Three J's (PLN: PW 371) was lifted out for a total refit, most of the work was carried out by Fosdyke Marina, before returning to its home port of Wells.

MFV My Quest (PLN: H44) was lifted out to be anti-fouled prior to being sold.

MFV Lynn Princess (PLN: LN175) was lifted out to have the cutlass re-packed.

MFV Alison Christine (PLN: LN179) was lifted out for a general over haul.

Sutton Bridge

No fishing activity has taken place throughout this quarter. Repairs to the river bank continued to be carried out by the Environment Agency.

Species Summary

All landing figures detailed within this monthly report are derived from estimates of catches based on observations made by Fishery Officers and reports made by fishermen to Fishery Officers.

<u>Chapel Point – Saltfleet</u>			
Number of vessel inspections:			2
Species	Landings (kg)		Value of catch (£)
Cod	345		772
Skate	69		155
<u>Skegness – Gibraltar Point</u>			
Number of vessel inspections:			2
Species	Landings (kg)		Value of catch (£)
Whelks	11,789		6,549
<u>Boston</u>			
Number of vessel inspections:			13
Species	Landings (kg)		Value of catch (£)
Brown Shrimp	4,620		8,964
Handraked Cockles	1,000		150
Seed Mussel	254,000		0
Private Lay Mussel	928,000		239,760
<u>Fosdyke</u>			
Number of vessel inspections:			0
Species	Landings (kg)		Value of catch (£)
0	0		0
<u>Sutton Bridge</u>			
Number of vessel inspections:			0
Species	Landings (kg)		Value of catch (£)
0	0		0
<u>Potting</u>			
Crab and lobster			
Number of pots inside 6nm fished by vessels from within area:			0
Number of pots outside 6nm fished by vessels from within area:			0
Bio-sampling of brown crab and lobster			
Number of brown crab measured during the month:			0
Number of lobsters measured during the month:			0
Whelk			
Number of pots inside 6nm fished by vessels from within area:			700
Number of pots outside 6nm fished by vessels from within area:			0
<u>Non Commercial Activities</u>			
<u>Recreational Sea Anglers (shore based):</u>			
Number of anglers inspected:			0
Locations fished:	Species targeted:		Average catch (kg):
0	0		0
<u>Recreational Sea Anglers (vessel based):</u>			
Number of vessels inspected:			4
Locations fished:	Species targeted:		Average catch (kg):
0	0		0
<u>Charter Angling Vessels:</u>			
Number of charter vessels inspected:			0
Number of vessels in area:	0	Number of trips:	0
Species targeted:		Total Landings (kg):	0
Locations fished throughout the month:			

Fishery Officer Duties

Training:

Three days at Grantham attending IFCA course.

One day enforcement training.

Other duties carried out:

Collecting shellfish samples from Tabbs Head for the Environmental Health Officer.

Attended court.

Picked up new boot liners for ESFJC 207's, also had *FPV Pisces III* cover repaired at WWS Tarpaulin.

Collected samples of dead Razor shells from Lincolnshire coast.

Staff meeting.

Attended DEFRA meeting.

On patrol Area 2 with FO Dye.

Collecting prices on spotting scopes.

On *FPV Pisces III* assessing mussel beds.

Assisting *RV Three Counties* to fit new life rafts alongside Sutton Bridge moorings.

Checked through inventory for *FPV Pisces III*.

On *FPV Sea Spray* recharging Mussel EHO sites.

Took Peugeot 207 & 307 vehicles for services.

Fitted door lock at ESFJC office.

Fitted extractor fan in ladies toilets at ESFJC office.

1st sale value of different species within this area (£/kg)

Cod	1.70 - 2.60
Skate	2.25
Whelks	0.55 - 0.60
Brown shrimp	1.84 - 2.40
Handraked cockles	0.15
Seed mussel	0
Private Lay mussel	0.25 - 0.27

Area 2: King's Lynn - Blakeney. Fishery Officer Ian Dye.

General

Area two suffered this quarter with high winds and low sea temperatures which resulted in poor fishing throughout the area especially in January and February. As the weather picked up during March catches began to improve. At King's Lynn fishing centred around the brown shrimp, whilst at Brancaster the main fishery was the mussels, Wells focused on the brown crab and lobster fisheries, with some of the vessels targeting whelks as well. Wells town is still developing the deep water moorings making ready for the wind farm boats which they anticipate will bring employment opportunities to the town. At Blakeney and Morston mussels were once again was the main fishing opportunity.

Port Summary

King's Lynn

Kings Lynn was hampered by weather during the first quarter of the year with the worse of the weather during January and February. The quarter's main fishery was the brown shrimp fishery with 49 vessels making 307 landings into the port of King's Lynn, totalling 102,574kg, with a first sale value of £213,557.

Brancaster

The Brancaster fishermen had a slightly better start to the season with the mussel producers having steady orders throughout the quarter. The mussel fishery has been the main fishery this quarter with three processors producing 38,500kg of mussel with a value estimated at £38,500, all sold to the home markets.

One vessel fished for brown crab, lobster and whelks making a total of 24 landings.

The three main pacific oyster producers had sales of 2,800kg of pacific oysters valued at £27,720 once again sold to the home markets.

Wells

The fishermen at Wells were also hampered by weather and cold sea temperatures however nine vessels made 120 landings into the port of wells landing a total of 10,840kg of brown crab valued at £10,840 also 3,927kg of lobster valued at £41,705 and 40,427 of whelks worth approximately £23,604.

Blakeney

The main fishery at Blakeney and Morston this quarter was the mussel fishery with three processors reporting sales of 21,500kg of market mussel worthy approximately £21,500 there were also two vessels which made 21 landings of brown crab and lobster totalling 2,310kg of brown crab worth £2,310 and 963kg of lobster valued at £10,160.

Species Summary

All landing figures detailed within this monthly report are derived from estimates of catches based on observations made by Fishery Officers and reports made by fishermen to Fishery Officers.

King's Lynn

Number of vessel inspections:		23
Species	Landings (kg)	Value of catch (£)
Cockles hand worked	0	0
Cockles dredged	0	0
Mussel hand worked (Regulated)	0	0
Mussels W. Wall (Regulated)	0	0
Mussel dredged (Several)	0	0
Mussel dredged (Regulated)	0	0
Mussel dredged seed (Regulated)	0	0
Mussel dredged (not WFO)	0	0
Mussel dredged seed (not WFO)	0	0
Brown shrimp	102,574	213,557
Pink shrimp	0	0

Brancaster

Number of vessel inspections:		2
Species	Landings (kg)	Value of catch (£)
Mussels (Regulated)	0	0
Mussels (Several)	38,500	38,500
Mussel dredged (not WFO)	0	0
Mussel dredged seed (not WFO)	0	0
Oysters	2,800	27,720
Brown shrimp	0	0
Brown crab	760	760
Lobster	430	4,725
Whelks	18,801	12,030

Wells

Number of vessel inspections:		14
Species	Landings (kg)	Value of catch (£)
Brown crab	10,840	10,840
Lobster	3,927	41,705
Whelks	40,427	23,604
Velvet crabs	0	0
Brown shrimp	0	0
Cod	0	0

Blakeney

Number of vessel inspections:		2
Species	Landings (kg)	Value of catch (£)
Brown crab	2,310	2,310
Lobster	963	10,160
Mussels (Several)	21,500	21,500
Mussel dredged (not WFO)	0	0
Mussel dredged seed (not WFO)	0	0

Potting

Crab and lobster

Number of pots inside 6nm fished by vessels from within area:	4,600
Number of pots outside 6nm fished by vessels from within area:	3,900

Bio-sampling of brown crab and lobster

Number of brown crab measured during the month:	0
Number of lobsters measured during the month:	0

Whelk

Number of pots inside 6nm fished by vessels from within area:	0
Number of pots outside 6nm fished by vessels from within area:	3,000

Non Commercial Activities

Recreational Sea Anglers (shore based):

Number of anglers inspected:	0		
Locations fished:	Species targeted:	Average catch (kg):	

Recreational Sea Anglers (vessel based):

Number of vessels inspected:	0		
Locations fished:	Species targeted:	Average catch (kg):	

Charter Angling Vessels:

Number of charter vessels inspected:	0		
Number of vessels in area:	Number of trips:	Number of anglers:	
Species targeted:		Total Landings (kg):	

Locations fished throughout the month:

Fishery Officer Duties

Training:

IFCA training course for three days.

Other duties carried out:

Environmental health sampling at tabs head.

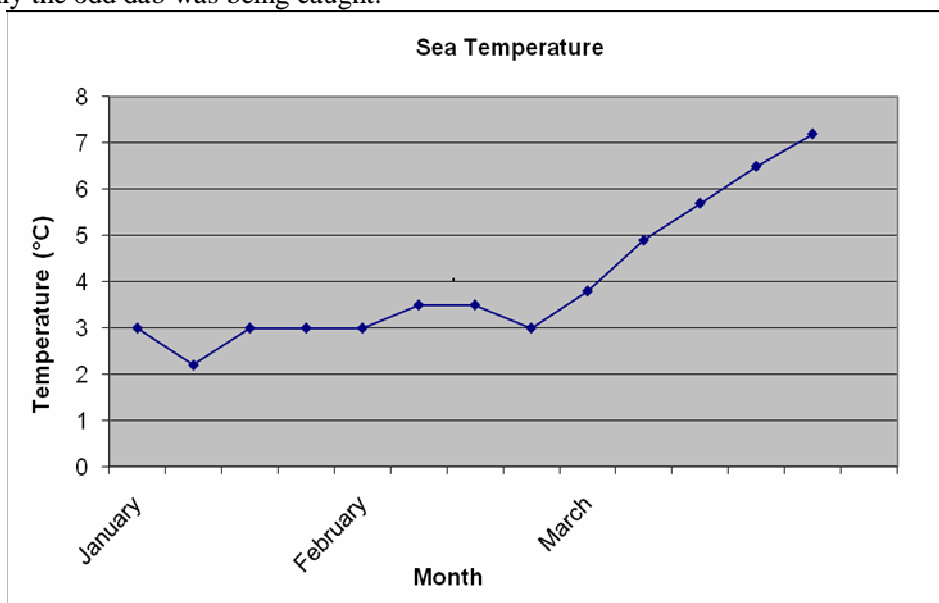
1st sale value of different species within this area (£/kg)

Brown shrimp	2.40
Brown crab	1.00
Lobster	12.50
Mussel	1.00
Whelks	0.55
Pacific oysters	9.90
Cod	

General

During this first quarter of the year we have seen weather of all scales. During January we had North Easterly gales, snow and freezing temperatures in this time some fifty dead ray's bream were washed up dead on Cromer beach, along with weavers, rockling, dabs and lobsters. This maintained for around a fortnight, also during this cold snap around five to six Tonnes of velvet crab were washed ashore at West Runton.

Once January had left us all feeling full of doom and gloom February brought much the same feeling, continually being cold and still some snow about at times, fishing was still a non starter, and for anglers only the odd dab was being caught.



With March starting cold it was looking very unlikely that any fishermen were going to have crabs on the slab for the Easter break, however middle of the month spring was felt in the air (only for a day or two) however this was all it took for a couple of fishermen to decide that winter was now over and it was time to commence crabbing once again, so after running a few shanks of pots to sea (shank = a string of pots used to be 25's now about 12, an anchor and a buoy at each end) leaving them for a day or two before hauling, doom set in once again with nothing what so ever moving on the ground, the sea temperature at this time was barely 6°C, (crabs move around 7.5°C) however after a few days of warmer weather and the sight of some frogs moving inspired others to set pots as well and slowly but surely, the crabs began to move from hibernation.

Port Summary

Cley-next-the-Sea

No activity has been witnessed from this beach this year as yet.

Weybourne

The two vessels here had pots in the water for January and most of February although nothing was moving on the ground, and at the first opportunity these were brought ashore to be overlooked for the coming season.

During March the vessels and there carriages here have been undergoing some much needed maintenance in prep for this year. Crabs in this area are normally two to three weeks behind Cromer and Overstrand.

Sheringham

This port always has something going on, if there isn't any pots at sea from the West slip then the part timers are off on the East slip playing around with a few nets, this they tend to do most weekends dependable upon favoured sea conditions. This year so far has brought mixed results with an assortment of cod, bass, whiting, and sole.

East & West Runton

Vessels at neither of these ports have made any attempts of moving so far this year.

Cromer & Overstrand

During January and February vessels put to sea seven times in total at Cromer this was to retrieve/salvage whatever was left of their pots after being at sea for the winter, some vessels had luck on there side managing to bring pots ashore in a repairable state while others weren't so fortunate and had lost the lot.

During March it was at Cromer that vessels made a start, although a very slow start it had gained pace by the end of the month, with a compliment of eleven vessels hauling daily at times a crab a pot was the figure to go by although this fluctuating sometimes more others a lot less.

Mundesley to Caister

Vessels along this stretch of coast have also had slow quiet winter as far as potting is concerned, though one vessel has been working a few whelk pots during March landing around a 100kg a haul.

Mean while at Caister vessels here have been fishing the stock of North Sea herring once again, during January and February these fish are well past there best and at best resemble a cut throat razor by the end of March these fish are only just starting to fill out again and plump up with oil in prep for the breeding cycle.

Yarmouth/Gorleston

At these ports life to has remained quiet, in January one vessel was doing a spot of lining and managing to make ends meet until a breakdown occurred, a tow home via lifeboat was required by the time he then managed to get his vessel repaired and waited for the weather to improve again he learnt that the cod had moved away from the coast 30 – 40 miles off.

During February the owners of the last fulltime vessel in this port finally gave up fishing to go and operate Wind Cats out of Harwich, however there vessel which they have hung onto for the time being they are currently hiring out.

Species Summary

All landing figures detailed within this monthly report are derived from estimates of catches based on observations made by Fishery Officers and reports made by fishermen to Fishery Officers.

<u>Cromer</u>		
Number of vessel inspections:		60
Species	Landings (kg)	Value of catch (£)
Crab	1,612	4,944
Lobster	283	3,840
Cod	10	35

<u>Sheringham</u>		
Number of vessel inspections:		8
Species	Landings (kg)	Value of catch (£)
Crab	66	270
Lobster	8	104
Cod	30	104
Bass	8	77
Sole	2	28
Whiting	12	15

<u>Cley, Weybourne, E Runton, W Runton, Overstrand, Mundesley & Bacton</u>		
Number of vessel inspections:		10
Species	Landings (kg)	Value of catch (£)
Crab	498	1,526
Lobster	16	238
Cod	10	27

<u>Sea Palling</u>		
Number of vessel inspections:		2
Species	Landings (kg)	Value of catch (£)
Crab	100	306
Lobster	2	26
Whelk	825	495

<u>Caister & Gorleston</u>		
Number of vessel inspections:		11
Species	Landings (kg)	Value of catch (£)
Cod	1,370	4,717
Herring	8,220	5,532
Spratt	910	1,604

Potting

Crab and lobster

Number of pots inside 6nm fished by vessels from within area:	1,150 - 3,860
Number of pots outside 6nm fished by vessels from within area:	750 - 450

Bio-sampling of brown crab and lobster

Number of brown crab measured during the month:	176
Number of lobsters measured during the month:	67

Whelk

Number of pots inside 6nm fished by vessels from within area:	120
Number of pots outside 6nm fished by vessels from within area:	0

Non Commercial Activities

Recreational Sea Anglers (shore based):

Number of anglers inspected:	26	
Locations fished:	Species targeted:	Average catch (kg):
Cley-next-the-Sea	Dabs	0.10 - 0.25
Weybourne	Cod - Bass	0.20/0.50 - 1.50
Cromer Pier	Cod	0.20
Cromer Beach	Cod	0.25
Mundesley	Cod	0.00
Trimingham	Cod	0.75

Recreational Sea Anglers (vessel based):

Number of vessels inspected:	0	
Locations fished:	Species targeted:	Average catch (kg):

Charter Angling Vessels:

Number of charter vessels inspected:	2	
Number of vessels in area:	4	Number of trips:
		Unknown
Species targeted:		Number of anglers:
Cod		5
		Total Landings (kg):
		0

Fishery Officer Duties

Training:

Taped interview training.

Two days Marine and Coastal Access Act training course Grantham.

Other duties carried out:

Attended a meeting with Royal Haskoning for Sheringham Wind farm (Fishermans concerns locally)

Four days in the office preparing yearly planners.

Three days patrol on board *FPV Protector III*.

One day in the office providing lobsters for the scrubbing test demonstration at the SFC Shellfish Managers meeting.

Showed Simon Prince from Danbrit (Baird Gas Storage Project) around ESFJC Area three and four.

1st sale value of different species within this area (£/kg)

Crab	3.07
Lobster	15.50 – 16.00 – 13.00
Herring	0.38 – 1.00 – 0.30
Spratt	1.20 – 2.00
Cod	3.50 – 2.90 – 3.40
Whelk	0.60
Sole	14.00
Bass	9.60

Area 4: Pakefield – Felixstowe Ferry. Fishery Officer Alan Garnham.

General

January started very cold with bitter easterly winds and snow blizzards. The entire area had a very quiet month with very few commercial and charter boat trips fishing due to the seasonal decline in fish as fish have gone out to spawn. This was mirrored by anglers and whilst making inspections I hadn't seen one fish landed on the beach for the entire month. One example a 5hr competition of 40 anglers not a fish seen to the minimum 18cm match return rules caught. Several other match reports produced catch weights in ounces when weighing in. Most commercial fishermen have taken the opportunity to replace/repair pots and nets ready for the new season or take out their boats for annual maintenance. One problem this month is the continuing amount of thefts occurring off all beaches of fisherman's nets lines anchors and stainless steel work tops sinks and trays etc. Fishermen are concerned of all the meetings with various agencies with regards to no take zones MCZ's etc They feel as if they are unheard and now with the red throated diver threat as an example believing the government will stop commercial fishing along the coast.

MFV- Catherine Annie (PLN: LT45) broke down off Harwich and had to be rescued by the Harwich lifeboat.

The start of February was dire with no fish being caught by commercial and beach anglers in some areas. During the month cod began to move in to the outer banks around twenty miles out. The fish were sporadic with some liners catching under a dozen fish on up to sixty lines whilst others landing up to twenty boxes. All fish were healthy prime fish between 7kg to 12kg per fish. Roker are down on numbers compared with previous years. Bass were being caught in drift nets up to 5kg per fish. One commercial long liner reported catching huge numbers of spurdog over a particular area all were returned due to no quota. Water temperature is reportedly very cold due to the cold winter and strong northerly/easterly winds. The winds have prevented many fishermen going to sea during the month. All fisherman are confident the fish will return and estimate due to the cold weather and NE winds all species will be at least a month later this year. Beach matches continued having awful results with some matches not landing a single species. Some commercial fishermen used this opportunity in February to have their boats out of the water for annual maintenance and repairs etc.

Fishing diversification has led to two fishermen at Lowestoft starting up a wet fish shop within a farm shop at Friday Street Farm, Farnham selling direct to the public using their wives to staff the new premises. Another fisherman has also purchased a fish and chip shop in Lowestoft and is currently refitting it out.

March started with less cod being caught, although most fish were between 5 - 10kg each. Most fishermen were concerned as to where the smaller fish were. After a short lull with easterly winds, the tides began to pick up and so did the fish with a huge amount of cod in all sizes including many undersize fish for the future. Fishermen had obviously been talking on the radios as all ports visited I had consistent reports "If you fell over the side you wouldn't drown on the amount of cod in the sea." Very late in the month a few potters have chanced putting out an early pot to test the area with a few crab and lobster possibly on the move although the water is still cold for spring - 5 degrees.

Coastal erosion is again noticeable on the Suffolk coastline with a half a mile of Corton sea wall being closed due to sudden cliff bank erosion. Another example being the debate of the closure of the Trinity House Orfordness lighthouse due to constant shingle erosion.

On 9th March I chaired a meeting inviting the RSA including charter boat operators and fishing tackle proprietors to meet Net Gain, Natural England, Balanced Seas and Suffolk Coastal. This was well attended with around eighty fishermen turning up followed by front page headlines and a three page article in the Ipswich Nightly Evening Star newspaper "We'll fight them on the beaches." The meeting began to get heated when discussing the bait digging proposals for the rivers Orwell and Stour. Future meetings to be arranged.

CCTV - now fully installed and working covering Aldeburgh beach, fisherman huts and boats. Damage and theft reports have now stopped.

Skipper/Owner of the <10m G & E at Lowestoft has finally given up fishing and turned to the wind farms as a skipper of a windcat. He says he can now sleep at night working on a long term contract with money in the bank every month.

RSA angling on the beach has been a disaster this month with many matches recording undersize fish.

Port Summary

Pakefield

The new year started with only two sprat trips returning with less than half a box of herring. Poor weather and sea swells continued through February with only one trip returning 25kg of herring. During March herring returned in abundance and started to fatten up. Mixed in the nets were several pilchards. On the beaches it has been a very quiet quarter with very poor catches. Probably 95% of anglers failed to catch a single fish. Match results have been very poor with the odd dab or whiting winning a match.

Southwold

Local harbour users are up in arms about the crumbling harbour wall entrance as Waveney council are not going along with recommended strengthening of the wall for the entire length costing £4million but intend dumping rocks and converting it into a slope and only steel pile around the lifeboat station at a cost of £2million. They believe the erosion will continue and the wall will collapse into the sea.

Commercial boats started the new year targeting the cod by long lining but are having to go further whilst the smaller boats are netting for herring close in but the numbers are now well down with the fish moving away. A few pockets of bass are still here in the colder water caught fish are around ¾ kilo sizes. The caught herring are all in various stages of spawning maturity.

Charter boats have cancelled bookings due to the lack of cod in the immediate area. Some days they have been sitting all day at sea with 8-10 anglers and not one fish has been landed. Catches began to pick up during the end of February with earlier trips cancelled due to weather and the percentage factor of no fish in the area. Cod again were not in numbers but fish landed were up to 12kg per fish. What was noted was the fact if lines were shot within two to three days over an area which previous gave a good return no fish were caught indicating the fish are shoaling and moving around. During March commercial boats reported good catches of cod but struggling to find the roker. All boats are still long lining.

Anglers inspected on the pier, beach or harbour wall reveal no fish being caught throughout the quarter.

Dunwich & Sizewell

January started with commercial boats hardly catching a fish. One boat is having run ins with the dive operations just 500yds south of Sizewell beach, when drift netting the divers turn up unannounced to dive where the cable to the wind farms is about to be laid on the sea bed. On the beaches no reported catches for the entire month of January.

During February the area fished the same as Southwold with varying days. Again many days were lost to sea conditions. Fisherman huts have been broken into and fishing equipment has been stolen on several occasions. Equipment includes several bales of rope, nets buoys anchors dahns and an outboard. Incidents have been reported to the police and they admit there is a problem in this and other areas. One fisherman has now set up CCTV at his own expense due to the amount of thefts of his equipment. During February a few dabs whiting and rockling were caught by anglers going to the right on the beach in the deeper water. In one competition they managed to get a 1st 2nd and 3rd result as more than three anglers caught fish. Hopefully things will improve in the warmer weather. FLUOR has delayed sending in their enormous barge to Sizewell to anchor to the sea bed and the beach to begin laying the cables from the shore to the Greater Gabbard Offshore Windfarm. The vessel is currently awaiting calmer weather sheltering in Gt Yarmouth harbour.

During March cod fishing picked up on the boats with a few bass also showing up in the nets. On the beach the fishing continued to be very poor with many anglers not catching a fish.

Thorpeness & Aldeburgh

Same report down the coast all fish have moved further out. Commercial fishermen are fishing nets and long lines to try and catch herring or a few sparse cod. During February commercial fishermen report similar pattern to Southwold with sporadic catches of large cod. During March the cod moved closer in and herring shoaling close to the beach. One fisherman has put out a few of his pots with a few crab to show on one haul at the end of the month. Beach fishing has returned the odd sizeable fish being pot luck on species of codling whiting bass pout rockling dab flounder or dogfish.

Orford

January started with two commercial boats making only making one trip each for the entire month. Fishing on the island has whittled off to nothing during the month with trips being cancelled. During February the commercial boats made a few fruitful trips catching large cod. On the long lines 154kg spurdog have been caught on two trips all fish being returned due to current ban but its good to know spurdog are here and all caught were good healthy fish. One report I have from a commercial long liner is the fact the cod are big but as the month went on the cod appear to be moving out rather than in. During March commercial boats reported plenty of cod but very poor returns of roker. On the island the fish caught decreased with cod only to 2kg with the odd bass and whiting.

Felixstowe

New year started with commercial boats having made very few trips with low reports of cod although several good bass have been landed. Sprats have broken up resulting in poor returns. Four baths are returning around a box and half of cod. On the charter boats it has been dire with sometimes not a fish caught between 6-8 anglers. Best trip of the month appears to be 3 cod and a dozen undersize whiting and an odd dab or flounder. February continued as January. One fisherman has purchased a new Kingfisher 10metre hull and is busy fitting it out in the ferry boat yard with his father. Other boats have taken this opportunity to have their boats out for maintenance and anti fouling etc. Another fisherman has now finished building his fishing boat *MFV- Relentless* (PLN: IH327) and has begun commercially fishing. During March commercial boats picked up with good cod being caught on long lines. It has been too cold to consider changing over to netting for sole. Most commercial fulltime fishermen are up to quota on cod with nothing else showing. On the beaches for the entire quarter it has been like a grave yard with occasional undersize fish being returned. Many charter boat trips were cancelled during the entire quarter due to either the winds or lack of fish.

Species Summary

All landing figures detailed within this monthly report are derived from estimates of catches based on observations made by Fishery Officers and reports made by fishermen to Fishery Officers.

Pakefield

Number of vessel inspections:	3
Species	Landings (kg)
Value of catch (£)	Value of catch (£)
Herring	68
	48

<u>Southwold</u>		
Number of vessel inspections:		2
Species	Landings (kg)	Value of catch (£)
Cod	14,800	39,940
Roker	1,761	6,565
Herring	239	257
Bass	520	3,198
Sole	100	650

<u>Dunwich & Sizewell</u>		
Number of vessel inspections:		0
Species	Landings (kg)	Value of catch (£)
Cod	1,137	2,932
Bass	142	1,217
Sprat	50	75
Sole	19	124
Herring	413	124

<u>Thorpeness & Aldeburgh</u>		
Number of vessel inspections:		2
Species	Landings (kg)	Value of catch (£)
Cod	7,190	39,118
Sprat	105	158
Bass	293	2,646
Herring	1,253	474
Roker	35	116
Lobster	5	20
Crab	22	45

<u>Orford</u>		
Number of vessel inspections:		0
Species	Landings (kg)	Value of catch (£)
Cod	4,885	12,932
Roker	343	1,673
Bass	70	651

<u>Felixstowe</u>		
Number of vessel inspections:		1
Species	Landings (kg)	Value of catch (£)
Cod	10,420	26,753
Bass	315	2,678
Sprat	500	750
Roker	44	146

Potting

Crab and lobster	
Number of pots inside 6nm fished by vessels from within area:	40
Number of pots outside 6nm fished by vessels from within area:	0

Bio-sampling of brown crab and lobster	
Number of brown crab measured during the month:	0
Number of lobsters measured during the month:	0

Whelk	
Number of pots inside 6nm fished by vessels from within area:	0
Number of pots outside 6nm fished by vessels from within area:	0

Non Commercial Activities

Recreational Sea Anglers (shore based):

Number of anglers inspected:	64	
Locations fished:	Species targeted:	Average catch (kg):
Pakefield	Cod	0
Southwold	Cod	0
Dunwich	Cod	0
Aldeburgh	Cod	0
Felixstowe	Cod	0

Recreational Sea Anglers (vessel based):

Number of vessels inspected:	0	
Locations fished:	Species targeted:	Average catch (kg):
Felixstowe	Cod	3

Charter Angling Vessels:

Number of charter vessels inspected:	3				
Number of vessels in area:	18	Number of trips:	52	Number of anglers:	320
Species targeted:		Total Landings (kg):			2
Cod					
Locations fished throughout the month:					
Within five miles of the coast					

Fishery Officer Duties

Training:

22nd 25th 26th 28th 29th January - ESFJC office

24th 25th 26th March - Leeds - MMO training

Other duties carried out:

12th January - Stour and Orwell meeting - Ipswich

14th January – Net Gain meeting - Felixstowe

3rd February - Sea anglers club meeting - Felixstowe

4th February - Suffolk Beach Anglers club meeting - Ipswich

9th February - Stour and Orwell Strategy meeting - Lawford.

13th February - 3rd March - annual leave.

1st sale value of different species within this area (£/kg)

Average price over the quarter

Cod	2.73
Roker	3.60
Bass	5.34
Herring	0.93
Sprat	1.50
Sole	6.50

20th January 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

ESFJC Officers' Monthly Reports January to March 2010.

STATUTORY MEETING

AGENDA ITEM
No. 15

28th April 2010

Vessels' quarterly report January to March 2010

RV THREE COUNTIES

Snow in January and training for the staff, cut back on the numbers of days at sea. The Environmental Health Officer (EHO)/Diarrhetic Shellfish Poison (DSP) samples were collected from the Lynn and Boston sides of the Wash at the start of the month. The sonde water samples were collected over two days along with meat counts being taken from cockles from the Gat and Toft sands around the Wash. A full grid sample site was undertaken covering the Ants sand using the sonde from *RV Three Counties* over high water. The Port side main batteries onboard the vessel were replaced as the old batteries had come to the end of their life span.

Water samples were collected using the sonde from the moorings at Sutton Bridge out to Wisbech Number 1 channel buoy.

The data buoy sonde sensor was recovered for cleaning and the data downloaded from the sonde. On the same day, the Remotely Operated Vehicle (ROV) was deployed to survey the West and East Knock buoy areas for *Sabellaria spinulosa* (ross worm) on behalf of Natural England. This produced nine good high resolution videos. On the steam back to the moorings the sonde sensor was placed back into the data buoy and set to collect readings until the following month when the process would start again.

The ROV drops for Natural England covered the area around Lynn Knock buoy and to the South for *Sabellaria spinulosa*. Drills (fire fighting, abandon ship and man overboard) took place on the steam back to the moorings.

In February, Centre for Ecology and Hydrology (CEH) bird count surveys took place over three days covering the following sands; Roger, Toft, Thief, Daseleys, Ants, Long sand and Inner Dog Head. At the same time as the CEH bird count survey took place, mussel meat counts were collected from the Thief, Wreck and Gat sands for the Sweep surveys. While waiting for the tide to drop, a raft of Eider ducks (approximately 800 to 1,000) formed next to the Thief lays.

Mussel surveys took place on the Toft sand to establish if the mussels had surfaced from the mud after the winter. After the survey took place, a sample of 1,500 mussels were collected for CEFAS. The following day a foot survey took place on the Gat mussel bed to observe whether the mussels had come to the surface after the winter. Whilst on the Gat sand, the opportunity was taken to gather mussels for the recharge sites for the EHO/DSP samples sites around the Wash. SWEEP surveys were undertaken covering the following areas Gat Channel, Lower Roads, Boston Deepes, Ants, Wrangle sand, Stylemans, Thief and Wreck sites. Drills (fire fighting, man overboard and abandon ship) were conducted on the steam back to the moorings that day.

In March, at the start of the month, *RV Three Counties* was slipped at Wisbech. The purpose of the slip was to see if any problems needed ironing out before the refit in June. The packing in both cutlass glands was changed to observe if any wear had taken place from the last refit. *RV Three Counties* came off the slip the next day and returned to her moorings.

The SWEEP surveys started with the collection of sonde readings from the data buoy on the way across to the site on Stylemans sand, and then round into Daseley's Channel and then on to the Wreck site.

CEFAS hired *RV Three Counties* for two days to conduct razor clam surveys covering the Wash and mouth of the Wash. The Mini Hammond grab was used to collect the samples. This grab had to be handled with care because it weighs 500kg and will swing about if there is only a little bit of swell in the water. SWEEP sample sites were taken in the following areas around the Wash Gat Channel and Lower Roads using the sonde. After taking these stations *RV Three Counties* started surveying in a tight grid pattern over the Ant's sand. Then across to Stylemans, Daseley's Teetotal Channel and then back to the Wreck in the Wisbech channel station.

CEFAS hired *RV Three Counties* for a further two days to conduct a razor clam survey covering the Wash starting with the Ant's, Boston Deepes, East side of Long sand, Parlour Channel, Inner Dogs Head West side and East side. *RV Three Counties* then steamed across to the Sunk sand, but the swell was too great and the survey had to continue in the Southern part of the Wash covering the Common and then into Cork Hole. The second day covered the Southern parts of the Wash starting with Sunk, Bull Dog Channel, Teetotal Channel, West and East sides of the Thief sand. The above surveys consisted of 85 grabs at 65 stations, 20 stations with two grabs and 14 stations with spat plus 21 stations with juveniles /adults Razors. The Mini Hammond grab was lifted off and into the barge on the moorings, to make room for Runner so it could be loaded aboard for the Suffolk River surveys.

RV Three Counties steamed down to Woolverstone in readiness for the Suffolk river surveys. The Suffolk river survey started with a day grab survey for cockles and manila clams on the North side of the River Orwell on the inner tidal mud flat. As the tide dropped *RV Three Counties* came off the intertidal mudflats and steamed down to Levington Marina and RoxAnn™ tracked for *Sabella pavonina* (peacock worm). The River Stour was surveyed, starting with RoxAnn™ tracking for *Sabella pavonina* and then as the tide made, Holbrook Bay was surveyed using the day grab for cockles and manila clams. At the same time an oyster survey was taking place in the deep water and then Holbrook Bay as the tide made. *RV Three Counties* was pushed off Holbrook Bay as the tide had dropped and she continued with RoxAnn™ tracking the River Stour for *Sabella pavonina*. The following day *RV Three Counties* returned to the River Stour and continued with the RoxAnn™ tracking until the tide made and the last of the Holbrook Bay had been collected. After finishing off the day grab survey, *RV Three Counties* went back to the RoxAnn™ tracking until high slack water and then started the ROV (camera) flights to observe the *Sabella pavonina* on the riverbed. The last day of the survey took place on the North side of the River Orwell on the inner tidal mudflats for cockles and manila clams using the day grab from Levington Marina up to the Orwell Bridge, *RV Three Counties* then steamed back to Lowestoft and on to Sutton Bridge towards the end of the month. The life rafts were taken off and sent away for their annual service. The opportunity was taken to conduct the drills aboard *RV Three Counties* whilst on the moorings.

Simon Howard
Skipper & Fishery Officer *RV Three Counties*

FPV ESF PROTECTOR III

There were two days of enforcement, with two fishing vessels being boarded this quarter. One of the fishing vessels was engaged in survey work connected to the wind farms, whilst the other was fishing for shrimp. This gave us a chance to use our new Omega net measuring gauges on a fishing vessel for the first time. The first run went well and the boarding officers were able to demonstrate the Omega gauge to the Skipper of the *MFV Georgie Fisher*. The Omega mesh gauge is an electrically driven instrument that applies a pre-set longitudinal force to the mesh to be measured. Once this force is reached, the exact opening of the gauge is measured automatically. Mesh opening and measuring force are shown on a digital display. A series of measurements can be performed and the readings are stored in an integral memory. At the end of the operation the number of measurements made and the average mesh size are shown. Stored data can be transferred to a computer via an infrared link. Calibration can be carried out routinely by means of a test plate with a range of fixed opening lengths and a set of weights.

FPV Sea Spray has suffered mechanical problems this quarter. In January during the Environmental Health Office (EHO)/Diarrhetic Shellfish Poisoning (DSP) run, we experienced problems with the silencer not receiving any cooling water causing the silencer to burn out. It was suspected that the cooling system had frozen in the sub zero temperatures. The crew quickly identified the problem but unfortunately it was too late to save the silencer and this was subsequently replaced by *FPV ESF Protector III's* crew at a later date.

In February, the alternator suffered a failure during the next EHO/DSP run. The alternator was sent away for possible repair but its condition was such that it was beyond repair. A new alternator was purchased and fitted by *FPV Protector III's* crew. It was also found that the battery charger supplied and fitted by MST at refit was not working. The matter was discussed with MST and further investigation instigated. A new fresh water pump was fitted. Later in the month an electrician attended *FPV ESF Protector* in order to investigate the charging problems with *FPV Sea Spray*. It was found that the cable and charging point were showing signs of damage so these were both replaced. The charger is now working satisfactorily.

The problems with *FPV Sea Spray* meant that we were unable to collect all EHO/DSP samples in January. However we were able to utilise *RV Three Counties* as well as their rigid inflatable boat (RIB) *RV Runner* to assist in collecting the samples.

In March, the crew arriving at *FPV ESF Protector III* on her moorings heard the bilge alarm. After a quick inspection it was found that bolts holding the rubbers in the ramp had become dislodged causing a leak. The water was quickly pumped out, but due to the location of a leak, *FPV Protector III* would have to be lifted out of the water which meant a trip down to Burnham on Crouch in Essex. *FPV ESF Protector III* steamed down the same day and was lifted out the following week. Due to the short notice for Burnham Marina we had to wait for their qualified shipwrights to attend causing a small delay. Once the problem had been fully investigated the necessary parts were ordered and fitted. *FPV ESF Protector* was steamed back to her moorings at the end of the month, leak free.

Mr Yates - an ecologist - spent a day aboard the vessel to conduct a bird survey for the Centre for Ecology and Hydrology on Stylemans and the Sunk sand. As his visit coincided with our monthly drills he participated too.

Three Fishery Officers from North Eastern Sea Fisheries Committee attended *FPV ESF Protector III* in March for a demonstration of our RIB *FPV Sea Spray*. They are looking to purchase a new jet driven rib so were keen to try ours.

FPV Pisces III is still currently stored in the secure compound at Fosdyke marina. She has been used during the quarter for EHO/DSP runs and for a mussel survey on the Toft sands.

Simon Lee
Skipper & Fishery Officer *FPV ESF Protector III*
Stuart Chapman
Mate & Fishery Officer *FPV ESF Protector III*

21st April 2010

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

ESFJC Skippers' Monthly Reports January to March 2010.

STATUTORY MEETING

28th April 2010

**AGENDA ITEM
No.16**

Senior Research Officer's Quarterly Report

As weather conditions are often poor during the first quarter of the year, the research staff generally utilise this time in the office, analysing data collected during the course of the previous year and writing the annual research report. This report seems to grow in size each year, reflecting the additional environmental responsibilities undertaken by the Joint Committee. During this period, one member of the research team has also continued with a project aimed at mapping the fisheries within the Joint Committee's district. This work has involved consulting over the past two years with fishermen throughout the district, to learn details of the past and present fishing grounds. Draft charts showing the various fishing grounds have been completed and reviewed by industry members at a number of meetings. These charts can be viewed on the Joint Committee's website for further review prior to the final versions being published. When completed, these charts will assist the Marine Environmental Officer when replying to consultations from wind farm, cable laying and aggregate dredging companies.

During 2009 the Committee had undertaken a comprehensive *Sabellaria* survey programme in the Wash. Unfortunately, poor weather in December had prevented some of the underwater camera work from being completed before the close of the year. This work, involving 26 ROV flights over two survey sites, was conducted in January, bringing the 2009 programme to completion. In total the year's programme had involved conducting 256 Km of RoxAnn Acoustic Ground Discrimination Sonar tracks over an area of 4,320 hectares. These tracks had then been intensively ground truthed over three phases, using samples from 341 grab sites and 36 ROV camera flights. From this work we have been able to map the *Sabellaria* reefs in the Wash with greater accuracy than had been possible from previous broadscale surveys. These results will help inform future discussions with Natural England when it comes to assigning core areas that will require protection.

A number of surveys have been conducted this quarter as part of our ongoing study to monitor the productivity and water quality of the Wash. Six high resolution spot sampling surveys have been conducted over various sites using the portable data sonde, plus four surveys to profile the Rivers Haven, Welland, Nene and Great Ouse. Additionally, mussel meat samples have been collected monthly from the Tofts, Gat, Thief and Wreck sites and monthly water samples from six further locations. The data buoy was also visited in January and February, during which the fixed sonde was serviced and its data downloaded. Poor weather conditions prevented the buoy from being visited during March, but with a two-month battery life, the sonde should continue to operate until it is serviced in April.

To prevent themselves being washed away during storms, mussels tend to bury themselves tightly in the sediment during winter and increase the number of byssal threads binding them to each other. Although it is still possible to dredge them in this condition, the activity is more disturbing than when the mussels are on the surface. To ensure the beds proposed to be opened to the 2010 relaying fishery are in a suitable condition, therefore, the Toft and Breast beds have been visited monthly this quarter to assess their status. The early visits found the stocks on these beds were still tightly buried in the ground. By March they were beginning to loosen and some had risen to the surface, but the majority were still half-buried. Further assessments will be conducted in April.

A biotope survey of a mussel bed at Titchwell nature reserve was conducted in March. Some fishermen had shown an interest in handworking this site during 2009, but there were concerns from the RSPB that the mussels were situated on an area of exposed Neolithic peat that could be irreversibly damaged by such an activity. A similar survey conducted in 2009 had found the site supported over 400 tonnes of mussels, but the recent survey found most of these had washed away. The data have yet to be analysed, but the stock is currently estimated to be less than 20 tonnes.

One week in March was used to conduct surveys in the River Stour and the River Orwell. These surveys comprised tracking the two rivers using the RoxAnn equipment aboard *Three Counties*, conducting cockle surveys, an oyster survey, and monitoring the condition of two peacock worm, *Sabella pavonina*, colonies. The cockle surveys were conducted along the north bank of the River Orwell and in the Holbrook Bay area of the River Stour. As had been the case during the 2009 surveys, relatively high numbers of clams were also found during the survey to be present in these areas. At the time of the 2009 surveys it was unclear whether the clams were the native Chequered carpet shell, *Tapes decussatus*, or the non-native Manila clam, *Tapes philippinarum*. Following the recent surveys, however, samples were sent to the Conchological Society of Great Britain and Ireland who confirmed their identity as being Manila clams. The data from the 2010 survey has yet to be analysed, but the stocks of both cockles and clams appear to be similar to the levels seen in 2009. At that time the clam stocks were estimated to be approximately 360 tonnes, presenting the possible development of a valuable fishery. As these clams had previously only been found in low numbers in these areas, it was not certain from the 2009 surveys whether the higher numbers were just the result of a one-off peak in the population. The results from the 2010 survey seem to suggest the population is currently stable, and the presence of juveniles among the population shows they have naturalised to breeding in our waters.

In addition to cockles and clams, Holbrook Bay also supports a small bed of native oysters, *Ostrea edulis*, which the research team has monitored annually since 2004. At its peak this bed supported about 20 tonnes of oysters, but numbers have declined since 2006 to less than 5 tonnes in 2009. The data has yet to be analysed from the 2010 survey, but their distribution appears to have moved slightly from the northern side of the river, near Holbrook Bay, to the southern side of the river between Copperas Bay and Wrabness.

Both peacock worm, *Sabella pavonina*, colonies were found to be in a similar condition to when surveyed in 2009.

During this quarter the research team assisted CEFAS, who had chartered *Three Counties* to conduct their annual razor clam surveys in the Wash. Assistance was also given to scientists from the Centre for Ecology and Hydrology (CEH) to conduct bird monitoring surveys in the Wash. Usually CEH charters *Three Counties* for two days during the first quarter for these surveys, but this year their surveys were extended to a total of seven days. Monthly shellfish and water samples have also been collected on behalf of the EHO and CEFAS, as part of their water quality monitoring. During this period the opportunity was also taken to provide CEFAS with further mussel samples for radiology testing, and to recharge the mussel sample stations used to collect the EHO samples from.

At the end of March the Joint Committee hosted the annual Shellfish Managers meeting. In addition to giving a number of presentations at the meeting, Joint Committee staff also demonstrated the lobster staining test that had been developed to detect scrubbed lobsters. Of the six lobsters used in the demonstration, we were able to successfully detect two of the three that had been scrubbed and to differentiate from these a further one that had recently shed its eggs naturally. Although one scrubbed individual managed to avoid detection, importantly, no “false positive” identifications were made, in which a non-scrubbed individual was wrongly identified as being scrubbed. Following the demonstration, members from several other committees expressed their interest for us to demonstrate the technique to the rest of their staff with the view to utilising the method themselves.

R W Jessop
Senior Research Officer
7th April 2010

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List of Background Papers

There are no background papers to this report.

28th April 2010

Marine Environment Officer (MEO)'s Quarterly report

On 1st April 2010 the MEO was joined by the Assistant Marine Environment & Research Officer (AMERO), Miss Jessica Woo, in recognition of the expanding environmental work load demanded of the Joint Committee. The AMERO was successfully recruited internally – Miss Woo having worked for the Joint Committee as Research & Fishery Officer for four years. This will enable the AMERO to continue her work on key research projects, including the Fisheries Mapping and *Sabellaria spinulosa* surveys, and support the Joint Committee's environmental work with additional technical skills.

1. Nature Conservation – ongoing casework

1.2 The Wash Regulated mussel fishery (relaying fishery)

Natural England (NE) queried the Joint Committee's decision to open certain mussel beds (Breast Centre & East; Holbeach) to the relaying fishery, because of their low stock levels/low stock densities. In response, Officers explained the justification for opening these beds, i.e. that the beds in question were likely to withstand a limited level of fishing (as permitted within the conditions applied to the fishery), and that fishing effort was unlikely to be high on these beds since other beds offered better returns. NE subsequently agreed with the Joint Committee's conclusions in its Appropriate Assessment of the fishery (February 2010), which predicted that the fishing activity, as restricted under Joint Committee byelaws, the Wash Fishery Order regulations, and the mussel fishery management policy, would not result in significant adverse effects to protected features.

1.3 Titchwell mussel bed, north Norfolk coast

Joint Committee officers met NE and Officers of the Royal Society for the Protection of Birds (RSPB) on 27th January 2010 to consider management of a mussel bed located at Titchwell, Norfolk. Since local fishermen had applied to the Joint Committee in September 2009 for permission to fish this bed – which consisted of seed mussel banks over sediment and peat – Officers had been in liaison with NE and RSPB in order to establish whether the bed could be fished without having adverse effects on local wildlife and geology. RSPB had previously been advised not to encourage activities in the area because of the risk of damaging the prehistoric peat beds, which were of geological importance. All parties agreed in principle that the mussel bed could be fished if an agreed management plan (to safeguard ornithological and geological features) could be developed with local fishermen. NE, RSPB and Joint Committee officers undertook a site visit on 3rd March 2010, during which the mussel bed was surveyed. Comparison with the Joint Committee's previous survey (September 2009) showed the majority (>90%) of mussel had been lost – this was not unexpected since the area often attracts settlements of mussel seed that grow over summer/autumn but are lost the following winter.

Joint Committee officers produced a full survey report, which will be used to inform the management agreement to be drawn up with local fishermen, NE and RSPB, for future exploitation of mussel seed beds occurring at this site.

1.4 Wash molluscan shellfisheries – accreditation

NE provided funding for the Wash cockle and mussel fisheries to be evaluated under the pre-assessment stage of the Marine Stewardship Council's fisheries accreditation scheme. The cockle and mussel fisheries both scored highly, with the consultant Moody Marine recommending that both

fisheries be put forward for full assessment. More detail and a consideration of the next steps are provided under agenda item 7.

2. Nature Conservation – Marine Protected Areas

2.1 Existing European Marine Sites (EMS)

NE undertook a risk assessment process to review activities within existing EMSs in February 2010. Joint Committee officers provided input to the review on sections relating to commercial fisheries, recreational sea angling and mariculture. The review was undertaken in order to highlight to Defra the key areas that need to be addressed to enable the UK to meet its duties under the Habitats Directive. The methodology employed was an evaluation of existing management within sites and consideration of any requirement to introduce additional actions to reduce risk to protected features. NE had highlighted to Joint Committee officers that a particular focus was directed at the Wash hand worked cockle fishery, since concerns had been raised by a third party about the impact of this fishery on seabed habitats. NE and Joint Committee officers have continued liaison during the quarter to develop a methodology to assess the impacts of the hand worked fishery on the intertidal habitats.

2.1.1 Wash & North Norfolk Coast European Marine Site (W&NNC EMS)

A part-time project assistant for the W&NNC EMS Project Officer was appointed in February 2010. Mrs Maria Phipps MSc benefits from considerable local experience in nature conservation and sustainable development issues, having worked part-time with the Wash Estuary Strategy Group for several years – a post that Ms Phipps will continue to occupy, as the two projects are complementary.

The W&NNC EMS Project organised two satellite events in conjunction with the Norfolk Coast Project. The events were a presentation on Common Rights, and the Management of Reed Beds (10th February 2010) and a practical demonstration of reed bed cutting at Brancaster on 15th February 2010. Both events were well attended.

The W&NNC EMS Project has held further meetings to discuss the next steps of the Coastal Disturbance Study. This project is at the forefront of research into the management of recreational activity on the coast to avoid disturbance to conservation features, e.g. ground nesting birds. Further work is to be taken forward in conjunction with Natural England, since the government has selected Norfolk as a pilot area for developing coastal access issues.

2.1.2 Stour & Orwell Estuaries European Marine Site (EMS)

The Management Strategy for the Stour & Orwell Estuaries was officially launched on 26th February 2010. Members are encouraged to view the document at: <http://www.suffolkcoastandheaths.org/downloads.asp?PageId=102>, which includes action plans detailing statutory and non-statutory actions agreed by relevant authorities, including the Joint Committee, to further the objectives for the strategy, i.e. *to promote the sustainable use of the Stour and Orwell estuaries through the management of human activity, in a way which is compatible with the conservation of the estuarine landscape and wildlife.*

The Stour & Orwell Bait Digging Group was established in 2009, chaired by the Suffolk Estuaries Officer (whose post is funded by the Stour & Orwell Management Group), to improve understanding of this activity and agree management measures, where necessary, to prevent adverse impacts occurring to the estuaries' wildlife and landscape. Joint Committee officers sit on this group because of the association between bait digging and angling activity, and because after the transition to an Inshore Fisheries & Conservation Authority (IFCA) in April 2011, the Joint Committee will have new duties to manage bait digging within its district. At their February meeting, the Group, which includes some

local bait diggers, drew up suggested “digging exclusion zones” designed to protect vulnerable birds from disturbance during winter months (November to February inclusive). Draft maps were drawn up for comment from local diggers and anglers.

The Joint Committee’s Suffolk Fishery Officer, Alan Garnham, organised a very well attended meeting of local anglers on 9th March 2010, to discuss marine conservation zones (MCZs) (i.e. the Net Gain and Balanced Seas MCZ projects) and bait digging. Some anglers queried whether digging actually had an adverse impact on conservation in the estuaries. This highlighted the need to present the scientific case for restricting bait digging activity in order to protect vulnerable bird populations feeding and roosting on the estuaries. One specially commissioned study into the effects of recreational activity on the overwintering wader populations on the Stour and Orwell estuaries (Ravenscroft *et al* 2007) concluded that disturbance may be having an effect on bird populations using the Orwell estuary. Bait digging was recognised to be one of several recreational activities that could be causing disturbance to sensitive bird species. The Bait digging Group is due to meet next on 27th April 2010 to discuss the response to the maps and consider next stages.

2.1.3 Humber Estuary European Marine Site (HEEMS)

This project appointed a new Project Manager in January 2010. Ms Tania Davey met the MEO on 14th April 2010 to discuss fisheries issues. The majority of the HEEMS lies within the district of the North Eastern Sea Fisheries Committee so Joint Committee officers liaise with these colleagues over this site. It is likely that Eastern IFCA will need to have additional regard for this EMS if its boundary extends beyond the current Joint Committee northerly limit to include the Horseshoe Point cockle bed.

2.2 New European Marine Sites (EMS)

Providing an input to consultation on proposed new EMSs has dominated the MEO’s work during this quarter, and is likely to remain a priority as the sites are designated and the Joint Committee will be required to monitor activity and enforce fisheries regulations within the sites. The MEO provided a full consultation response to NE on the two proposed new draft Special Areas of Conservation (dSACs) that overlap with the Joint Committee’s District: the Inner Dowsing, Race Bank and North Ridge dSAC, and the Haisborough, Hammond & Winterton dSAC; and has been in frequent dialogue with NE in relation to a third proposed new site, the Outer Thames Estuary potential Special Protection Area (pSPA) which would affect the East Norfolk and Suffolk coastal area. The MEO also provided input to colleagues at Kent & Essex Sea Fisheries Committee towards a detailed written comment on the Outer Thames site; submission of a full response on behalf of the Joint Committee remains a priority for the MEO.

Stakeholders had been invited to comment on the scientific information upon which the proposed sites were selected, and on the draft Impact Assessments (IAs) produced for each site to summarise the possible economic impact of site designation – including estimates of costs to regulators such as Sea Fisheries Committees/Inshore Fisheries & Conservation Authorities (SFCs/IFCAs), and costs to small businesses such as commercial fishing enterprises. For each site, the quality of information relating to inshore fishing activities was poor. It was considered that this resulted from a lack of engagement with the fishing sector – or the SFCs – by the authors when producing the IA, and that this resulted in seriously flawed calculations of the economic impact of site designation. Very little information had been provided in relation to potential enforcement costs that could be incurred by fisheries regulators (SFCs/IFCAs and the Marine Management Organisation).

The draft IA documents included a list of possible fisheries management measures for each site against which effects to the fishing industry were evaluated. The link between the proposed Conservation Objectives for the sites and the proposed management measures was not completely clear. The MEO’s response suggested that management measures should be drawn up through dialogue involving fisheries regulators, members of the fishing industry (SFC and local fishermen had not been involved)

and conservation advisers – following the approach taken by the Joint Committee in managing the Wash cockle and mussel fisheries, for example – in order to achieve appropriate and supported measures. The MEO also emphasised the value of direct liaison with the fishing industry (as opposed to a general request for stakeholders to provide economic information to inform a more accurate IA) since fishermen would be unlikely to fully consider the lengthy consultation documents.

During the quarter, officers at the NE regional office (East of England) made considerable efforts to engage with fishermen in Norfolk and Suffolk, to gather information relating to the potential impacts of designating the new sites. This informal liaison was conducted outside of the formal consultation and involved liaison between NE officers and various fishermen’s associations and individual fishermen. Joint Committee officers were informed that a good response was received, and that the information gathered would be used to inform the revised IAs for the three proposed new sites that affect the Joint Committee’s district – providing a more realistic estimate of the likely impacts of designating the sites. NE has indicated that work is continuing quickly to produce revised IAs, which will subsequently be submitted to Government with the list of proposed new EMS sites.

2.3 Marine Conservation Zones (MCZ)

Following the Joint Committee’s decision² to limit its involvement in the MCZ projects to an information and advisory role (on the basis that the Committee should not be involved in MCZ site selection because of its future role as MCZ regulator), officers informed local fishermen’s associations of this decision and encouraged their direct participation in the projects. The MEO attended a Net Gain (the North Sea MCZ project) universal stakeholder meeting in Hull in February 2010, at which participants were requested to agree, via small discussion groups: (i) what principles should be applied in order to achieve successful MCZs; and (ii) who should be represented on the regional stakeholder groups (the Regional Hubs). The Joint Committee was subsequently requested to sit on the Regional Hubs for the East of England and the Lincolnshire regions. The Clerk & Chief Fisheries Officer (CCFO) attended the first Regional Hub meeting at Lowestoft on 25th March 2010 at which the site selection process was explained and draft species/habitat lists were presented. Although not attended by Joint Committee officers, the Boston Regional Hub meeting was reportedly well attended – stakeholders including a number of commercial fishermen participated in the event. Joint Committee officers will attend the next Regional Hub meetings in May, at which regional information will be considered.

Net Gain published a comprehensive *Question and Answer* document in February 2010, which should go some way to address issues raised by Joint Committee members at the Statutory meeting in January 2010.

The Joint Committee has also been requested to provide data to inform the site selection process. Officers have directed Net Gain technical officers to the Joint Committee’s Annual Reports, Research Reports and draft Fisheries Maps (see below) – all available via the Joint Committee’s website. Net Gain officers have expressed a keen interest in working with the Joint Committee on fisheries mapping aspects. Joint Committee officers have emphasised the importance of not just relying on published maps, but of continuing to engage with fishermen.

Miss Rebecca Radford, the Net Gain Liaison Officer for Lincolnshire & The Wash, took up position based at the Joint Committee’s King’s Lynn office in February 2010. Miss Radford has initiated a programme of engagement with local commercial fishermen, to gather information to inform the MCZ project and to inform fishermen about MCZ objectives and the process being applied to select sites.

Suffolk Fishery Officer Alan Garnham arranged a meeting with Suffolk sea anglers to discuss MCZs and bait digging issues (see above, item 2.1.2) on 9th March 2010. Representatives of NE, Net Gain,

² Agenda Item 21, Matters of Urgency: MEO’s report on “Net Gain” (the North Sea Marine Conservation Zone project) and the Joint Committee’s representation on this project

and the sister MCZ project Balanced Seas (which extends from the Eastern Channel to the Suffolk coast) explained the objectives and methodology of the MCZ projects. Anglers queried whether their activities could be restricted as a result of the projects; MCZ officers explained that it was likely that angling activities would be compatible with the objectives of MCZs but if angling was seen to cause adverse effects, some restrictions could be introduced.

The Wash & North Norfolk Coast European Marine Site, and the Wash Estuary Strategy Group have arranged to co-host an information event about the Net Gain MCZ project at Wells-next-the-Sea on 5th May 2010.

3. Fisheries Mapping Project

The AMERO finalised the first draft of the Fisheries Maps produced via discussions with commercial fishermen. These have been published on the Joint Committee's website to enable fishermen, and other interested parties, to provide feedback to the Joint Committee. Fishermen throughout the district have been invited to view the maps and provide comments. The final maps will be used by officers to highlight to potential developers and regulators areas of fishing activity within the Joint Committee's district. This supports Objective Eight of the Joint Committee's Aim and Objectives, i.e. *"To promote the aim and objectives of the Committee to improve the understanding of the marine environment and to encourage others to take them fully into account when developing/implementing their own plans, strategies or codes of practice."* The maps do not indicate relative effort applied to different fishing grounds, nor do they attempt to rank areas according to economic importance, but provide a good indication of areas of fishing activity for a range of different species targeted within the Joint Committee' district.

4. Offshore Wind Farm (OWF) developments

4.1 Dudgeon OWF

Officers met with representatives of developers Dudgeon Offshore Wind Ltd. and consultants Brown & May Marine in March 2010 to discuss the issues raised by the Joint Committee within its objection to this project. The MEO's report in relation to this is presented at Agenda Item 13.

4.2 Triton Knoll OWF

Joint Committee officers have arranged to meet representatives of npower renewables and fisheries consultants, Danbrit Ship Management Ltd on 22nd April 2010. The developer wished to provide an update on progress with the project so far and future plans, and to discuss fishermen's concerns in relation to the project, which would be located approximately 33km (18nm) off Mablethorpe. Consistent with the Joint Committee's consultation strategy³, Officers will limit involvement with this project to issues affecting fisheries within the Joint Committee's district – primarily the export cable route, and will encourage direct liaison with members of the fishing industry.

5. EU Marine Strategy Framework Directive (2008/56/EC)

Sea Fisheries Committee officers received an outline of the Marine Strategy Framework Directive from Defra at the annual Shellfish Managers meeting, hosted this year by the Joint Committee, in King's Lynn on 30th March 2010.

All organisations currently involved in managing activities that can affect the marine environment will have some role in implementation. Eleven descriptors of Good Environmental Status (GES) have been identified – but detailed targets and indicators are to be drawn up by each Member State, through co-

³ Agenda Item 14, MEO's report on the proposed Strategic Environmental Policy for the Joint Committee

operation with other Member States responsible for the same Regional Seas. One descriptor is the condition of commercial fish and shellfish stocks; another is non-native species. Future work of the Eastern IFCA is likely to require actions to achieve GES in relation to these descriptors.

6. Miscellaneous work summary

During the quarter, the MEO has responded to consultations on/attended meetings to discuss various ongoing projects and proposals:

Conservation	Draft Little Tern Biodiversity Action Plan
MPAs	Inner Dowsing, Race Bank & North Ridge SAC – consultation; meeting with Natural England 22 nd February 2010
	Haisborough, Hammond & Winterton SAC – consultation
	Net Gain / Balanced Seas Recreational Sea Angling Meeting, 9 th March 2010
	Outer Thames Estuary pSPA – consultation
Offshore developments	Dudgeon Offshore Wind Farm – meeting 8 th March 2010
Fisheries Management	Shellfish Managers meeting (Sea Fisheries Committee conference) & Technical Advisory Group meeting, 30-31 st March 2010
Coastal developments	Harwich Haven Approach Channel Deepening Compliance Monitoring – Regulators’ meeting, 16 th March 2010

J C Stoutt
 Marine Environment Officer
 21st April 2010

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List of Background Papers

1. Jessop R (April 2010) Survey of a mussel bed at Titchwell Reserve ESFJC
2. Suffolk Coast & Heaths AONB Unit & Stour & Orwell Estuaries Management Group (2010) The Stour & Orwell Estuaries Management Strategy 2010 Suffolk Coast & Heaths AONB Unit Dock Lane, Melton, Suffolk IP12 1PE
3. Ravenscroft N, Parker B, Vonk R & Wright M (2007) Disturbance to waterbirds wintering in the Stour-Orwell Estuaries SPA. A report from Wildside Ecology to the Suffolk Coast & Heaths Unit. Available at:
<http://www.suffolkcoastandheaths.org/uploads/Recreation%20Disturbance%20Report%20Final%20-%20low%20quality.pdf>
4. Net Gain (February 2010) Questions and answers Net Gain, Hull