

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

28 OCTOBER 2010

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Corporate Management and Finance – Lead Cabinet Member – Councillor Laing

APPOINTMENT TO NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

1. Summary

The purpose of this report is to inform Members of the establishment of the North Eastern Inshore Fisheries and Conservation Authority and to seek the appointment of a member to serve on that authority.

2. Recommendations

That Councillor Mrs Beaumont, as Cabinet Member for Environment, be appointed to the North Eastern Inshore Fisheries and Conservation Authority.

3. Reasons for the Recommendations/Decision(s)

To allow Council representation on the North Eastern Inshore Fisheries and Conservation Authority.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;

- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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MANAGEMENT TEAM**

CABINET DECISION

**APPOINTMENT TO NORTH EASTERN INSHORE FISHERIES AND CONSERVATION
AUTHORITY**

SUMMARY

The purpose of this report is to inform Members of the establishment of the North Eastern Inshore Fisheries and Conservation Authority and to seek the appointment of a member to serve on that authority.

RECOMMENDATIONS

That Councillor Mrs Beaumont, as Cabinet Member for Environment, be appointed to the North Eastern Inshore Fisheries and Conservation Authority.

DETAIL

1. In August, under the Marine and Coastal Access Act 2009, the government issued a commencement order establishing the North Eastern Inshore Fisheries and Conservation Authority (NEIFCA). The Authority is one of 10 similar Authorities that will be responsible for the whole of the English Coast, its estuaries and 6 nautical miles off shore. NEIFCA includes local authorities, with coastlines stretching from South Tyneside, in the North, to North East Lincolnshire in the South.
2. Its duties will include:-
 - Management of the exploitation of sea fisheries resources and taking necessary steps to contribute to the achievement of sustainable development, balancing socio economic considerations with the need to protect the marine environment; and
 - Seeking to ensure that the conservation objectives of marine conservation zones are furthered.
3. The Authority is to consist of 30 Members made up of 13 Local Authority members, 15 general members (appointed by the Marine Management Organisation) and two additional members (1 from the Environment Agency and 1 from Natural England).
4. This Council has been allocated 1 place on the Authority and it is suggested that Councillor Mrs Beaumont takes up the position, as the appropriate Cabinet Member.

FINANCIAL IMPLICATIONS

5. There are no financial implications arising directly from this report

LEGAL IMPLICATIONS

6. Appointment of a member will fulfil one of the requirements of the North Eastern Inshore Fisheries and Conservation Order 2010.

RISK ASSESSMENT

7. This matter is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

8. The Council will have a representative on an organisation that will manage a sustainable marine environment and inshore fisheries. This will support the Community Strategy's Environment Theme.

EQUALITIES IMPACT ASSESSMENT

9. This report is not subject to an Equalities Impact Assessment because it is not seeking approval for a new policy, strategy or change in the delivery of a service.

CONSULTATION INCLUDING WARD/COUNCILLORS

10. Consultation has taken place with relevant Cabinet Members.

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Education related? No

Background Papers

Letters from Department for Environment Food and Rural Affairs and North Eastern Sea Fisheries Committee.

Statutory Instrument 2010 No 2193 – The North Eastern Inshore Fisheries and Conservation Order 2010

Ward(s) and Ward Councillors: Not Ward Specific

Property - None