

AUDIT AND GOVERNANCE COMMITTEE

AGENDA



24th June 2025

at 4pm

in Council Chamber
Civic Centre, Hartlepool

AUDIT AND GOVERNANCE COMMITTEE:

Councillors Boddy, Cook, Darby, Hall, Holbrook, Jorgeson, Moore (C), Roy and 2 Vacancies.

Standards Co-opted Independent Members: - Mr Martin Slimings and David Whitmore

Standards Co-opted Parish Council Representatives: Parish Councillor Kane Forrester (Wynyard) and Parish Councillor Patricia Andrews (Headland)

Local Police Representative

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **MINUTES**
 - 3.1 To confirm the minutes of the meeting held on 1st April 2025.
4. **AUDIT ITEMS**

None
5. **STANDARDS ITEMS**

None
6. **STATUTORY SCRUTINY ITEMS**
 - 6.1 Introduction to Scrutiny – Democratic Services and *Statutory Scrutiny Manager*

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

- 6.2 Annual appointment to Committees / Forums – Democratic Services and *Statutory Scrutiny Manager*
- 6.3 Dedicated Scrutiny Budget - Democratic Services and *Statutory Scrutiny Manager*

Crime and Disorder Issues

None

Health Scrutiny Issues

- 6.4 Hospital Avoidance Scheme – Verbal Update - *Care Group Director, North Tees and Hartlepool NHS Foundation Trust*
- 6.5 Maternity Services – Verbal Update - University Hospital of Hartlepool - *Chief Nurse, Director of Midwifery, Managing Director - University Hospital Tees*

7. OTHER ITEMS FOR DECISION

- 7.1 Crustacean Deaths Working Group – Final Report – Democratic Services and *Statutory Scrutiny Manager*
- 7.2 Regulation of Investigatory Powers Act 2000 (RIPA) – Quarter 1 Update - *Director of Legal, Governance and Human Resources*

8. MINUTES FROM RECENT MEETINGS FOR RECEIPT BY THE COMMITTEE

- 8.1 Health and Wellbeing Board – None
- 8.2 Finance and Policy Committee relating to Public Health issues – None
- 8.3 Tees Valley Health Scrutiny Joint Committee – 13th March 2025
- 8.4 Safer Hartlepool Partnership – 6th December 2024 & 31st January 2025
- 8.5 Tees Valley Area Integrated Care Partnership – None
- 8.6 Regional Health Scrutiny – None
- 8.7 Durham, Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee - None

9. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

For information: - forthcoming meeting dates: -

Tuesday 15th July 2025, 5pm
Tuesday 23rd September 2025, 4pm
Tuesday 14th October 2025, 5pm
Tuesday 4th November 2025, 4pm
Tuesday 2nd December 2025, 5pm
Tuesday 27th January 2026, 4pm
Tuesday 17th March 2026, 5pm



AUDIT AND GOVERNANCE COMMITTEE

MINUTES AND DECISION RECORD

1 APRIL 2025

The meeting commenced at 5pm in the Civic Centre, Hartlepool.

Present:

Councillors: Boddy, Darby, Hall, Jorgeson, Morley, Roy.

Standards Co-opted Members: Martin Slimings - Independent Member
Parish Councillor Kane Forrester (Wynyard)

Officers: James Magog, Director of Finance, IT and Digital
Noel Adamson, Head of Audit and Governance
Sylvia Pinkney, Assistant Director of Neighbourhoods
(Regulatory Services)
Gemma Ptak, Assistant Director of Preventative and Community
Based Services
Paul Dixon, Assistant Director of Corporate and Financial
Services
Joan Stevens, Statutory Scrutiny Manager
Gemma Jones, Scrutiny and Legal Support Officer

79. Appointment of Chair

In the absence of the Chair and Vice Chair it was agreed that Cllr Darby would be Chair for the duration of this meeting.

Cllr Rob Darby in the Chair

80. Apologies for Absence

Apologies for absence were received from:

- Councillors: Holbrook, Moore, Thompson

81. Declarations of Interest

None.

82. Minutes

Minutes from the meeting held on the 25th February 2025 were confirmed.

83. **Limited, No Assurance Audit Update** – *Head of Audit and Governance*

The Head of Audit and Governance presented to the Committee an update on the audit items listed as having 'limited assurance' or 'no assurance'. The update included progress made in implementing the actions agreed in each service area. Members were given the opportunity to question Assistant Directors from the relevant service area regarding these items.

In relation to the Gladstone Leisure Management System, the Chair asked if the Council had considered a move towards to a cashless system. The Assistant Director for Preventative and Community Based Services confirmed this was not being considered as evidence suggested that many people still use cash.

It was confirmed that Gladstone Leisure management system was a software package. Whilst introduced as part of a robust project scheme, issues had been identified once implemented with many of them now resolved. The main issue had been its integration with wider systems. The software package was deemed to be the best on the market and the teething problems experienced were now almost resolved.

Moving on to the Borough Hall/Town Hall item, Members asked why this item had been listed as 'limited assurance' and then 'no assurance' and referred to previous audits. The Assistant Director explained that there had been a 100% staff turnover and some very challenging issues in terms of the operation of the building, including some structural issues. There had also been some long-standing issues, but improvements had been made. The digital infrastructure had not always been consistent, so integrating different systems had been challenging. Information regarding the inconsistency in digital systems across Council buildings was provided. Further risks and challenges were also outlined but it was anticipated that many of these had now been rectified.

Returning to the Gladstone Leisure Management System, Members asked how long this system has been in operation and it was confirmed approx. 18 months. Members expressed disappointment that this was again listed as an item with 'limited assurance'. Members were informed that significant progress had been made towards managing the risks identified for The Borough/Town Hall. To mitigate risks policies and procedures had been updated and staff training had improved. Officers continue to work extremely hard to resolve these issues. Gladstone Leisure Management System was deemed to be working well and was in use in other Council leisure buildings. It will also to be added to the Highlight.

It was discussed that a further audit of The Borough Hall/Town Hall could be brought forward to the first quarter of the new municipal year, with the conclusion being brought to a future meeting of this Committee. Members requested that if this

further audit was still deemed unsatisfactory, this item be brought back to Committee on a 3 monthly basis.

A Member questioned if the issue with the software was user input. It was explained that there had been improvements to staff training and procedural updates to rectify this issue. The previous system had limited capabilities, and this had been recognised as an issue for staff. Some processes were outdated with very limited digital infrastructure, and this had now been resolved.

A Member suggested that a 3rd party be brought in to manage the implementation of all new systems initially. However, there were concerns from Officers regarding the cost of such measures.

Referring to the Drug and Alcohol Services Contract listed as having 'limited assurance' Members asked if there were any sanctions for this. The Head of Audit and Governance confirmed that following the audit, recommendations had been implemented, and the service was deemed to now be compliant. Members asked for a time frame in terms of how long they were previously non-compliant. Whilst not having the data in the meeting, this information would be provided to Members once confirmed.

Members then requested further information in relation to the Health and Safety item listed as 'no assurance'. The Assistant Director of Neighbourhoods (Regulatory Services) confirmed a number of changes had been made including reviewing the arrangements for the authority. Health and Safety was now a standing agenda item for departmental and management meetings. The Unions had been consulted on the new changes and accepted the new arrangements. The aim was to standardise approaches to health and safety and remove duplication of information. This will be taken to Finance and Policy Committee to outline what work has been done. Advice and guidance was now available to Managers as well as assistance with risk assessments. Mandatory staff training had been implemented and health and safety was now a feature of the induction programme.

Members expressed concerns about this item having 'no assurance' and asked if the Health and Safety Policy was reviewed by elected Members. It was confirmed by the Assistant Director that this was reviewed on annual basis, not necessarily by elected Members but that Health and Safety was a consideration by the Finance and Policy Committee. The Officer responsible for the version control check of the policy was the Health, Safety and Risk Manager. It was also highlighted that this was also a standing item on the Local Joint Consultative Committee and membership included elected Members, senior Officers and Union Representatives.

Recommended

- i) That Members review progress made by Assistant Directors in relation to the actions agreed regarding limited and no assurance internal audit reports.

- ii) That the conclusion of the next audit of the The Borough Hall/Town Hall be brought to a future Committee meeting. If deemed unsatisfactory this item would be brought to Committee on a 3-monthly basis.
- iii) That the time frame of the previous non-compliance of the Drug and Alcohol Services Contract be disseminated to Members.

84. Internal Audit Plan 2024/25 Update - *Head of Audit and Governance*

The Head of Audit and Governance was in attendance to inform Members of the progress made to date completing the internal audit plan for 2024/25.

In the discussion that followed, a Member queried the definition of 'landlord services' within the report. It was confirmed that this meant the Council in their responsibility as a landlord. Members requested that this be worded differently for clarity.

Recommended

- i) That Members note the contents of the report
- ii) That the term 'landlord services' be reworded for clarity.

85. External Quality Assurance Update – *Head of Audit and Governance*

The Head of Audit and Governance was in attendance to update Members on the results of the External Quality Assurance (EQA) carried out by CIPFA on Internal Audit Service compliance with professional standards.

Members were advised that the self-assessment for the Internal Audit Service was deemed to be accurate, therefore CIPFA concluded that they **GENERALLY CONFORM** to the requirements of the Public Sector Internal Audit Standards and the CIPFA Local Government Application Note. This is the highest level of conformance that can be achieved and is a positive outcome, reflecting the high standards that Internal Audit adhere to when carrying out their duties.

As part of its review of the Service's self-assessment, CIPFA identify and report on issues they consider could be improved in line with best practice. Whilst these areas don't impact on our overall compliance with the standards, they are issues that need to be considered to ensure best practice is carried out in all areas of operation. Table 2 of the report, identified these areas and outlined the response and timeline for implementation.

Members commented that this was a good outcome for the service.

Recommended

- i) It is recommended that Members note the following:
 - The external review of Internal Audit Services carried out by CIPFA, concluded that the service **GENERALLY CONFORM** to the requirements of the Public Sector Internal Audit Standards and the CIPFA Local Government Application Note.

- The timetable of actions proposed to comply with best practice recommendations made by CIPFA as part of the review.

86. Internal Audit Charter Strategy and Plan 2025/26 - *Head of Audit and Governance*

The Head of Audit and Governance was in attendance to inform Members of the direction of internal audit activity. Approval was also being sought with regards to the Internal Audit Charter and the Internal Audit Strategy and annual operational Internal Audit Plan 2025/2026.

It was explained that section 3.2 of the report outlined the mission of Internal Audit with section 3.3 highlighting the 4 strategic objectives. Members were asked to comment on the audit plan and highlight any additions that they felt appropriate. A correction was also made in relation to the recommendations, the correct time frame was 2025/26.

A Member requested that, as this was a substantial document, an introduction feature at the beginning of the report to outline the key areas for Members. This was agreed.

Recommended

- i) It is recommended that Members:
 - Review and approve Internal Audits Charter and Strategy.
 - Review and approve the 2025/26 Internal Audit Plan and note the Internal Audit budget for 2025/26 of £263,391.
- ii) That future reports of this nature feature an introduction to highlight key areas.

87. Safer Hartlepool Partnership Action Plan 2024/25 – *Assistant Director of Neighbourhoods (Regulatory Services)*

The Assistant Director of Neighbourhoods (Regulatory Services) was in attendance to provide an overview of Safer Hartlepool Partnership performance linked to the priorities outlined in the Community Safety Plan 2024/27.

It was explained that the full action plan was appended to the report and that this was a 'live' document with pieces of work being added to the plan.

In the discussion that followed a question was asked regarding ASB 'hot spot' funding. It was highlighted that this funding was for specific areas within the town and that this coincides with the work of neighbourhood policing teams.

It was confirmed that a question in relation to the Drug and Alcohol Strategy would need to be directed to the relevant service area. Enquiries would be made in relation to this by the Statutory Scrutiny Manager.

A Member suggested that each action on the plan be formatted in a standard way. This suggestion will be taken back to the Partnership.

A question was asked in relation to the Committee's Retail Crime investigation and it was confirmed this would be presented to the Committee at the first meeting of the new municipal year.

The work of the Partnership was also explained with reference made to a number of workshops being held each with a different focus. Members were advised that an action plan will be produced relating to each individual topic.

It was confirmed that the Community Trigger was still in operation with further publicity for this planned.

A member of the public raised a query in relation to injunctions, it was explained that more information would be needed before Officers could answer questions about this.

Recommended

- (i) That Members consider and comment on the SHP Action Plan 2024/2025
- (ii) That the suggestion of standardising the action plan be fed back to the Safer Hartlepool Partnership.

88. Scrutiny Investigation – Recommendation Update – *Scrutiny and Legal Support Officer*

The Scrutiny and Legal Support Officer provided Members with the progress made on the delivery of the agreed scrutiny recommendations of the Audit and Governance Committee. This included the Child and Family Poverty investigation and the Accessibility of Council Services in Hartlepool investigation. It was explained that completed actions would now be removed from the plan.

Recommended

- (i) That Members note the progress against the agreed recommendations of the Audit and Governance Committee, and explore further where appropriate
- (ii) That Members retain **Appendix A** and **Appendix B** of the report for future reference.

89. Minutes from recent meetings for receipt by the Committee

The minutes were noted.

The meeting concluded at 6.25pm.

CHAIR

AUDIT AND GOVERNANCE COMMITTEE

24th June 2025



Report of: Statutory Scrutiny Manager

Subject: INTRODUCTION TO SCRUTINY

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:

- with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

2. PURPOSE OF REPORT

- 2.1 To provide an overview of the role and functions of the Audit and Governance Committee in fulfilling its statutory scrutiny responsibilities.

2. BACKGROUND INFORMATION

- 3.1 Within the Council's Constitution, responsibility for the authority's statutory scrutiny functions is delegated to the Audit and Governance Committee. These statutory scrutiny functions relate to the areas of health and crime and disorder.

Statutory Health Scrutiny

- 3.2 In fulfilling the requirements of the Health and Social Care Act 2012, the Council has a statutory responsibility to review and scrutinise matters relating to the planning, provision and operation of health services at both local and regional levels. In doing this, local authorities not only look at themselves (i.e. in relation to public health), but also at all health service providers and any other factors that affect people's health.
- 3.3 The Audit and Governance Committee will review / scrutinise and make reports with recommendations to the Council (and / or Finance and Policy Committee where appropriate), a 'responsible person' (that being relevant NHS body or health service provider) and other relevant agencies about possible improvements in service in the following areas:-

- (i) health issues identified by, or of concern to, the local population;
- (ii) proposed substantial development or variation in the provision of health services in the local authority area (except where a decision has been taken as a result of a risk to safety or welfare of patients or staff);
- (iii) the impact of interventions on the health of local inhabitants;
- (iv) an overview of delivery against key national and local targets, particularly those which improve the public's health;
- (v) the development of integrated strategies for health improvement; and
- (vi) The accessibility of services that impact on the health of local people to all parts of the local community.

Additional Responsibilities:

- Recommend to Council that a request for the call in of a proposed significant variation of service be submitted to the Secretary of State where there are concerns over insufficient consultation on major changes to services; and
- Participate in, and develop, joint arrangements with neighbouring authorities the Tees Valley Joint Health Scrutiny Committee (including the Tees Valley Joint Health Scrutiny Committee and North East Joint Health Scrutiny Committee).

- 3.4 Health Scrutiny Regulations enable the Committee to request the attendance of 'a responsible person' to answer questions. The responsible person is under a duty to comply with these requests.

A responsible person - NHS body or relevant health service provider.

NHS bodies – All NHS Trusts including acute or hospital trusts, mental health and learning disability trusts, ambulance trusts and care trusts.

Relevant service providers - Private, independent or third sector providers delivering services under contract to the NHS or to the local authority.

Statutory Crime and Disorder Scrutiny

- 3.5 In fulfilling the requirements of the Police and Justice Act 2006, the Council has a statutory responsibility to establish a Crime and Disorder Scrutiny Committee with the power to review or scrutinise decisions made or other action taken by the Safer Hartlepool Partnership. This function is fulfilled through the Audit and Governance Committee, which has responsibility for:-

- (i) Scrutiny of the work of the partners (insofar as their activities relate to the partnership itself);
- (ii) The review or scrutiny of decisions made or other action taken in connection with the discharge, by responsible authorities, of their crime and disorder functions (in this context responsible authorities means the Council, the Police, the Fire Authority and the Health Bodies) and make reports or recommendations to the Council or the appropriate Policy Committee with regard to the discharge of those functions. Key areas for review or scrutiny being:
 - Policy development – including in-depth reviews;
 - Contribution to the development of strategies;
 - Holding to account at formal hearings; and
 - Performance management.
- (iii) Making reports and recommendations to the Council or to the appropriate Policy Committee on any local crime and disorder matter (as defined by section 19 of the Police and Justice Act 2006) which has been referred to it by a Member of the Council as a Councillor Call for Action.

4. RECOMMENDATIONS

- 4.1 The Audit and Governance Committee is requested to note the report.

BACKGROUND PAPERS

No background papers were used in the preparation of this report.

Contact Officer:- Joan Stevens – Statutory Scrutiny Manager
Chief Executive's Department – Legal Services
Hartlepool Borough Council
Tel: 01429 284142
Email: joan.stevens@hartlepool.gov.uk

AUDIT AND GOVERNANCE COMMITTEE

24 June 2025



Report of: Statutory Scrutiny Manager

Subject: ANNUAL APPOINTMENT TO COMMITTEES / FORUMS

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:

- with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

2. PURPOSE OF THE REPORT

2.1 To note appointments to the following Committees / Bodies:-

- (a) Audit and Governance Committee Crustacean Deaths Working Group
- (b) Tees Valley Joint Health Scrutiny Committee
- (c) North East Regional Joint Health Scrutiny Committee
- (d) Tees Valley Combined Authority Audit and Governance Committee
- (e) Tees Valley Combined Authority Overview and Scrutiny Committee
- (f) Tees Valley Combined Authority Independent Remuneration Panel

2.2 To seek appointments to the following Committees / Bodies:-

- (a) North East Regional Joint Member / Officer Scrutiny Network;
- (b) Durham Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee;
- (c) Health and Wellbeing Board as a non-voting official observer; and
- (d) Safer Hartlepool Partnership as a non-voting observer

3. BACKGROUND INFORMATION

3.1 A number of appointments were made by Full Council and need to be noted by the Audit and Governance Committee:-

- (a) Audit and Governance Committee Crustacean Deaths Working Group

Full Council on 20 May 2025 agreed the appointment of the following to serve on the Crustacean Deaths Working Group:-

**Councillor Creevy (Mover of the Motion)
Councillor Feeney
Cllr Hargreaves (Economic Growth and Regeneration Committee Member)
Joan Stevens (Statutory Scrutiny Manager)**

(b) Tees Valley Joint Health Scrutiny Committee

Full Council on 20 May 2025 agreed the appointment of the following to serve on the Tees Valley Joint Health Scrutiny Committee:-

**Cllr Moore (Chair of Audit and Governance Committee)
Cllr Boddy (Member of A and G Committee)
Cllr Roy (Member of A and G Committee)**

(c) North East Regional Joint Health Scrutiny Committee –

The Committee is requested to note the self-selecting appointment of the Chair of Audit and Governance Committee (Cllr Moore made by Council on 20 May 2025), as the Council's representative on the North East Regional Joint Health Scrutiny Committee.

(d) Tees Valley Combined Authority Audit and Governance Committee –

Full Council on 20 May 2025 agreed the appointment of the following to serve on the Tees Valley Combined Authority Audit and Governance Committee:-

Cllr Boddy (Member of A and G Committee)

(e) Tees Valley Combined Authority Overview and Scrutiny Committee –

Full Council on 20 May 2025 agreed the appointment of the following to serve on the Tees Valley Combined Authority Overview and Scrutiny Committee:-

**Cllr Creevy
Cllr Nelson
Cllr Young**

(f) Tees Valley Combined Authority Independent Remuneration Panel –

Full Council on 20 May 2025 agreed the appointment of the following to serve on the Tees Valley Combined Independent Remuneration Panel Committee:-

Martin Slimings (Independent Member)

3.2 A number of appointments need to be made by the Audit and Governance Committee:-

- (a) North East Regional Joint Member / Officer Scrutiny Network - The North East Regional Joint Member / Officer Scrutiny Network provides a forum for Elected Members who have a role within the scrutiny function to meet, make useful contacts with other members and officers, and to share 'experiences'.

The network provides a mechanism to:-

- (a) Share information on, for example: scrutiny best practice; outcomes of scrutiny investigations; benchmarking; service planning; performance indicators; conference feedback and funding streams.
- (b) Share ideas on improving scrutiny processes and enhancing effectiveness.
- (c) Provide a mechanism to facilitate personal and professional development.
- (d) Provide a conduit between the North East authorities and the Centre for Public Scrutiny for sharing up-to-date information, which would include inviting speakers to talk about recent national policy developments.

Following a change to the terms of reference for the network, all overview and scrutiny members are to be given the opportunity to participate in network meetings and training sessions. The network will meet on a quarterly basis via TEAMS, dates below –

Wednesday 16th July 2025
 Wednesday 24th September 2025
 Wednesday 10th December 2025
 Wednesday 11th March 2026

The Committee is asked to appoint at least one Member to the North East Regional Joint Member / Officer Scrutiny Network from the membership of the Audit and Governance Committee.

- (b) Durham, Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee - The Durham, Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee was established in 2017, as the body through which it is proposed that the respective Local Authorities respond to consultations as part of the Sustainability and Transformation Partnership (STP) process.

The Sustainability and Transformation Partnership (STP) has now been replaced by the:

- North East and North Cumbria Integrated Care System (ICS) as a partnership of organisations including local councils, voluntary and community services that provide health and care across our region.
- Underneath which is the North East and North Cumbria Integrated Care Board (ICB), through which partners are working collectively to join up resources and expertise to provide the best health and care for our local communities, and the Tees Valley Area Integrated Care Partnership (ICP). The ICP is responsible for the development of a strategic picture of the health and care needs of the constituent local authority 'places' working with a wide range of partners including existing health and wellbeing boards. It is also a body through which providers can work collaboratively, rather than competing to build on the new care models programme and pre-existing collaborations between services.

Whilst the Durham Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee has not met for a considerable period of time, it remains in existence and as such the Audit and Governance Committee is requested to appoint three members to the body.

The Committee is asked to make the below appointments to the Durham Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee, based ideally but not prescriptively on Hartlepool's political balance:

- 1 Councillor (Self-selecting as Chair of A&G – Cllr Moore)
- 1 Member of A&G (Labour)
- 1 Member of A&G (Labour)

- (c) Health and Wellbeing Board - There is a position on the Health and Wellbeing Board for a non-voting official observer, who will be invited along to the Health and Wellbeing Board meetings to observe at the meeting and update the Audit and Governance Committee following each Board meeting.

The Board meets on a quarterly basis and dates are outlined below:-

Monday 14 July 2025 – 10.00 am
 Monday 29 September 2025 – 10.00 am
 Monday 8 December 2025 – 10.00 am
 Monday 16 February 2026 – 10.00 am

The Terms of Reference for the Board are attached at **Appendix A**.

On this basis, the Audit and Governance Committee is asked to appoint one Member, from within its membership to take up the position of non-voting official observer on the Health and Wellbeing Board.

- (d) Safer Hartlepool Partnership - There is a position for a non-voting observer at meetings of the Safer Hartlepool Partnership, who will observe and update the Audit and Governance Committee following each Partnership meeting.

The Partnership meets six times a year, dates are below –

Friday 4 July 2025 – 1pm
Friday 3 October 2025 – 1pm
Friday 5 December 2025 -1pm
Friday 16 January 2026 – 1pm
Friday 13 March 2026 – 1pm

The Terms of Reference for the Board are attached at **Appendix B**.

On this basis, the Audit and Governance Committee is asked to appoint one Member, from within its membership to serve as a non-voting observer on the Safer Hartlepool Partnership.

4. PARISH COUNCIL REPRESENTATIVE

- 4.1 Appointments to this position will take place in the 2026/27 municipal year as per the rotation arrangements.

5. RECOMMENDATIONS

- 5.1 That the Audit and Governance Committee note the appointments made by Council.
- 5.2 That the Audit and Governance Committee:-
- (a) The Committee is asked to appoint at least one Member to the North East Regional Joint Member / Officer Scrutiny Network from the membership of the Audit and Governance Committee.
 - (b) The Committee is asked to make the below appointments to the Durham Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee, based ideally but not prescriptively on Hartlepool's political balance:
 - 1 Councillor (Self-selecting as Chair of A&G – Cllr Moore)
 - 1 Member of A&G (Labour)
 - 1 Member of A&G (Labour)
 - (c) Appoints one Member to the position of non-voting official observer on the Health and Wellbeing Board
 - (d) Appoints one Member to the position of non-voting on the Safer Hartlepool Partnership.

Contact Officers:- Joan Stevens – Statutory Scrutiny Manager
Legal, Governance and Human Resources Department
Hartlepool Borough Council
Tel: 01429 284142
Email: joan.stevens@hartlepool.gov.uk

Gemma Jones – Democratic Services Team
Legal, Governance and Human Resources Department
Hartlepool Borough Council
Tel: 01429 284171
Email: gemma.jones@hartlepool.gov.uk

BACKGROUND PAPERS

HBC Constitution Part 7; Appointments to Outside organisations and other bodies.

HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

VERSION 3.1

JUNE 2021

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1.0 Purpose and functions of the Health and Wellbeing Board

The Health and Social Care Act 2012 sets out the statutory requirement for unitary authorities to establish Health and Wellbeing Boards from April 2013. The Board has the following responsibilities and functions as set out in the Constitution of Hartlepool Borough Council:

- Responsibility for the preparation and implementation of a Health and Wellbeing Strategy for the Borough.
- Responsibility for ensuring the development and use of a comprehensive evidence based Joint Strategic Needs Assessment (JSNA) for Hartlepool.
- Responsibility for ensuring consistency between the commissioning priorities of partners and the Health and Wellbeing Strategy and JSNA. Having strategic influence over commissioning and investment decisions across health, public health and social care services to ensure integration and joint commissioning particularly for those services being commissioned and provided to the most vulnerable people.

2.0 Roles and Responsibility of Board Members

The main role of all members of the Health and Wellbeing Board will be to take a Borough wide perspective and develop consensus in the best interests of the residents of Hartlepool. Members will bring their own perspectives and also represent their organisation, interest group or area. They will be recognised for their valuable contribution bringing ideas, knowledge and expertise to the process.

2.1 Standards of behaviour

As a member of the Health and Wellbeing Board, whether in meetings or working on behalf of the Board, the following guidelines outline what is expected of members:

Accountability: to work openly and honestly and to report back their work on the Board to their organisation or sector. Board Members will agree their recommendations and then do everything in their power to support delivery.

Commitment: to attend board meetings, participate in occasional task group meetings and one-off events. To be properly prepared for meetings by reading the paperwork beforehand. To be prepared to learn from others and from good practice elsewhere and to further develop the breadth of their knowledge of their sector's role within the borough.

High Quality Debate: to remain focussed and strategic and to contribute positively to discussions and work with other members to achieve consensus and take important decisions regarding the strategic development of the borough.

Honesty and Integrity: to act with honesty, objectivity and integrity in achieving consensus through debate. To respect the confidentiality of the information provided.

Objectivity: to consider what is in the best interests for the common good of Hartlepool and to weigh this along with the interests of their organisation, their sector and themselves when making decisions.

Representative: to effectively reflect the interests of their sector, to raise areas of concern and contribute their experience and expertise to discussions and decisions to achieve good workable solutions.

Respect for others: to respect and to take into account the views of other members regardless of their gender, race, age, ethnicity, disability, religion, sexual orientation or any other status.

3.0 Membership

The Health and Social Care Bill Act 2012 mandates a minimum membership for Health and Wellbeing Boards. These are known as prescribed members. In addition Boards are free to expand their membership to include a wide range of perspectives and expertise. These are known as other members. The membership of the Health and Wellbeing Board is set out over the page:

Prescribed Members
<ul style="list-style-type: none"> • Elected Members, Hartlepool Borough Council, including the Leader of the Council (4) • Representatives of NHS NENC ICB (2) • Director of Public Health, Hartlepool Borough Council (1) • Director of Children's and Joint Commissioning Services, Hartlepool Borough Council (1) • Director of Adult and Community Based Services, Hartlepool Borough Council (1) • Representatives of Healthwatch (2)
Other Members
<ul style="list-style-type: none"> • Managing Director, Hartlepool Borough Council (1) • Director of Neighbourhoods and Regulatory Services, Hartlepool Borough Council (1) • Representative of NHS England (1) • Representative of Hartlepool Voluntary and Community Sector (2) • Representative of Tees Esk and Wear Valley NHS Trust (1) • Representative from Cleveland Police (1) • Representative of North Tees & Hartlepool NHS Foundation Trust (1) • Representative of GP Federation (1) • Schools' Representative (1) • Observer – Representative of the Audit and Governance Committee, Hartlepool Borough Council (1)

There is the potential for co-opting members onto the Board to undertake specific pieces of work or for specialist knowledge and skills as and when required. This may include the North East Ambulance NHS Trust, Fire Brigade, Probation and other providers etc.

3.1 Chairing of the Health and Wellbeing Board

The Chair will be the Leader of Hartlepool Borough Council or their substitute. The Vice-Chair will be a representative of the Clinical Commissioning Group.

4.0 Principles

All members of the Health and Wellbeing Board will strive to apply the following nine principles:

- Effective decision-making and communication
- Effective partnership working
- Efficient partnership working
- Acting with integrity
- Ensure widest possible involvement and inclusion
- Demonstrating leadership and influence
- Effective performance management
- Developing skills and knowledge
- Contributing to sustainable development

5.0 Performance Management

The Board is responsible for developing and managing the delivery of the Health and Wellbeing Strategy including the agreed health outcome measures. Each year the Board will agree an action plan setting out how the Strategy will be delivered. The action plan will also include a number of performance indicators which will be used to assess the progress being made. The Board will monitor progress through quarterly performance reports and seek to maximise resources and secure new resources into the Borough. In addition through the annual refresh the Board will pay due regard to delivery against the national outcome frameworks including the Public Health Outcome Framework, the Adult Social Care Outcome Framework and the NHS Outcome Framework incorporating additional areas into the action plan where performance is below what is expected.

Monitoring of the Health and Wellbeing Strategy will be through the relevant sub-groups, with issues escalated to the Health and Wellbeing Board, as and when necessary.

5.1 Information, advice and support

All information, advice and support will be fit for purpose and tailored to the functions of the Board. The Board will ensure that all information is directly relevant to the decisions being taken and is:

- relevant
- accurate
- timely
- objective
- clear and concise
- reliable

Where possible all partners will share and collate information from their individual organisations in order to help ensure that the Board can make informed decisions. The Board will call on professional advice and support when deemed necessary, particularly when the outcome of decision has a significant legal or financial implication.

Reports submitted to the Board will include impact assessments in relation to each of the sub-groups.

6.0 Developing capacity and capability

The Board is aware of the importance of ensuring members have the right skills, knowledge and experience to play an effective part in delivering the strategic aims of the Board. It aims to involve individuals who reflect the community they represent. It will balance the need for stability which comes from continuity of knowledge and relationships with the need for new ideas and new thinking. Through a Board development process all members will be given the opportunity to further develop their skills and update their knowledge throughout their period of membership. This will aim to maximise the skills, capacity and resources of all members.

7.0 Engaging with stakeholders

The Board has a statutory duty to involve local people in the preparation of the JSNA and the development of the Health and Wellbeing Strategy. The Board will therefore actively maximise the opportunities and mechanisms for involving local people in those processes and subsequent service provision.

The Board will seek to strengthen the involvement of elected members and patient representatives in commissioning decisions alongside commissioners from across health and social care.

The Board will take the lead in forming and maintaining relationships and representation with other partnerships and stakeholders on a local, regional and sub regional level which will directly affect and/or influence its success.

The Board will provide a forum for challenge, discussion and the involvement of local people. However, the local Healthwatch will have a role to play in consulting with patients and the public on service changes in health and social care in order to help inform the decision making process. Its work will feed into that of the Health and Wellbeing Board to inform their direction and priorities.

The Board will hold a Face the Public event once per year to:

- i) Update the public on their work during the last year;
- ii) Inform the public on their future plans including future challenges;
- iii) Engage with residents and promote the key strategies and plans for the Borough;
- iv) Receive questions from the public on their work, future plans and priorities.

The Board will strive to meet the codes of practice and terms of engagement as set out in the [Community Engagement and Cohesion Strategy](#). The Board will also develop and deliver a Communication and Engagement Strategy which will set out how the work of the Board will be promoted and members of the public, key partners and the VCS will be able to engage with and contribute to the work of the Board.

8.0 Operation of the Health and Wellbeing Board

8.1 Attendance at meetings

Members will endeavour to attend all meetings; however, if they are unable to attend any meeting then they should submit their apologies in advance of the meeting.

As flexibility and continuity is essential to partnership working, each Member may identify a named substitute who may attend on their behalf when necessary.

Substitutes should be suitable senior representatives who are able to speak on

behalf of their organisation. The quorum for the Board will be 5 prescribed members with at least one representative from each of the three prescribed member organisations.

8.2 Appointment of Substitutes

All Board members should appoint named substitutes to the Board and in the case of Policy Committee Chairs, the named substitute will be the Vice-Chair. The named substitute will be the only person to attend in the absence of the Board member.

8.3 Declaration of Interests

Each member of the Health and Wellbeing Board is required to declare any personal, prejudicial or disclosable pecuniary interest (direct or indirect) in any agenda items. Where an interest is prejudicial or is otherwise a disclosable pecuniary interest the member shall take no part in the discussion or decision-making about that item. All such declarations must be included in the minutes of the meeting. At the beginning of the municipal year each member will complete a Register of Interest Form which will be held by the Member Services Team. This register should be updated within 28 days of any change to reflect the changes in circumstances of Board members. This register is also displayed on the Council's website.

8.4 Meeting Procedures

The Board will meet on a quarterly basis. There will be an annual review meeting to reflect on the performance of the Board and proactively plan for the forthcoming year.

8.5 Decision-making and voting

Where practicable members should have the authority to take decisions and make commitments within the context of their organisations' governance structures and schemes of delegation. It is recognised that individual partners will remain responsible and accountable for decisions on their services and the use of their resources. The Board recognises that each partner has different mechanisms for their own decision-making and members will need to feed into their own governance structures as appropriate. In some cases decisions may be made 'in principle' by the

Board and then ratified by the bodies or organisations from which the members are drawn, this will be particularly important for the prescribed members of the Board.

8.6 Risk management

The Board will take a planned and systematic approach to identifying, evaluating and responding to risks. It will consider the full range of the Board's activities and responsibilities, and continuously check that various good management disciplines are in place, including:

- strategies and policies are put into practice where appropriate;
- high quality services are delivered efficiently and effectively;
- performance is regularly monitored and effective measures are put in place to tackle poor performance;
- laws and regulations are complied with;
- information used by the Board is relevant, accurate, up-to-date, timely and reliable;
- financial statements and other information published by the Board are accurate and reliable;
- financial and human resources are managed efficiently and effectively and are safeguarded.

8.7 Freedom of Information Act

The Freedom of Information Act provides a right to access information that is held by public authorities unless specified exemptions apply. Hartlepool Borough Council has a publication scheme detailing the types of information that could be available for public access and has developed guidance to help staff comply with the Act. The Health and Wellbeing Board will work within this framework when responding to requests from partners and the public.

8.8 Public access to the Health and Wellbeing Board

All meetings of the Council's committees, sub-groups and working groups are open to the public to attend except when the meetings are considering items classed as 'confidential' or 'exempt'. These meetings may consider issues that will be of interest to residents who may wish to ask questions or express their views on the matters being considered. On such occasions anyone wishing to speak at the Board meeting

should seek the permission of the Chair in advance of the meeting. This can be done directly with the Chair or via the Democratic Services Team (democratic.services@hartlepool.gov.uk or 01429 523013).

8.9 Secretarial Support arrangements

The Health and Wellbeing Board will receive secretarial support through Hartlepool Borough Council's Democratic Services Team.

8.10 Sub-Groups, Working Groups and Task and Finish Groups

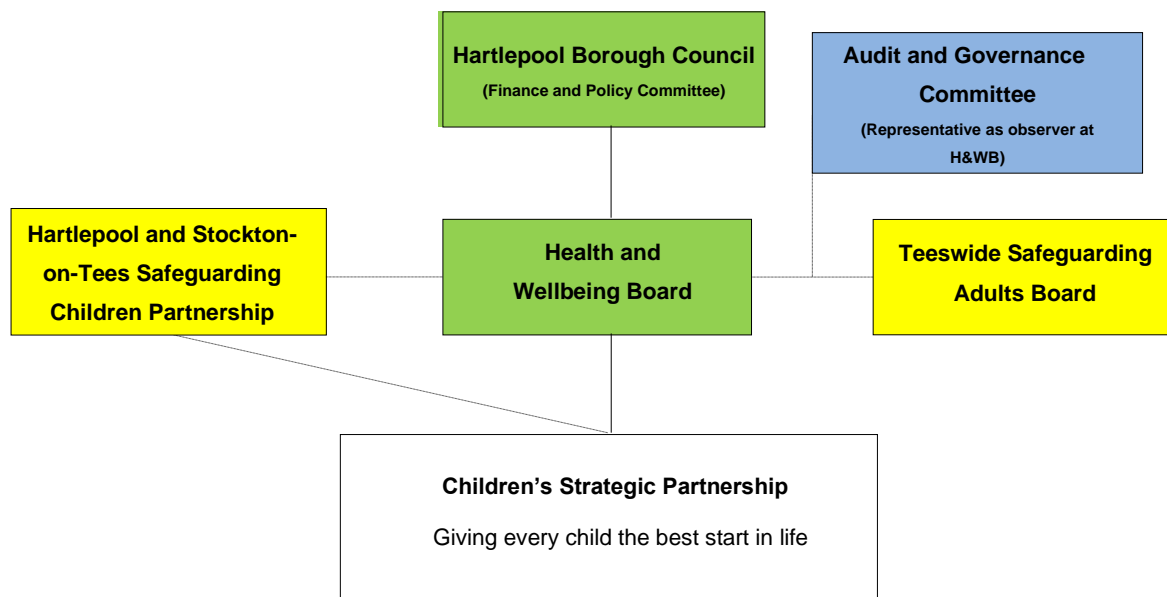
The Health and Wellbeing Board has a responsibility to act as a forum for key leaders from the local health and care system to jointly work to improve the health and wellbeing of the people in their area, reduce health inequalities and promote the integration of services. Key to achieving this is the Board's:

- Involvement in the preparation and implementation of the Hartlepool Health and Wellbeing Strategy and Joint Strategic Needs Assessment;
- Strategic role in influencing commissioning and investment decisions across health, public health and social care services to ensure integration and joint commissioning particularly for those services being commissioned and provided to the most vulnerable people.

Given the breadth of service areas and partners involved in achieving the Board's responsibilities, a number of sub-groups are in place to support and feed into the Board. The minutes of these sub-groups will be circulated to the Health and Wellbeing Board to reinforce the link between both bodies. All other groups will feed into the Health and Wellbeing Board through one of these sub-groups / working groups.

Occasionally a Task and Finish Group of the Health and Wellbeing Board, or one of its sub-groups, may need to be established to expedite a particular matter, which requires focussed activity or where a more specialist membership is required.

The membership of these task and finish groups would be decided by the Board, or sub- group. A Task and Finish Group would normally have a specific remit and period of operation to oversee or undertake a specific task, reporting directly to the Health and Wellbeing Board or sub-group (as appropriate).



8.11 Working with other theme groups

The Health and Wellbeing Board will work alongside the other theme groups to improve outcomes for Hartlepool residents. Joint meetings may be arranged on matters of shared interest for example on the issue of alcohol harm or drug rehabilitation with the Safer Hartlepool Partnership.

8.12 Updating the Terms of Reference

This Terms of Reference can be amended or updated by obtaining a two thirds majority agreement by the Board. At the time of the vote all the prescribed member organisations must be in attendance. The proposed change should be set out in a report as a published agenda item.

9.0 Engaging with other bodies

9.1 Statutory Scrutiny

The Audit and Governance Committee of Hartlepool Borough Council has delegated authority to exercise the statutory scrutiny powers given to the Local Authority under the Health and Social Care Act 2012. This includes the review and scrutiny of matters relating to the planning, provision and operation of health services in the area.

The Audit and Governance Committee will hold the Health and Wellbeing Board, and its partners, to account through scrutiny of:

- The Joint Strategic Needs Assessment;
- The Health and Wellbeing Strategy; and
- Commissioning Plans and Delivery Strategies.

9.2 Hartlepool and Stockton on Tees Safeguarding Children Partnership

The Hartlepool and Stockton on Tees Safeguarding Children Partnership is made up of the three statutory partners, local authorities, chief officers of police, and clinical commissioning groups who must make arrangements to work together with relevant agencies (as they consider appropriate) to safeguard and protect the welfare of children in the area.

The relationship between the Health and Wellbeing Board and the Hartlepool and Stockton on Tees Safeguarding Children Partnership (HSSCP) is one of mutual support, challenge and scrutiny. HSSCP should be instrumental in determining the safeguarding children requirements of the JSNA and should present its annual report to the Health and Wellbeing Board.

9.3 Teeswide Safeguarding Adults Board

The Teeswide Safeguarding Adults Board is a partnership of local agencies working together to ensure that adults living in Hartlepool are safeguarded and protected.

The relationship between the Health and Wellbeing Board and the Teeswide Safeguarding Adults Board (TSAB) is one of mutual support, challenge and scrutiny. TSAB should be instrumental in determining the requirements of the JSNA in terms of safeguarding adults and should present its annual report to the Health and Wellbeing Board.

9.4 Local Outbreak Control Engagement Board

An integrated national and local nationwide Covid-19 test and trace programme is being implemented to control the virus and as part of this local Covid-19 outbreak control arrangements have been put place. A critical factor in the success of these arrangements is effective communication with the public and employers to gain their support for any actions that need to implement and the requirement to create a Local Outbreak Control Engagement Board. In Hartlepool this role will be undertaken by the Health and Wellbeing Board with the following responsibilities:-

- i) Political ownership and public-facing engagement and communication for the outbreak response.
- ii) Provide partnership oversight of health protection regarding Covid-19 in Hartlepool.
- iii) Support local delivery of the primary objectives of the Government's strategy to control the Covid-19 reproduction number (R), reduce the spread of infection and save lives.
- iv) Bring together the response that will be delivered at different levels and by different organisations, at local authority area level to ensure a community focus and appropriately tailored response.
- v) Support the effective communication of the Outbreak Control Plan for Hartlepool.
- vi) Support and strengthen the communication plan that will need to underpin every decision as the local area move to the next stage of managing the pandemic, helping to make sure that all communities and sectors are communicated with effectively.
- vii) Help ensure that all key stakeholders have been identified and that the best routes to communicate with them are utilised.

- viii) Oversee the evaluation of the communication plan, measuring success through the successful adoption of the required behaviours by individuals and organisations across the city with no community or sector left behind.
- ix) Receive regular updates from the Outbreak Control Board via the Director of Public Health and public oversight of progress on the implementation of the Outbreak Control Plan.
- x) Shape and oversee the health and wellbeing recovery strategy, identifying Joint Health and Wellbeing Strategy priorities for action as part of the post-emergency phase.

Membership - The membership of the Outbreak Control Engagement Board includes representatives from a range of key bodies with relevant Covid-19 expertise and experience, with the ability to co-opt additional participants based on the location and nature of any outbreak.

Over and above the core membership of the Health and Wellbeing Board when considering items under the remit of the Outbreak Control Engagement Board invitations will also be extended to include:

- Hartlepool Borough Council's Mental Health and Children in Care Elected Member Champions
- Communications and Marketing Manager, Hartlepool Borough Council
- Representative of Faith Community

The co-option of additional participants with specialist knowledge and skills will, as has been indicated, be informed by the location and nature of any outbreak. Examples of potential co-optees are as follows with the addition of others as and when required:

- Ward Councillors
- Parish Councillors
- North East Ambulance NHS Trust
- Fire Brigade
- Probation
- Schools
- Care Home providers
- Hospice providers
- Housing providers
- Representatives from specialist organisations
- Representatives from business community



Safer Hartlepool Partnership Terms of Reference

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1. Purpose and functions of the Safer Hartlepool

Partnership

The Safer Hartlepool Partnership must adhere to the statutory requirements set out in the Crime and Disorder Act 1998 (as amended), Crime & Disorder (Formulation and Implementation of Strategy) Regulations 2007, Crime & Disorder (Prescribed Information) Regulations 2007, and the Crime and Disorder (Overview and Scrutiny) Regulations 2009. The Partnership has the following responsibilities and functions as set out in the constitution of Hartlepool Borough Council:

- A Partnership to create confident cohesive and healthy communities by working together to reduce crime, anti social behaviour, substance misuse and reoffending in Hartlepool.
- The Partnership is responsible for the delivery of the community safety outcomes within the Sustainable Community Strategy.

The Partnership has adopted an intelligence led business model, based on the principles of the Policing National Intelligence Model, to ensure that its activity is evidence led.

The expertise of individual partner organisations will be utilised by the Partnership in order to deliver actions based on good and best practice. The Partnership will conduct evaluations and share the results.

The Partnership will carry out Domestic Homicide Reviews as required by section 9 of the Domestic Violence, Crime and Victims Act, 2004.

2. Roles and Responsibilities of Safer Hartlepool

Partnership Members

The main role of all members of the Safer Hartlepool Partnership will be to take a Borough wide perspective and develop consensus in the best interests of residents of Hartlepool. Members will bring their own perspectives and also represent their

organisation, interest group or area. They will be recognised for their valuable contribution bringing ideas, knowledge and expertise to the process.

Where practicable members should have the authority to take decisions and make commitments. Individual partners will remain responsible and accountable for decisions on their services and use of their resources. The Partnership recognises that each partner has different mechanisms for their own decision making. In some cases decisions may be endorsed by the bodies or organisations from which members are drawn.

2.1 Standards of behaviour

As a member of the Safer Hartlepool Partnership, whether in meetings or working on behalf of the Partnership, the following guidelines outline what is expected of members:

Accountability: to work openly and honestly and to report back their work on the Partnership to their organisation or sector.

Commitment: to attend Partnership meetings, participate in occasional task group meetings and one-off events. To be properly prepared for meetings by reading the paperwork beforehand. To be prepared to learn from others and from good practice elsewhere and to further develop the breadth of their knowledge of their sector's role within the borough.

High Quality Debate: to remain focussed and strategic and to contribute positively to discussions and work with other members to achieve consensus and take important decisions regarding the strategic development of the borough.

Honesty and Integrity: to act with honesty, objectivity and integrity in achieving consensus through debate. To respect the confidentiality of the information provided.

Objectivity: to consider what is in the best interests for the common good of Hartlepool and to weigh this along with the interests of their organisation, their sector and themselves when making decisions.

Representative: to effectively reflect the interests of their sector, to raise areas of concern and contribute their experience and expertise to discussions and decisions to achieve good workable solutions.

Respect for others: to respect and to take into account the views of other members regardless of their gender, race, age, ethnicity, disability, religion, sexual orientation or any other status.

3.0 Membership

Membership of the Partnership reflects the statutory requirements and consists of senior representatives from the five responsible authorities¹ plus additional stakeholders as follows:

Responsible Authorities
<ul style="list-style-type: none">• Hartlepool Borough Council – Two Elected Members• Hartlepool Borough Council – Managing Director• Hartlepool Borough Council - Executive Director of Development, Neighbourhoods and Regulatory Services• Hartlepool Borough Council - Assistant Director, Regulatory Services• Cleveland Police - Hartlepool District Commander• Cleveland Fire and Rescue Authority – District Manager• Durham Tees Valley Probation Trust - Director of Offender Management• Representative of North East and North Cumbria Integrated Care Board• Youth Offending Board - Chair

Other Members
<ul style="list-style-type: none">• Hartlepool Borough Council – Director of Public Health• Office of Police and Crime Commissioner for Cleveland• Hartlepool Borough Council – Head of Youth Services• Representative of Hartlepool Voluntary & Community Sector – Chief Executive, Safe in Tees Valley• Thirteen Group – Director of Housing Services• Hartlepool Magistrates Board – Chair of the Bench• Member of Parliament for Hartlepool

This group is the ‘strategy group’ for the purposes of the statutory Regulations. New members may be added to the Partnership by agreement of existing members. There is also the potential for co-opting members onto the Partnership to undertake specific pieces of work or for specialist knowledge and skills as and when required.

¹ Responsible Authorities – Police, Local Authority, Fire and Rescue Authority, North East and North Cumbria Integrated Care Board, Probation trust

3.1 Chairing of the Safer Hartlepool Partnership

The Chair is appointed by the SHP and can be selected from the 'Responsible Authority' and 'Other Member' representatives on the Partnership. The Vice Chair of the Partnership will be appointed annually from the responsible authorities. The Chair and Vice Chair will not be from the same organisation.

The Chair will provide leadership to the Safer Hartlepool Partnership and act as the responsible officer for the development and progress of the Partnership.

The Chair will:

- Ensure that the views of the Partnership are communicated effectively
- Represent the Partnership on the Strategic Partners Group.
- Ensure the efficient and effective operation of the Partnership.
- Promote effective partnership working between members of the Partnership and if necessary resolve conflict and help foster an environment of mutual interest.
- Approve the formation of working groups to deliver specific items of work on behalf of the Partnership.
- With the support of the Secretariat agree the agenda, associated papers and minutes of previous meetings.

The Vice-Chair will:

- Deputise for the Chair as required.
- Support the Chair to ensure the work of the Partnership is effectively deployed.
- Represent the Safer Hartlepool Partnership on the Strategic Partners Group when required by the Chair.
-

4. Principles

All members of the Partnership will strive to apply the following nine principles as established in the Community Strategy:

- Effective decision making and communication
- Effective partnership working
- Efficient partnership working

- Acting with integrity
- Ensure widest possible involvement and inclusion
- Demonstrating leadership and influence
- Effective performance management
- Developing skills and knowledge
- Contributing to sustainable development

In addition, the Partnership has adopted the following specific principles to:

- adopt a focussed, problem solving approach based upon a careful and systematic analysis of relevant information;
- respect the autonomy, accountability and responsibilities of partner organisations;
- be open and transparent and share information within the legal framework.

5. Performance management

The Partnership is responsible for developing and managing the delivery of the Community Safety Plan (previously known as the Crime, Disorder and Substance Misuse Strategy). Each year the Partnership will agree an annual priorities plan setting out how the strategy will be delivered. The action plan will also include a number of performance indicators which will be used to assess the progress being made. The Partnership will monitor progress through quarterly performance reports and seek to maximise resources and secure new resources into the Borough.

In addition, the Partnership will also develop and manage the following plans and Strategies:

- Youth Justice Strategic Plan
- Drug Treatment Plan
- Alcohol Harm Reduction Strategy
- Domestic Violence Strategy
- Social Behaviour Plan
- Prevent Action Plan

- Community Cohesion Framework
- Troubled Families Programme

The Partnership is also responsible for delivering the Community Safety Theme of the Community Strategy.

5.1 Information, advice and support

All information, advice and support will be fit for purpose and tailored to the functions of the Partnership. The Partnership will ensure that all information is directly relevant to the decisions being taken and is:

- relevant
- accurate
- timely
- objective
- clear and concise
- reliable

The Partnership will call on professional advice and support when deemed necessary, particularly when the outcome of decision has a significant legal or financial implication.

6. Developing capacity and capability

The Partnership is aware of the importance of ensuring members have the right skills, knowledge and experience to play an effective part in delivering the strategic aims of the Partnership. It aims to involve individuals who reflect the community they represent. It will balance the need for stability, which comes from continuity of knowledge and relationships, with the need for new ideas and new thinking.

All members will be given the opportunity to further develop skills and update their knowledge throughout their period of membership and new members of the Partnership will receive a thorough induction which is tailored to their role in the Partnership.

7. Engaging with stakeholders

The Partnership will take the lead in forming and maintaining relationships and representation with other partnerships and stakeholders on a local, regional and sub regional level, which will directly affect and/or influence its success.

The Partnership will hold a Face the Public Event once per year to;

- i) Update the public on their work during the last year;
- ii) Inform the public on their future plans including future challenges;
- iii) Consult on the development of key partner strategies and plans for the borough;
- iv) Receive questions from the public on their work, future plans and priorities

The Partnership will strive to meet the codes of practice and terms of engagement as set out in the Hartlepool Voluntary and Community Sector Strategy.

8. Operation of the Safer Hartlepool Partnership

8.1 Attendance at meetings

Members will endeavour to attend all meetings however if they are unable to attend any meeting then they should submit their apologies in advance of the meeting. As flexibility and continuity is essential to partnership working, each member may name a substitute who may attend on their behalf when necessary. Substitutes should be suitable senior representatives who are able to speak on behalf of their organisation.

8.2 Declaration of Interests

Each member of the Partnership is required to declare any personal or pecuniary interest (direct or indirect) in any agenda items and shall take no part in the discussion or decision making about that item. All such declarations must be included in the minutes of the meeting.

8.3 Decision making and voting

The Partnership will continue to develop consensus, commitment and common decision making processes. Where practicable, members should have the authority

to take decisions and make commitments on behalf of their organisation. However members will remain responsible and accountable for decisions of their own organisations and the use of their resources.

In exceptional circumstances, where no consensus prevails, the decision will be taken by the Responsible Authorities (defined in Crime and Disorder Act 1998 as amended) and in the event of a tied vote; the Chair will have the casting vote. The quorum for the SHP is 3 members from different Authorities, with at least 2 being Responsible Authorities members.

The Partnership will call on professional advice and support when deemed necessary, particularly when the outcome of any decision has a significant legal or financial implication.

8.4 Risk management

The Partnership will take a planned and systematic approach to identifying, evaluating and responding to risks. It will consider the full range of the Partnership's activities and responsibilities, and continuously check that various good management disciplines are in place, including:

- strategies and policies are put into practice where appropriate;
- high quality services are delivered efficiently and effectively;
- performance is regularly monitored and effective measures are put in place to tackle poor performance;
- laws and regulations are complied with;
- information used by the partnership is relevant, accurate, up-to-date, timely and reliable;
- financial statements and other information published by the Partnership are accurate and reliable;
- financial and human resources are managed efficiently and effectively and are safeguarded.

8.5 Meeting Procedures

The Partnership will meet on a six weekly basis. There will be an annual review meeting to reflect on the performance of the Partnership and proactively plan for the forthcoming year. This may take the shape of an agenda item at a meeting or a Partnership development event.

8.6 Freedom of Information Act

The Freedom of Information Act gives everyone the right to access information that is held by public authorities. Hartlepool Borough Council has developed guidance to help staff comply with the Act. The Partnership will work within this policy when giving out information to partners and the public.

8.7 Public access to the Safer Hartlepool Partnership

Meetings of the Safer Hartlepool Partnership will be open to the public and press however, on occasion closed sessions will be required in accordance with the Access to Information Rules in Part 4 of the Hartlepool Borough Council Constitution;

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

For example, when the Partnership must carry out Domestic Homicide Reviews as required by section 9 of the Domestic Violence, Crime and Victims Act, 2004.

Members of the Public may also be excluded in accordance with Rule 22 of the constitution (Disturbance by the Public)

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If that person continues to interrupt, the Chair will order his/her removal from the meeting room.

8.8 Secretarial Support arrangements

The Partnership will receive secretarial support through Hartlepool Borough Council's Democratic Services Team.

8.9 Sub Groups and Task Groups

The responsibility for delivery of Safer Hartlepool Partnership priorities will be allocated to dedicated theme groups on an annual basis.

Occasionally a 'task and finish group' of the Partnership may need to be established to expedite a particular matter, which requires focussed activity or where a more specialist membership is required. The membership of these task groups would be decided by the Partnership and the group would normally have a specific remit and period of operation to oversee or undertake a specific task, reporting directly to the Partnership.

8.10 Working with other theme groups

The Partnership will work alongside the other theme groups to improve outcomes for Hartlepool residents. Joint meetings may be arranged on matters of shared interest for example on the issue of alcohol harm or drug rehabilitation with the Health and Wellbeing Board

8.11 Updating the Terms of Reference

This Terms of Reference can be amended or updated by obtaining a two thirds majority agreement by the Safer Hartlepool Partnership. The proposed change should be set out in a report as a published agenda item.

9. Engaging with other bodies

9.1 Police and Crime Commissioner

The Police and Crime Commissioner and the Safer Hartlepool Partnership have a duty to regard each others priorities. The Police and Crime Commissioner has the power to call the SHP Chair to a meeting to discuss force wide issues and also the power to request a report. The Safer Hartlepool Partnership can request merger of the Community Safety Partnership and the Police and Crime Commissioner has the power to approve. The Police and Crime Commissioner also has grant making powers.

9.2 Police and Crime Panel

The Police and Crime Panel examine the actions and decisions of the Police and Crime Commissioner. In order to fulfil its scrutiny role of the Police and Crime Commissioner the panel will need to work with bodies that deal with police and crime matters locally; this includes Community Safety Partnerships.

9.3 Statutory Scrutiny

The Police and Justice Act 2006 requires that the decisions made, or actions taken, by the Safer Hartlepool Partnership in connection with the discharge of crime and disorder functions are reviewed and scrutinised at least once in every twelve month period.

Within Hartlepool, scrutiny of the Partnership and its partners is undertaken through the Audit and Governance Committee. The responsibilities of the Committee being to scrutinise, and review:-

- i) The work of the partners, insofar as their activities relate to the partnership itself; and
- ii) Decisions made or other action taken in connection with the discharge of crime and disorder functions, by responsible Authorities (i.e. the Council, the local policing body, the Fire Authority and the Health Bodies).

The Partnership and Audit and Governance Committee work together to fulfil these statutory responsibilities. In doing so, the Partnership is responsible for the provision of relevant information / evidence, including performance management data and information necessary to facilitate involvement in the development / review of policies and strategies.

9.4 North East and North Cumbria Integrated Care Board

The North East and North Cumbria Integrated Care Board have a statutory responsibility to work in partnership with other responsible authorities and co-operating bodies to tackle crime and disorder, substance misuse and reoffending locally. They must participate in the crime and disorder strategic assessment and the formulation and delivery of the strategy within the local authority area.

AUDIT AND GOVERNANCE COMMITTEE

24 June 2025



Report of: Statutory Scrutiny Manager

Subject: DEDICATED OVERVIEW AND SCRUTINY BUDGET
204/25 - UPDATE

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:

- with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

2. PURPOSE OF REPORT

- 2.1 To provide the Audit and Governance Committee with an update in relation to expenditure from the Dedicated Overview and Scrutiny Budget in 2024/25.

3. BACKGROUND INFORMATION

- 3.1 In 2013, a budget of £5000 per year was allocated to the Overview and Scrutiny function. The purpose of the budget is to provide support for the delivery of the work programme and development of the function.
- 3.2 The agreed process for the allocation of funding from the dedicated scrutiny budget is that:
- £500 and below. Any expenditure from the Dedicated Scrutiny Budget up to the sum of £500 could be delegated¹ to the Scrutiny Manager, in consultation with the Chair of the Committee. An annual report outlining all expenditure to be presented to the Committee on an annual basis.
 - £500 and above. Appropriateness of any funding requests to be considered by the Committee.

4. BUDGET SPEND FOR THE 2024/25 FINANCIAL YEAR

- 4.1 Further to the required annual update, the Committee is advised that expenditure to date from the 2024/25 dedicated scrutiny budget is a **nil return**.

¹ Delegation approved by the Audit and Governance Committee on the 13th November 2013

5. RECOMMENDATION

- 5.1 It is recommended that the Audit and Governance Committee notes expenditure from the 2024/25 dedicated scrutiny budget.

Contact Officer:- Joan Stevens – Statutory Scrutiny Manager
Legal, Governance and Human Resources Department
Hartlepool Borough Council
Tel: 01429 284141
Email: joan.stevens@hartlepool.gov.uk

BACKGROUND PAPERS - No background papers were used in the preparation of this report.

AUDIT AND GOVERNANCE COMMITTEE24th June 2025

Report of: Democratic Services and Statutory Scrutiny Manager

Subject: CRUSTACEAN DEATHS FINAL REPORT

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:
- where people live healthier, safe and independent lives. (People)
- that is connected, sustainable, clean and green. (Place)

2. PURPOSE OF REPORT

2.1 To seek consideration of the Crustacean Deaths Working Group final report.

3. BACKGROUND

3.1 Full Council on the 14th July 2022, received the following motion and referred consideration of 'how to regenerate this vital and traditional industry in our town' to the Economic Growth and Regeneration Committee.

"Our fishing industry has been decimated since the Autumn of 2021 where thousands of deceased and dying crustaceans were washed up on the beaches in our region. Our fishermen and women have been unable to justify the costs of fuel to put to sea, and several of Hartlepool's fishing fleet have been advertised for sale.

It is unlikely that the area will recover from this environmental disaster in the short term.

We believe that the reports by Defra were flawed, given the independently commissioned report concluded so differently from the official reports.

The timing of this, with works beginning on piling around the Teesworks site, demolition works on site, and with dredging in and around the River Tees is really concerning and residents, fishermen and politicians and people from

Whitby to Hartlepool, are worried and need reassurance as to what really happened, and action to resolve it.

Council therefore resolves to:

Request the appropriate bodies (which should include EA, Cefas, NEIFCA, MMO, FSA and the UK Health Security Agency (UKHSA), Teesworks and the TVCA), attend an appropriate public meeting, with councillors and interested members of the public present, to explain the discrepancies, and explain what action or recommendations can, or have been taken to support the future of our fishing industry.

Refer to Economic Growth and Regeneration Committee to explore how to regenerate this vital and traditional industry in our town.

Write to the Minister of State for the Department for Environment Food and Rural Affairs, to seek an independent investigation into this environmental and economic disaster.”

3.2 The Economic Growth and Regeneration Committee considered the Council referral on the 18th October 2022 and agreed that:

- Information would be conveyed to the Government Select Committee, and
- The Economic Growth Team would provide advice and support to those businesses which had been affected.

3.3 Whilst within the Council’s Constitution, the authority’s statutory scrutiny functions relate solely to the areas of health and crime and disorder, Council on the 3rd November 2022 agreed to participate in the Joint Crustacean Deaths Working Group established by Redcar and Cleveland Council. The following were appointed to sit on the working group:

- Chair of Audit and Governance Committee
- Chair of Economic Growth and Regeneration Committee
- Councillor Creevy, Mover of Motion
- Statutory Scrutiny Manager

3.4 The Working Group has met on a regular basis since its establishment, culminating in the production of the report attached at **Appendix A**. The Committee is asked to consider the Working Group’s final report and identify any views or comments that it wishes to feed into Full Council consideration of the report on the 17th July 2025.

4. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	None
FINANCIAL CONSIDERATIONS	None

SUBSIDY CONTROL	None
LEGAL CONSIDERATIONS	None
SINGLE IMPACT ASSESSMENT	None
STAFF CONSIDERATIONS	None
ASSET MANAGEMENT CONSIDERATIONS	None
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	None
CONSULTATION	N/A

5. RECOMMENDATIONS

- 5.1 The Audit and Governance Committee consider the Crustacean Deaths Working Group's Final Report and identify any views or comments it wishes to feed into consideration of the report by Full Council on the 17th July 2025.

BACKGROUND PAPERS

Background papers used in the preparation of this report.

Reports And Minutes:

- Full Council - 14th July 2022 and 3rd November 2025
- Economic Growth and Regeneration Committee - 18th October 2022

Contact Officer:- Joan Stevens – Democratic Services and Statutory Scrutiny Manager
 Legal, Governance and HR Department
 Hartlepool Borough Council
 Tel: 01429 284142
 Email: joan.stevens@hartlepool.gov.uk

Crustacean Deaths Working Group

Report following the investigation into the mass crustacean die-off



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Foreword

The mass mortality event involving sea life along the Northeast coast of England in late 2021 was a significant and distressing incident that has had a profound impact on local communities, the fishing industry, and the marine ecosystem.

This report, compiled by the Crustacean Deaths Working Group, represents a comprehensive investigation into the causes, effects, and responses to this event.

The Working Group, comprising representatives from 5 Northeast councils, has worked diligently to gather evidence, analyse data, and consult with experts from government departments, academia and environmental charities to understand the multifaceted nature of the incident.

Our aim has been to provide clarity on the potential causes, assess the impact on the local environment and economy, and recommend actions to improve management of any future occurrences and support recovery efforts.

Throughout this investigation, we have encountered numerous challenges, including understanding the complexity of the marine environment and its governance arrangements, the limitations of existing data, and engaging productively with official stakeholders.

Despite these obstacles, the collaborative efforts of all involved have yielded valuable insights and highlighted the importance of continued vigilance and proactive measures.

This report outlines the findings of our investigation, including the role of potential contaminants, the possible impact of dredging activities, and the responses from government agencies and academic researchers.

It also includes recommendations for improving environmental monitoring, supporting the fishing industry, and enhancing collaboration among stakeholders.

Further to this, the Working Group took evidence relating to the impact of pollution of fresh waterways and marine life other than crustaceans, which it will forward to relevant bodies for further investigation.

We hope that this report serves as a catalyst for positive change, fostering greater awareness and action to protect our marine environment and support the communities that depend on it.

We extend our gratitude to all those who contributed to this review, including the fishing community, academic researchers, government agencies, and local councils.

Together, we can ensure that the lessons learned from this event lead to a more resilient and sustainable future for our coastal regions.



Cllr Philip Thomson,
Chair – Crustacean Deaths Working Group
Redcar & Cleveland Borough Council



Cllr Rachel Creevy
Vice-Chair – Crustacean Deaths Working Group
Hartlepool Borough Council

Acknowledgements

The Working Group would like to thank the following for their contribution to the review:

- Mr Stan Rennie, North East Fishing Collective
 - Mr Paul Widdowfield, North East Fishing Collective
 - Dr Gary Caldwell, Senior Lecturer in Applied Marine Biology, School of Natural & Environmental Sciences, Newcastle University
 - Mr David McCandless, Chief Officer, NEIFCA
 - Dr Ralf Bubnitz, Environmental & Scientific Manager, NEIFCA
 - Dr Simon Gibbon, Honorary Professor Department of Materials, University of Manchester
 - Professor David Roberts, Department of Geography, University of Durham
 - Mr Jerry Hopkinson, Executive Chairman, PD Ports
 - Mr Paul Brooks, Harbour Master, PD Ports
 - Mr D McCreadie, Former Lecturer in Marine Biology and Oceanography
 - Professor Alistair Boxall, Department of Environment & Geography, University of York
 - Professor Mike Elliot, Emeritus Professor of Estuarine & Coastal Sciences, University of Hull
 - Ms Anna Turley MP for Redcar
 - Mr Andy McDonald, MP for Middlesbrough & Thornaby East
 - Mr Jonathan Brash, MP for Hartlepool
 - Mr Chris McDonald, MP for Stockton North
 - Ms Lola McEvoy, MP for Darlington
 - Mr Luke Myer, MP for Middlesbrough South & East Cleveland
- (See Appendices 1 & 2)**

Working Group Membership

Membership of the Crustacean Deaths Working Group (to May 2023) was as follows:

Councillor Philip Thomson, Chair	(Redcar & Cleveland Borough Council)
Councillor Rachel Creevy, Vice-Chair	(Hartlepool Borough Council)
Councillor Barlow	(Stockton Borough Council)
Councillor Branson	(Middlesbrough Borough Council)
Councillor Cawley	(Redcar & Cleveland Borough Council)
Councillor Cook	(Hartlepool Borough Council)
Councillor Cowie	(Hartlepool Borough Council)
Councillor Hellaoui	(Middlesbrough Borough Council)
Councillor Holyoake	(Redcar and Cleveland Borough Council)
Councillor Kay	(Redcar and Cleveland Borough Council)
Councillor Saunders	(Middlesbrough Borough Council)
Councillor Young	(Hartlepool Borough Council)

Membership of the Crustacean Deaths Working Group (From July 2023) was as follows:

Councillor Philip Thomson, Chair	(Redcar & Cleveland Borough Council)
Councillor Rachel Creevy, Vice-Chair	(Hartlepool Borough Council)
Councillor Bastiman	(North Yorkshire Council)
Councilor Branson	(Middlesbrough Borough Council)
Councillor Cawley	(Redcar & Cleveland Borough Council)
Councillor Chance	(North Yorkshire Council)
Councillor Earl	(Redcar & Cleveland Borough Council)
Councillor Eglington	(Stockton Borough Council)
Councillor Feeney	(Hartlepool Borough Council)
Councillor Gavigan	(Middlesbrough Borough Council)
Councillor Les	(North Yorkshire Council)
Councillor McCue	(Redcar & Cleveland Borough Council)

The following Link Officers were also involved in the review process:

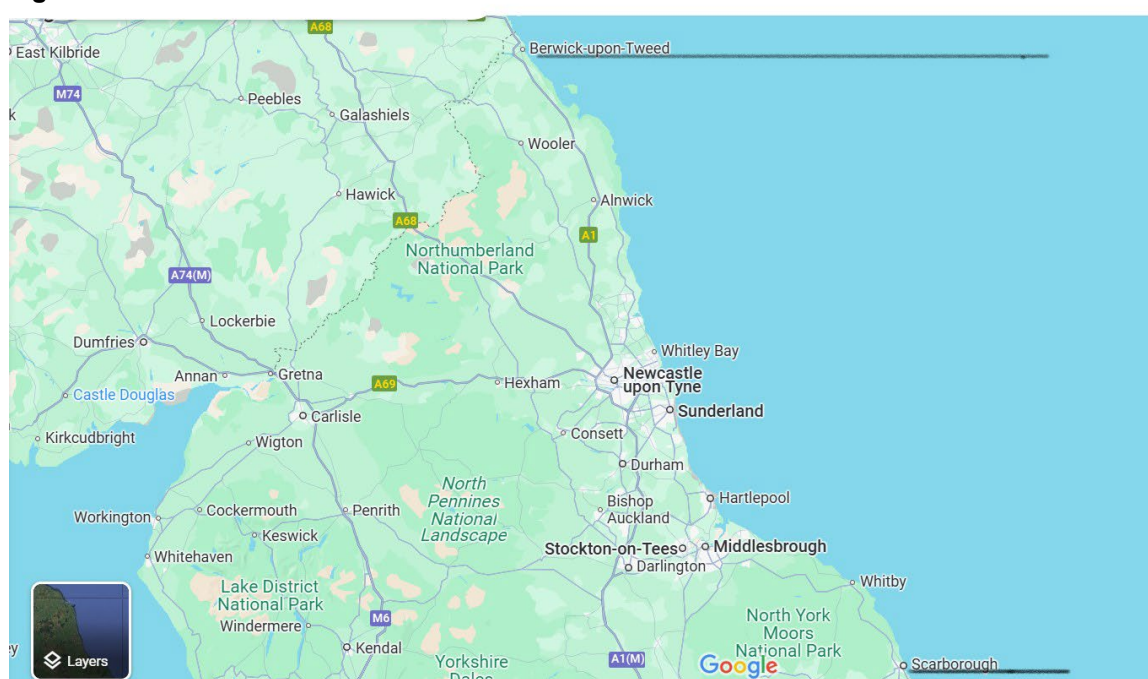
B Carr	(Middlesbrough Council)
H Clear Hill	(North Yorkshire Council)
S Connolly	(Redar & Cleveland Borough Council)
E Grunert	(Redcar & Cleveland Borough Council)
C Leng	(Redcar & Cleveland Borough Council)
R Saunders-Thompson	(Stockton Borough Council)
J Stevens	(Hartlepool Council)

Background

Introduction

- 1.1 In early October 2021, a large number of dead and dying crustaceans washed-up in various locations along the coastline of Northeast England, extending from Spittal Beach in the north to Scarborough in the South (see **Figure 1**). Further die-off events and ‘wash-ups’ have been reported by fishers and members of the public into 2022 and 2023, and an updated log of the events is managed and held by the [North Eastern Inshore Fisheries and Conservation Authority \(NEIFCA\)](#)

Figure 1



- 1.2 Wash-ups, observed primarily in 2021, but also sporadically since the initial incident, have primarily involved crustaceans, which have been reported to have displayed unusual twitching and lethargic behaviours, although other species have been involved, including a large number of octopuses on one occasion¹.

National Response

- 1.3 A multi-agency investigation involving the Environment Agency (EA), the Centre for Environment, Fisheries and Aquaculture Science (Cefas), North Eastern Inshore Fisheries and Conservation Authority (NEIFCA), the Marine Management Organisation (MMO), the Food Standards Agency (FSA) and the UK Health Security Agency (UKHSA) was initiated following

¹ [Independent Expert Assessment of Unusual Crustacean Mortality in the North-east of England in 2021 and 2022](#) (Defra Commissioned) – January 2023, p.6

the event, and an initial Stakeholder Briefing published on 26 November 2021².

- 1.4 The results of the investigation were published by Defra Group³ in May 2022. A number of potential causes had been considered, including chemical contamination, licensed dredging activities and those relating to offshore wind farms and aquatic animal disease. It was concluded that the presence of harmful algal blooms (HAB) in the area at the time of the event was significant, but no single causative factor was identified.
- 1.5 In January 2022, a Marine Pollution Consultant was commissioned by the Whitby Commercial Fishing Association (WCFA) to review relevant environmental data made available by Defra agencies in response to a number of Freedom of Information requests. The data reviewed included chemical analyses of sea water, crab flesh and sediment.
- 1.6 The WCFA report, published on 31 January 2022, concluded that the HAB hypothesis was not supported by significant empirical evidence, and that high concentrations of the chemical pyridine found in the flesh of crustaceans from the die-off zone was the most likely cause of the mortality event.
- 1.7 Research undertaken by Newcastle University, commissioned by the North East Fishing Collective (NEFC), investigated the impact of the chemical pyridine on crustaceans. Preliminary findings indicated that the same behaviours were seen within the laboratory as had been reported by fishermen and members of the public who had come across dying crustaceans. Findings from the research were shared with the Environment, Farming and Rural Affairs (EFRA) Select Committee and were submitted for peer review and publication via academic channels.
- 1.8 As a result of significant campaigning, EFRA Select Committee held a hearing in October 2022, which was attended by expert witnesses. Amongst a number of conclusions, it was recommended that the Government Chief Scientific Advisor should appoint an expert independent scientific panel to review the evidence for the theories outlined above⁴.
- 1.9 The resulting Crustacean Mortality Expert Panel (CMEP), which was established in December 2022 with experts from a number of academic and scientific organisations, was tasked with assessing the data to ascertain possible causes for the event. The following four causative factors were considered, along with the combination effects of multiple stressors:

- a. Disease pathology

² Stakeholder Briefing, Crab and lobster deaths along the North East coast - 26 November 2021

³ [Joint agency investigation into Teesside and Yorkshire Coast Crab and Lobster mortalities](#) (Defra) – May 2022

⁴ [EFRA – Sealife Mortality off the North East Coast](#) (EFRA Select Committee) - Nov 2022

- b. Harmful algal bloom
- c. Chemical toxicity
- d. Dredging

- 1.10 The panel was unable to identify a single, clear cause for the mortality event, although it was suggested that a novel pathogen was the most likely cause given the geographical spread and sustained time period, the unusual behaviours of affected crabs and the fact that mortality was apparent in only a few species⁵.
- 1.11 The possibility that toxins, and specifically pyridine, were involved in the event was ruled out by CMEP owing to the lack of sufficient toxic material identified in the samples assessed, the wide geographical spread and long duration of the event. This pyridine hypothesis was further challenged in a Royal Society of Chemistry article entitled '*Why there is no evidence that Pyridine killed the English crabs.*'⁶
- 1.12 The EFRA Committee responded to the report with a request that Cefas undertake further studies in regard to the novel pathogen theory and asked that Government agencies continue to monitor the area and remain on stand-by to respond swiftly in the event of a recurrence of the die-offs. It was also suggested that steps to support the rebuilding of the local potting and fishing communities would help Defra to repair relations.⁷
- 1.13 On 7 February 2023, the Secretary of State responded to the EFRA Committee to advise that no further analysis would be undertaken by Government, and no further financial support for fishing communities was planned.⁸
- 1.14 On 3 November 2023, Cefas published a non-peer reviewed paper⁹ detailing the development of a quantitative method for determination of pyridine in crustacean tissues, which was used to re-analyse stored samples taken at the time of the die-offs. The report concludes that it is 'unlikely that pyridine, as a single entity, was the cause of the crab and lobster mortalities during autumn 2021.'
- 1.15 On 5 August 2024, a report was published in Environmental Sciences: Advances, that challenged the hypothesis that pyridine was responsible for the mortality event. It further detailed how mistrust in government agency data, partisan politics and overconfidence in media research which had not been subject to peer review and appropriate scientific scrutiny, played a role¹⁰.

⁵ Ibid

⁶ A. T. Ford, M.Fitzsimons and C. Halsall, *Environ. Sci.: Adv.*, 2024, DOI: 10.1039/D4VA00006D.

⁷ [EFRA Correspondence - Report of the independent Crustacean Mortality Expert Panel](#)

⁸ [Defra Correspondence - Report of the independent Crustacean Mortality Expert Panel](#)

⁹ Cefas - Development, validation, and application of a fully quantitative method for the determination of pyridine in crustacean tissues (and application of the same method in sediments) 25.09.23

¹⁰ [Why there is no evidence that pyridine killed the English crabs - Environmental Science: Advances \(RSC Publishing\)](#)

Local Response

- 1.16 Due to the significant economic and environmental impact of the event, several Northeast Councils, being dissatisfied with the response of Government and the fact that the investigation was concluded before a cause was definitively identified, agreed motions calling for further action. The motions are outlined below.

1.17 Middlesbrough Borough Council – Council Motion, 6 July 2022

Toxic chemicals in the River Tees

In recent weeks, there has been a growing concern over the effects of toxic chemicals in the Tees Estuary, which have had a significant impact on crab and lobster numbers.

There has been some dispute between DEFRA and independent experts in respect of this.

In view of the uncertainty over the cause and the potential impact on the marine environment, we ask the council to agree to:

1. Write a letter to the TVCA within 28 days to request that they seek to clarify the existing and conflicting scientific research through the commissioning of a new independent report.
2. Write to the other Councils of the TVCA within 28 days to urge them to work together on addressing these environmental issues through, for example, sending a joint letter to the TVCA expressing our concerns and asking for next steps.
3. To recommend that the Economic Development, Environment and Infrastructure Scrutiny Panel gives consideration to adding this environmental issue to the scrutiny topics in the work programme.

1.18 Redcar and Cleveland Borough Council, Council Motion, 14 July 2022

MOVED by Councillor Carl Quartermain and duly seconded by Councillor Philip Thomson:-

“Redcar & Cleveland Council believes that much more needs to be done to investigate the reasons for the mass death of sea creatures found on our coast in the latter part of 2021 and more recently.

Redcar & Cleveland Council also believes much more support should be given to our local fishing industry which has been adversely affected by the consequent radical reduction in fishing stock.

Since October last year dead crustaceans have been found on our beaches along with, the possibly associated, deaths of seal pups and porpoises.

The report of the Government Joint agency investigation into Teesside and Yorkshire Coast Crab and Lobster mortalities was published in May 2022 and concluded that as healthy crabs and lobsters were now being found the investigation was closed.

Redcar & Cleveland Council believes:

- a) The decision to close the investigation was premature and demands that the Government re-open it as a matter of urgency to consider why the crustacean deaths continue.
- b) A pertinent local investigation also be instituted as a matter of urgency, making every reasonable effort to understand and address this devastating incident.
- c) That the Government proposal to support to the local fishing industry via the existing Seafood Fund is inadequate and calls on them to provide proper compensation for the lost income and livelihoods caused by this crisis."
- d) to provide proper compensation for the lost income and livelihoods caused by this crisis.
- e) That the possibility of creating a coastal hatchery to replenish crustacean stocks should be investigated."

1.19 Hartlepool Borough Council – Council Motion, 14 July 2022

Our fishing industry has been decimated since the Autumn of 2021 where thousands of deceased and dying crustaceans were washed up on the beaches in our region. Our fishermen and women have been unable to justify the costs of fuel to put to sea, and several of Hartlepool's fishing fleet have been advertised for sale.

It is unlikely that the area will recover from this environmental disaster in the short term.

We believe that the reports by Defra were flawed, given the independently commissioned report concluded so differently from the official reports.

The timing of this, with works beginning on piling around the Teesworks site, demolition works on site, and with dredging in and around the River Tees is really concerning and residents, fishermen and politicians and people from Whitby to Hartlepool, are worried and need reassurance as to what really happened, and action to resolve it.

Council therefore resolves to:

- Request the appropriate bodies (which should include EA, Cefas, NEIFCA, MMO, FSA and the UK Health Security Agency (UKHSA), Teesworks and the TVCA), attend an appropriate public meeting, with councillors and interested members of the public present, to explain the discrepancies, and explain what action or recommendations can, or have been taken to support the future of our fishing industry.
- Refer to Economic Growth and Regeneration Committee to explore how to regenerate this vital and traditional industry in our town.
- Write to the Minister of State for the Department for Environment Food and Rural Affairs, to seek an independent investigation into this environmental and economic disaster”

Signed: Councillors Harrison, Brash, Allen, Boddy, Clayton, Creevy, Feeney, Hall, Hargreaves, Howson, Morley and Prince.

1.20 Stockton Borough Council – Executive Scrutiny Committee, 15 November 2022

Scrutiny of Crustacean Deaths

Officers presented an update on the proposed joint working arrangement with Redcar & Cleveland Borough Council in relation to their motion concerning crustacean deaths off the Northeast Coast. Redcar & Cleveland’s Adults, Wellbeing and Heath Scrutiny and Improvement Committee had proposed an informal joint arrangement, whereby political and officer representatives from each Council would meet to provide an opportunity to share collective insight and evidence and pool resources in terms of taking the issue forward. The progress of the joint arrangement could then be fed back into each Councils own formal governance arrangements. It was proposed that the Chair of the Place Select Committee would be the most appropriate Member to represent Stockton-on-Tees Borough Council in any joint arrangement.

Members voted in favour of the recommendation outlined in the report.

AGREED that –

1. The report be noted
2. That the Chair of the Place Select Committee (with substitute permitted) be appointed to the informal joint scrutiny arrangement looking into crustacean deaths off the Northeast Coast.

1.21 North Yorkshire Council – Council Motion 17 May 2023

This Council notes with concern:

1. The unexplained die-offs and wash-ups of crabs, lobsters, prawns, clams, scallops, mussels and some species of fish along the North Yorkshire and Cleveland coast since October 2021 and the long time that it could take to rebuild marine life and crustacean stocks.
2. The significant reduction in the catches of edible crabs and other crustaceans, as reported by the Northeast fishing communities and the impact that this has had on local people and businesses and on the wider local economy.
3. The circulation of unsubstantiated claims about dredging to the detriment of the local community.
4. The latest Independent Expert Assessment of Unusual Crustacean Mortality in the North-east of England in 2021 and 2022, which was compiled by a panel of independent experts convened by Defra's Chief Scientific Adviser and dated 17 January 2023, being inconclusive as to the cause of the die-offs.

Therefore, this Council calls on the Secretary of State for Environment, Food and Rural Affairs to:

1. Support the local economy and the local community at this difficult time, help in securing financial compensations for the fishing industry as a result of the loss in earnings incurred, and assist in arranging the necessary investment needed to rebuild marine life and crustacean stocks in the affected areas.
2. Create and fund a dedicated task force of local and national stakeholders and experts to continually monitor and investigate the situation and its impact on the local economy and the local community, and to recommend and oversee the implementation of remedial action. Such a task force would include representatives from North Yorkshire Council and other local and combined authorities.
3. Reconvene the panel of independent experts immediately after new evidence emerges.
4. Use existing national tourism bodies to promote the North Yorkshire and Cleveland coast.
5. Convene a Public Inquiry with powers to compel testimony and the release of all forms of evidence in order to address public concern about this issue.

Furthermore, North Yorkshire Council will:

1. Work with and support other local and combined authorities in dealing with this unprecedented incident.
2. Support North Yorkshire Council Leader's request to attend and engage with the Dead Crustaceans Collaborative Working Group that is managed by Redcar and Cleveland Borough Council.
3. Continue to use existing regional tourism bodies to promote the North Yorkshire and Cleveland coast

Proposer – Cllr George Jabbour

- 1.22 On 22 July 2022, the Chair of the Adults & Communities Scrutiny & Improvement Committee at Redcar and Cleveland Borough Council invited Defra to attend a meeting to explain the situation. Defra declined to attend but provided a written response – see **Appendix 3**.
- 1.23 The Leader of the Redcar & Cleveland Borough Council wrote to the Secretary of State in September 2022 to express dissatisfaction with Government's response to the event, and a reply was received in October 2022 to advise that, although the initial investigation was closed, the scientific community was undertaking ongoing analysis of data. See **Appendix 4**.
- 1.24 In mid-October 2022, Redcar & Cleveland Borough Council was invited to submit evidence to the hearing of the EFRA Committee into the event. The Committee Chair (Scarborough and Whitby MP, Sir Robert Goodwill), advised that:
- “We need to establish what is causing these disturbing events. There have been conflicting theories about the reason for the deaths of the crabs and lobsters. The Government has attributed the cause to a marine ‘algal bloom’, while others have argued that the phenomenon is caused by pollution linked to dredging. The session will look at the different explanations for the cause of the deaths, what can be done to prevent a recurrence and its impact on local communities. They have implications for coastal communities in North Yorkshire and Teesside – not least, of course, those engaged in or dependent on the fishing industry. But there could also be wider environmental and economic implications with lessons to be learned.”
- 1.25 Evidence submitted by the Redcar and Cleveland Borough Council to the EFRA Select Committee hearing is attached at **Appendix 5**.
- 1.26 On 24 January 2023, the Chair of Hartlepool Borough Council wrote to the Secretary of State and the Chair of the EFRA Committee supporting the outcomes of the Select Committee investigation and requesting that the recommendations are supported. A response was received from the Minister for Food, Farming and Fisheries on 16 March 2023 outlining the Government's position. See **Appendices 6 & 7**.

Methodology

- 1.27 Redcar & Cleveland Borough Council contacted all Tees Valley Local Authorities to establish their desire to work together and their willingness to participate in a joint scrutiny arrangement. As a result, the Crustacean Deaths Collaborative Working Group was formed in November 2022, with representation from Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton Borough Councils. Representatives from North Yorkshire Council joined the Working Group in July 2023 in view of the impact the events have had along to the coast to Scarborough.

1.28 At an initial meeting in January 2023, Members undertook an initial scoping exercise to determine the following:

- The objectives of the review
- Key questions/evidence
- Identification of participants
- A timescale for the review
- Officer Support

1.29 A Terms of Reference for the review were agreed on the basis of this exercise and are attached at **Appendix 8**.

1.30 The following organisations / witnesses were invited to provide evidence to the Working Group over the course of the investigation:

- **Defra**
- **Environment Agency**
- **Marine Management Organisation** - provided a written response, see Section 5)
- **North-East Fishing Collective**
- **North Eastern Inshore Fisheries Conservation Association**
- **PD Ports**
- **Sir Robert Goodwill, Chair - EFRA Select Committee** (Declined to attend a meeting)
- **Dr Gary Caldwell, Newcastle University**
- **Dr Simon Gibbon, The University of Manchester**
- **Professor David Roberts, Durham University**
- **Tees Valley Mayor** (No response to invitation)
- **Health and Safety Director, Teesworks** (Declined to attend a meeting)
- **Sir Simon Clarke MP, Middlesbrough South and East Cleveland** (No response to invitation)
- **Jacob Young MP, Redcar** (Declined to attend a meeting)
- **Surfers Against Sewage** (attendance delayed beyond the timescale of the review)

Meeting Dates

1.31 Meetings of the Crustacean Deaths Working Group took place on the following dates:

6 January 2023 – to agree a Terms of Reference and take background information.

3 February 2023 – to consider the Joint agency investigation into Teesside and Yorkshire Coast Crab and Lobster mortalities and to take evidence from the North East Fishing Collective.

3 March 2023 – to take evidence from Dr Gary Caldwell.

31 March 2023 - to take evidence from NEIFCA representatives.

16 June 2023 – interim evidence review following local elections.

1 September 2023 – to take evidence from Dr Simon Gibbon and NEIFCA representatives.

13 October 2023 - to take evidence from PD Ports.

3 November 2023 – to take evidence from Dr G Caldwell and Professor D Roberts.

7 December 2023 - to take evidence from the North East Fishing Collective.

8 January 2024 – Visit to Whitby Lobster Hatchery

10 January 2024 – PD Ports River Tees Tour

12 January 2024 – to take evidence from Mr D McCreadie, Former Senior Lecturer in Marine Biology and Oceanography

January to June 2024 - Timescales for proceedings agreed to undertake a review after 6 months of the initial meeting date, in January 2024. This was extended to accommodate a break in the work due to local elections in May 2024, Tees Valley Mayoral elections and a General Election which took place in May and July 2024 respectively, with both events causing further delay to progress due to pre-election period restrictions on publicity. The Working Group initially agreed to publish findings and recommendations in March 2024, but agreed to continue the work for a further 6-month period to allow government agencies further opportunity to engage and in order that peer-review work on relevant reports is completed.

June to November 2024 -The Group agreed to complete its review in November 2024, following a number of meetings to receive evidence from community organisations and academic professionals.

Summary of main background documents

1.32 The following documents were made available to Members in order to inform the review:

- Joint Agency Investigation into Teesside and Yorkshire Coast Crab and Lobster Mortalities, Defra (05.22)
- Mass Mortality of marine species along N.E coast of England: Briefing Paper to Whitby Commercial Fishing Association (8 March 2022)
- EFRA Committee – Sealife Mortality off the North-East Coast (1.11.22)
- Defra Response to EFRA consideration of Sealife Mortality off the North-East Coast (15.11.22)
- Independent Expert Assessment of Unusual Crustacean Mortality in the North-East of England in 2021 and 2022 (17.01.23)
- North-eastern IFCA Tees and North Yorkshire Stock Monitoring Report (07.23)
- Dead crustaceans and marine life off the Northeast coast: cause, impact and support for our fisherfolk (produced by the office of Jill Mortimer, MP for Hartlepool).
- Development, validation and application of a fully quantitative method for the determination of pyridine in crustacean tissues (and application of the same methods in sediments), Cefas (25.09.23)
- Stakeholder Briefing: Crab and lobster deaths along the North East coast 26 November 2021

- Crab and lobster deaths along the North East coast – briefing document February 2022
- Crab and lobster deaths along the North East coast – briefing document March 2022
- Relevant Correspondence, including:
 - Sir Robert Goodwill Letter re EFRA findings (**Appendix 9**)
 - Secretary of State response to EFRA findings (**Appendix 10**)
 - Minister response regarding CMEP creation (**Appendix 11**)
 - Sir Robert Goodwill response regarding CMEP (**Appendix 12**)
 - Minister response regarding CMEP findings (**Appendix 13**)

North East Fishing Collective

Evidence heard at a meeting of the Working Group held on 3 February 2023.

The following information was relayed by Mr Stan Rennie and Mr Paul Widdowfield of the North East Fishing Collective, a co-operative of commercial fishing associations, angling societies and stakeholders from along the North-East coast.

- 2.1 Both representatives have had many years' experience of working in the commercial fishing industry, and long family histories of commercial fishing and employing local people to work in the industry.
- 2.2 During the final week of September 2021, the discovery of dead and 'twitching' crabs and lobsters was noted amongst the fishing community, alongside a massive reduction in catch, which continued into the first week of October. This was immediately followed by the wash-up of dead and dying, twitching crustaceans. Die-offs have been ongoing since this date.
- 2.3 The North East Fishing Collective was created in December 2021 in response to the sea life mortality event, with significant support received.
- 2.4 Both representatives advised that the event had impacted extremely negatively on the mental health and livelihoods of members of the fishing community, with it being described as 'a fight for survival for our ecosystem, community and tourism.'
- 2.5 In the opinion of the local fishing community, dredges are 'badly managed' with short falls in the process for awarding a dredging licence.
- 2.6 The fishing community had experienced a lack of response from the Environment Agency and £30,000 had been raised in order to commission an investigation into the event by an independent marine biologist. The report concluded that dredging had caused resuspension of polluted sediments into the marine environment, particularly pyridine, which was linked to the mass mortalities in the initial work undertaken by DEFRA and reported on by Tim Deere-Jones.
- 2.7 NEFC advised that, of recent sampling taken over a 3-mile radius, only 2 showed no evidence of pyridine. The Working Group was unable to validate this information.
- 2.8 Discussing the distances impacted by the event, Mr Rennie advised that die-offs had been experienced along the North-east coast from Seaham to Whitby and advised that he would not put anything caught in the die-off zone into the food chain.

- 2.9 Lobster catch was reported to be down by roughly 80%, even outside of the die-off zone, but the fishing community do not believe that the current marine environment is safe to re-stock.
- 2.10 The North-East Fishing Collective are keen to see comprehensive, deep sampling and testing of the Tees bed.

Evidence heard at a meeting of the Working Group held on 7 November 2023.

Stan Rennie and Paul Widdowfield provided an update on the work of the North East Fishing Collective (NEFC).

- 2.11 The River Tees was at the forefront of the Industrial Revolution, and is highly polluted with a vast chemical industry around its banks. It has left a legacy of pollution and byproducts from industry, including pyridine, coal tar products, weedkiller, herbicides and pesticides to name a few.
- 2.12 Discussions with previous employees suggest that most byproducts were disposed of in the river. Potentially 5,000 tonnes of untreated chemical waste a day were dumped in the river over 3 decades between the 1950's and 1970's ¹¹, with many industries running a pipeline outlet to the river for disposal of byproducts. This is in addition to sewage release over the centuries.
- 2.13 Much of the toxic sediment that has built up is trapped in and under the sediments that make up the river bottom and banks. The NEFC believe that 'locked in' materials/pollutants were dredged from the riverbed and banks and released into the river, air, SSI wetlands and dumped at sea. This material should not have been dredged in such volume and disposed of at sea, as has been the case over the previous few years.
- 2.14 The NEFC have never suggested that the die off was caused by only one chemical, but by a toxic cocktail in the sediment. It is envisaged that the final core results will evidence this in upcoming research results. Scientific investigations have shown that pyridine alone, found in high levels of the tissue of dead shellfish by government agencies, is deadly in very minute amounts to shellfish (via the receptors in their legs). There are potentially many more deadly substances in the sediment.
- 2.15 Furthermore, the recently established testing procedure for pyridine shows that the amounts present in old tissue is still potentially high enough to cause the die offs.

¹¹ <https://www.thenorthernecho.co.uk/news/7103228.poisonous-river-literally-rose-dead/>

North East Inshore Fisheries Conservation Authority (NEIFCA) Stock /Landings Report, September 2022

- 2.16 The latest report was more welcomed by the NEFC, as it did not contain super crabber landings into Hartlepool, which were caught from outside the die-off zone and bolstered landings data, giving a false impression that overall, catches weren't as badly reduced as they were for the local fleet.
- 2.17 NEIFCA have admitted that there is insufficient data available to give a true picture of the stock available in or around the die-off zone, either before, or after the mass mortality event. Further to this there is no comparative information to give a geographical break in terms of the 3/6 mile demarcation areas.
- 2.18 As a Conservation Agency, NEIFCA should have led from the front to investigate cause of the die-offs, but were at the rear, led by inadequate government agency investigations. None of the agencies involved in the investigations appear to have either the will or funding to find the true cause of the die-off episodes, and fishers were told to find their own evidence. The Northeast Fishers, public and marine environment deserve better from the government.
- 2.19 NEIFCA have advised that plans were now in place for a fast response in the event of future wash-ups of dead sea life. The experience of NEFC and members of the public suggests that Cefas does not respond in a timely manner, as promised. There are instances where the public have cleared dead and dying sea life from the beaches, before Cefas have arrived. Members of the public have been asked for samples of the sea life by Cefas officers.

PD Ports Evidence

- 2.20 In their presentation to the Working Group, PD Ports advised that the legislative protocol on testing periods cannot be altered, and to do so would be frowned upon by the dredge licence provider and British Ports. It was, however, mentioned that the statutory 3-yearly sample test date was brought forward by a year to 2022, immediately following the Orca dredge. NEFC have asked that the following be noted:
- Was the 3-yearly sampling regime brought forward to 2022 in order to ensure that toxic material had not had time to make its way up the river following the Orca dredge?
 - Was the 3-yearly sampling regime brought forward to a date prior to the Freeport dredge, in knowledge that the dredge might contaminate the area with toxic sediment?
 - Was the Freeport dredge area known to be part of the recognised and mapped industrial 'fall-out' areas. Was it part of the dock reportedly containing toxic sediment and filled in?

- Why was there no mention of the Landslip into the Channel, as stated at the EFRA Committee?
- PD Ports advised that dredged material contains mostly sand washed in with the tides. Evidence collected by NEFC shows new surface contamination, including black stinking sediment.

2.21 NEFC expressed deep concerns that samples taken for testing prior to capital dredges are not taken by an independent company, and that sampling and testing generally is not being done according to protocol. Samples for the recent Freeport capital dredge, according to eyewitnesses, were taken by the company contracted to perform the construction work and only taken at distances of 100m. The samples taken were 'surface scrapings' and not taken to the depth of the intended dredge.

2.22 In the opinion of the North East Fishing Collective, the sampling regime is insufficient in terms of frequency and should be undertaken with every dredge rather than triennially.

Fishing Community - Catch Updates (written evidence provided by NEFC on 07.12.23)

After the Migratory summer fishery, we're back to the low local stocks. We still are seeing die off's- Paul and I recorded very small green crabs- summer stock, no doubt seeded from the Farnes, dying in Victoria Dock about 3 weeks ago, reported it to NEIFCA and EA, with footage- all on their backs- twitching, dying or dead.

Just like the footage we have at 1 year earlier of lobsters in the Dock dying the same way. We get sparks of life- they seem to wash up dead and dying before they grow very big.

There has been no evidence of v-notched lobsters and no berried hens, which suggests that the residential stock has gone.

S Rennie & P Widdowfield

1. There has been a poor start to the winter prawn fishery, catches through October were low, but there was some Squid and Fish to make up for some of it but the grounds were still saturated with juvenile Haddocks.

Storm Babet and other recent bad weather seems to have put paid to the Haddocks and now the prawns are out with some good catches across the fleet just the usual battle against bad weather to get days in. One thing is still prevalent there is nothing inside of 6nm, this could be down to the amount of rain coming down the river as the sea looks brackish out to about 5nm and there's been plenty of trees and crap out there.

A fisher has had a couple of goes in the Mudhole for nothing which given how long it's been left alone/little fished is not a good sign. The sample of Prawns we are catching out over are very good in size with very little small amongst it although the other boats might be seeing different to me as I fish a 100mm net not a 70/80mm net.

It may be the case that the larger prawns we fish for in the inshore grounds have relocated out over like we saw after the first die off, either way you'll not see anyone fishing inside the Dumps/back of the Slag and the Mudhole is still just a waste of time. A lot more fuel, higher costs, risks fishing away from what was out traditional grounds

2. In the Die Off zone, we're having to haul and fish a lot more gear than we have ever worked, with the catch return about 70% overall where they should be. Starting to see a few signs of very small brown crabs probably from outside the area, so hopefully in a couple of years, things might start to get back to somewhere that they should be, as long as there isn't any more poison let out of the river.

3. 160 Pots/4 fleets/40 a fleet in Longscar for a 2 day soak, 5 lobsters. No crabs just starfish. Waste of time. Further Off, 1 or 2 crab a fleet and the same in lobsters again a waste of time. Having to work a lot of gear to get a lot less than the minimum wage.

Hartlepool Fishers

1. I fished May to present with 120 pots. Brown crabs were non-existent inside 2 mile and just a few outside 2 mile. No velvets anywhere. Lobster catch was okay surprisingly.

Close in, some pots were completely smothered in brittlestars (I have videos/pics to prove it), starfish completely covered the scar tops, replacing the kelp which is also non existent. Some signs of very small velvets and brown crab (20-30mm) Sep-Oct.

These findings can be taken as from R&TFA as a whole (15 vessels working this year).

2. I fish from Redcar were life is returning?, there are large numbers of small Velvet crabs and a smaller amount of small edible crabs there are large amounts of shrimp on the pots. still not many sellable edible crabs but lots of juvenile Lobsters and a decent amount of sized lobsters. there is still a lot of starfish and sea urchins on the ground.

Redcar Fishers

1. James Cole, chair Whitby commercial fishing assc , vice chair anglo-scottish fpo . This year has seen a drop in crab landings by 50 percent on last years figures that's at port level and fpo recorded level , lobster catches in the

Whitby to Hartlepool area are down 25 percent on last year . Velvet populations inshore are very slow to recover after the mass die-off, brown crab on the inshore grounds from Whitby to Hartlepool have been poor with the only showing of crab 6miles out from Whitby, an abundance of starfish and small whelks on the grounds (which are scavengers),we have lost 6 members of our assc this year that have been forced to sell up a trend that our industry cannot afford . Yours sincerely James

2. Regarding the current state of crab and lobster stocks after the dredging incidents and the long lasting die off zones.

The last 3 months I have started to see a new growth of small velvet crab the size of a 10p piece at the most Southern end of the gear Robin Hoods Bay, but as you get further north than that there are less and less of them, lots of little whelks.

4 mile off that South end more bigger velvets. There is definitely a wave of poison that killed everything in its path. It will recover but how long it would take to get back to normal- God only knows.

Whitby Fishers

In Summary

- 2.23 Fishers believe that their vast knowledge and experience of the marine environment was ignored by government agencies, who lacked serious commitment to a proper investigation and have little knowledge of the local environment. The EFRA Committee findings and Government Panel Investigation reports were meaningless, with a lack of consultation with the fishing community and disregard for all available evidence.
- 2.24 The NEFC believe that they, along with the independently commissioned scientists, have been a target of unprofessional attacks and attempts to discredit them. Photographic evidence provided by the NEFC was also used errantly to prove the algal bloom theory.
- 2.25 A legal challenge to the government in relation to the algae theory was taken off course a matter of days before the deadline to reply to the NEFC Legal Team by the expert investigation panel, which agreed that a novel pathogen was potentially the cause.
- 2.26 NEFC believe that, if a novel pathogen had been considered a serious possibility, the government and agencies would have been forced to close the Northeast Sea Lanes, Ports and Shipping.
- 2.27 The industry maintains that compensation has never been an issue, merely a desire to see the health of the marine ecosystem return. Lots of boats have been lost to the local ports due to the die-offs, and owners, skippers and crew have lost investments, lifeplans, jobs, their futures and their way to provide for their families.
- 2.28 NEFC believes that the government should recognise the struggles of the fishing communities and look at compensation across the board, with

equal payments irrespective of turnover. Crew compensation and boat decommissioning should be offered to NEFC Members who have and are still being affected, which include the small number of NEFC members prawning close to the Die Off Zone, and the full potting fleet who have no choice but to fish in the die-off zone. This would allow fishers who are struggling, to get out without finding a buyer, or losing investments.

- 2.29 The NEFC Group, along with the fishing industry, public, coastal communities, beach users, tourists, environmental protection campaigners and Councillors will continue to campaign to force changes to dredging licencing, dumping of toxic material at sea, testing and testing frequencies, and environmental legislation and to hold government agencies to account in the future.

Additional Evidence - 4b Query

- 2.30 On 8 September 2024, Mr Rennie contacted the Working Group to advise that the following request for information had been received from the MMO:

Reported Change in Stock

We would like your knowledge and expertise to try to understand the reported change in nephrops stocks in 4b.

- *Are you noticing any change or decline in nephrops stocks in 4b?*
- *What factors do you think are contributing to the change in nephrops stocks in 4b?*
- *What can the MMO do to assist you (in regard to a change in nephrops stock)?*

If you can be as specific as possible and send through any photos or videos, this would be really useful!

(Sent to regional fisheries groups by MMO, via email, on 04.09.24)

- 2.31 Mr Rennie provided the following response in a personal capacity:

Just My view, if it counts for anything:-

The decline in nephrops populations and catches in the local Hartlepool traditional waters in 4b,

Is 100% locally, caused dredging toxic sediment removed from the Tees, from the September 25th, 2021 die off episode, onwards, starting die offs of shellfish within 2 hours of the ORCA dredge beginning.

Joining the other shellfish and lots of marine life forms ecocide, from this dumping at sea onwards.

The local grounds are decimated.

If you view the historical towing tracks of shields boats as well as Hartlepool trawlers, they used to come southwards, fishing from the Tyne, meeting Hartlepool boats fishing local grounds and northwards.

Since the die off date, they only appear to fish north, and the Hartlepool boats mainly have to go north out of the die off zone, or further offshore. The dumps and local grounds lost.

Since 25/9/21 Orca dredge being dumped at sea, on the 3 mile dumps, then ignoring the concerns of the industry NEFC members of the Freeport dredge being dumped on the 6 mile dumps

The Hartlepool shellfish fleet, over half gone to the wall and sold up, and the prawn fleet similar, with another 3 boats up for sale now.

Some Fishers increasing effort to try and survive, while watching colleagues lose their fight, and sell up.

The local grounds also now holding very little fish, no feed to hold any there.

The dumping of Toxic Tees sediment appeared to cause the change in the make up of the marine ecosystem, with scavengers taking over, and normal marine creature make up lost.

The affect on reproduction of the few local surviving shellfish, with melted eggs, unseen before the die off dredge sediment was dumped at sea 24/7, and lack of buried shellfish, with no recovery in numbers to this date.

Even the Hartlepool charter boats have had to sell up, with @only 3 remaining, the fishing the worst in living memory.

It doesn't take an expert to identify the relationship between the biggest uk explosions since ww2, taking part in the Tees, the Freeport piling, the dismantling of the steelworks, orca working 24/7 near Dabholme beck outfall and the steelworks settling ponds outlet, and toxic dredging sediment being dumped at sea, to the detriment of the marine environment and the cause of die off, lost grounds and stock and industry decimation.

Die off in over 40/50 miles of coastline and @12 miles offshore from the Teesmouth and the local toxic dumping grounds tidal spread.

The MMO can only help by committing to protecting the environment with better investigations, dredge licence legislation, thorough regular sediment testing and dumping at sea is supposed to be a LAST resort, when they grant licences, it's always the 1st resort.

MMO now have the audacity to ask for industry knowledge and expertise, why they think the stock has declined, yet ignored Industry pleas that dumping River Tees toxic dredge sediment at sea, was killing the marine environment, and decimating the industry, and the orca dredge in September 21 was the catalyst, following the huge explosions and work, leaching toxins into the river.

No real MMO commitment has been made, to prove the die off of stocks, and only changing theories have been put forward by the then government and its agencies, of the die off cause, and theories don't protect the marine stocks!

The MMO hiding behind the theories, and accepting inadequate dredge licence applications without questioning out of date stock assessments and lack of evidence etc that they contain, etc

On the die off episode, that has affected hundreds of square miles of ground, The MMO would not take industry concerns on dumping toxic Tees sediment at sea serious, would not believe the Northeast Fishing Collective industry members knowledge or expertise of working in the waters that are now decimated grounds, so I wonder, is this just another MMO tick exercise, where we will be ignored, before the MMO pass more toxic dredging sediment from the Tees licence applications for removal of toxic Tees sediment, and use the easy option of dumping it at sea, cheapness over environmental protection and Industry survival?

MMO can assist, in the NEFC scientific investigations, that are currently being carried out by commissioned and voluntary scientists and members, into the toxicity of the Tees sediment that is being dumped at sea, nonstop, and its affect on the marine environment and industry, work with them, rather than hide behind unproven ridiculous die off theories, help us to stop the easy option of dumping toxic sediment at sea, and find the way to clean up the marine environment to allow nethrop and all other stocks recovery!

Yours Concerned,

Stan

North East Inshore Fisheries and Conservation Authority (NEIFCA)

Evidence heard at a meeting of the Working Group held on 31 March 2023.

Mr David McCandless and Dr Ralf Bublitx of the North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) attended a meeting of the Working Group to provide an oral presentation.

- 3.1 IFCAs were established in England in 2011 and have responsibility for sustainable management of inshore fisheries and the marine environment (0- 6 nautical miles). The NEIFCA, which runs from Northeast Lincolnshire to Tyneside, has taken a supportive role over the previous 2 years, often liaising between the statutory authorities (MMO, EA, Cefas) and the fishing communities.
- 3.2 Funding for the organisation is provided by Defra and the coastal authorities.
- 3.3 It is the responsibility of the ICFA to assess landing data, although this has been problematic, as there are data gaps and misreporting both locally and nationally. The lack of consistent data has made it hard to assess the full, long-term, impact of the die-offs. Further to this, the methodology for data collection changed during 2019 and was not restored until 2022, which hindered data analysis.
- 3.4 A detailed log of wash-up events has been maintained, and a well galvanised system has been created to continue this. NEIFCA have also coordinated and chaired research group meetings, met with stakeholders weekly and provided daily feedback to Defra. The event has been a catalyst for better communication between various stakeholders.
- 3.5 A recent sample collection (via Nephrops trawler) pointed to a low supply. Of samples collected, the flesh is being analysed and more data is required for a fuller picture.
- 3.6 The 2022 Stock Monitoring Report showed no changes in the population structure, and no twitching or lethargic behaviour in the catch. There were, however, no collections in the peak season as potting trips had to stop from July – December 2022, owing to vessel engine failure. Overall, the findings at the time showed that catch rates were down for Redcar, Hartlepool and Staithes.
- 3.7 The aims of the second report were to assess only vessels under 10m, to improve the quality of the data, although the following problems were encountered when attempting data analysis:

- Lack of spatial resolution means that it is hard to pinpoint exactly where fishing took place.
- Effort data was not considered reliable enough and was therefore not used.
- Data collected at Scarborough did not differentiate between crab and lobster weights.

3.8 Dr Bublitz advised that it is difficult to do an accurate assessment with the current data, and better spatial resolution and effort data is needed. Using MMO iFish2 data set, and looking at trends, there has been a steep decline in lobster and crab landings since 2021. At a local level the following was noted:

- Staithes – lobster numbers on a downward trend since 2018. Crab landing data was inflated by the inclusion of catch from Redcar.
- Whitby – lobster numbers were on the increase, but crab numbers were slightly down, although there were no significant changes.
- Scarborough – crab and lobster landings both down, although there had been problems with landing declarations.

3.9 In summary, the Group were advised that, overall, edible crab landings are down, and significantly so in Redcar. Numbers have declined generally around the UK, although the reasons for this are unclear. Lobster landings are also in decline.

3.10 NEIFCA representatives reiterated the challenges of accessing data and advised that national fishery statistics are generally poor. The following work will continue locally and nationally:

- A wash up log will continue, as recordings of this type have never been maintained. A national fisheries intelligence database is now used to maintain internal logs. Previously, wash ups (which had occurred with climatic events along the coast of East Yorkshire) had not been recorded. Detailed logs should allow the frequency to be monitored. Where an incident occurs, a scientific team will respond immediately to collect samples.
- Development of better relationships amongst stakeholders is a priority.
- The lack of monitoring of marine health around the UK needs addressing. Dr Bublitz informed the Group that shellfish has never been considered in terms of health, only ever in terms of numbers. This event has focussed minds of the fishing communities on the health and condition of different species.
- Habitat monitoring, potting and video surveys will begin, with the aim of identifying changes to the habitat.
- A local online catch system will go live, as the national system does not provide sufficiently robust data.

Evidence heard at a meeting of the Working Group held on 1 September 2023

Mr David McCandless and Dr Ralf Bublitx of the North Eastern Inshore Fisheries and Conservation Authority attended a meeting of the Working Group to provide a presentation relating to the updated Shellfish Landings Report. The aim of this second report¹² was to present an impartial assessment of landings data for the full year of 2022 and to describe any trends and changes in landings for each port in comparison to previous years.

- 3.11 Assessment of landing data had continued since publication of the initial report in September 2022, using the MMO iFish2 data set (a collation of landings data from vessels of various lengths).
- 3.12 Various approaches for analysing catch and effort data to better understand fishing activity and behaviour within inshore waters had been explored. However, due to data deficiencies, it was not possible to use a list of sentinel vessels for each port to narrow down the vessels fishing inshore only. Instead, the approach taken used <10m vessels as a proxy for vessels fishing inshore.
- 3.13 Across all assessed ports (Bridlington, Scarborough, Whitby, Staithes, Redcar and Hartlepool) there have been clear reductions in landings by <10m vessels for edible crabs in 2022 with declines considerably higher for ports North of Bridlington. Lobster landings have been at their highest for 2022 in Bridlington and Whitby for <10m vessels. For Scarborough lobster landings are broadly in line with 2021 landings. However, landings for lobsters by <10m vessels into Staithes, Redcar and Hartlepool in 2022 are considerably reduced compared to previous years. See **figures 2 and 3**.

Figure 2 – Landing trends (edible crabs)

Table 1: Differences in edible crab landings for under 10m vessel in 2022 for various ports within the NEIFCA district, all ports in the NIFCA and EIFCA district and total UK landings for under 10m vessels compared to 2021 and the average landings between 2016 and 2019. Data for NEIFCA ports derived from iFish2 and includes landings from all ICES rectangles. Data for NIFCA, EIFCA and UK nationally were sourced from the MMO's UK and foreign vessels landings by UK port dataset derived from the iFish database (MMO, 2023).

Port/Region	Landings average 2016 - 2019 (tonnes)	Landings 2021 (tonnes)	Landings 2022 (tonnes)	2022 compared to average 2016 - 2019	2022 compared to 2021
Hartlepool u10	14.64	14.47	8.03	-45.11% ▼	-44.49% ▼
Redcar u10	8.74	5.01	0.30	-96.62% ▼	-94.10% ▼
Staithes u10	14.11	14.23	11.74	-16.78% ▼	-17.49% ▼
Whitby u10	197.39	169.22	104.86	-46.88% ▼	-38.03% ▼
Scarborough u10	345.90	197.13	182.70	-47.18% ▼	-7.32% ▼
Bridlington all*	2342.41	2114.27	1946.43	-16.90% ▼	-7.94% ▼
Bridlington u10	197.02	210.39	179.44	-8.92% ▼	-14.71% ▼
NEIFCA District u10	1329.82	1079.25	651.26	-51.03% ▼	-39.66% ▼
NIFCA District u10	996.38	791.47	744.75	-25.25% ▼	-5.90% ▼
EIFCA District u10	751.90	687.02	384.10	-48.92% ▼	-44.09% ▼
UK u10	9769.90	6339.28	5297.66	-45.78% ▼	-16.43% ▼

* under and over 10m vessels

¹² North Eastern Inshore Fisheries and Conservation Authority, Tees and North Yorkshire Shellfish Landings Report, July 2023. Dr R Bublitx, Samira Anand MSc.

Figure 3 – Landing trends (lobsters)

Table 2: Differences in lobster landings for under 10m vessel in 2022 for various ports within the NEIFCA district, all ports in the NIFCA and EIFCA district and total UK landings for under 10m vessels compared to 2021 and the average landings between 2016 and 2019. Data for NEIFCA ports derived from iFish2 and includes landings from all ICES rectangles. Data for NIFCA, EIFCA and UK nationally were sourced from the MMO's UK and foreign vessels landings by UK port dataset derived from the iFish database (MMO, 2023).

Port/Region	Landings average 2016 - 2019 (tonnes)	Landings 2021 (tonnes)	Landings 2022 (tonnes)	2022 compared to average 2016 - 2019	2022 compared to 2021
Hartlepool u10	17.71	16.48	12.77	-27.92% ▼	-22.55% ▼
Redcar u10	27.09	20.12	8.41	-68.95% ▼	-58.21% ▼
Staithes u10	12.79	8.57	4.65	-63.60% ▼	-45.68% ▼
Whitby u10	58.51	75.35	79.96	36.67% ▲	6.12% ▲
Scarborough u10	116.89	98.00	98.89	-15.40% ▼	0.90% ▲
Bridlington all*	368.51	441.54	479.53	44.78% ▲	3.80% ▲
Bridlington u10	94.06	131.19	136.18	30.13% ▲	8.60% ▲
NEIFCA District u10	486.37	523.73	514.66	5.82% ▲	-1.73% ▼
NIFCA District u10	362.54	298.92	304.56	-42.81% ▼	5.53% ▲
EIFCA District u10	74.98	56.39	51.72	-31.03% ▼	-8.28% ▼
UK u10	2167.94	2019.53	1966.76	-9.28% ▼	-2.61% ▼

* under and over 10m vessels

3.14 There is a low degree of confidence in the effort data provided by the MMO as verification of pots hauled is very limited with high levels of misreporting. Therefore, only numbers of recorded landing events and vessels actively landing for each port were used for comparison of trends in fishing activity to previous years. For Staithes, Redcar and Hartlepool recorded landing events in 2022 are down by up to 74%. The number of under 10m vessels landing shellfish in the regional ports has been reduced in 2022 compared to previous years except for Bridlington with more under 10m vessels fishing in 2022. See **figures 4 and 5**.

3.15 In June 2022 the NEIFCA has re-established their own in-house catch return system to collate landings and effort data at a higher spatial resolution and higher level of confidence. However, the uptake of the additional landings reporting within the industry has been slow and submissions of catch returns were low at the beginning.

Figure 4 – Differences in recorded landing events for under 10m vessels

Table 3: Differences in recorded landing events (Crab and lobster) for under 10m vessel in 2022 for regional ports within the NEIFCA district and UK, compared to 2021 and the average between 2016 and 2019. Data derived from iFish2 and includes landings from all ICES rectangles.

Port/Region	Average recorded landing events 2016- 2019	Recorded landing events 2021	Recorded landing events 2022	2022 compared to average 2016 - 2019	2022 compared to 2021
Hartlepool	509.75	435	316	-38.01% ▼	-27.36% ▼
Redcar	741	498	188	-74.63% ▼	-62.25% ▼
Staithes	470.25	432	279	-40.67% ▼	-35.42% ▼
Whitby	2534.5	2417	2608	2.90% ▲	7.90% ▲
Scarborough	5202	4071	3292	-36.72% ▼	-19.14% ▼
Bridlington	1349.75	1338	1229	-8.95% ▼	-8.15% ▼
Uk under 10m	57661	50110	45092	-21.80% ▼	-10.01% ▼

Figure 5 - Differences in number of under 10m vessels reporting landings of shellfish

Table 4: Differences in number of under 10m vessels (crab and lobster) reporting landings of shellfish in 2022 to regional ports within the NEIFCA district and UK, compared to 2021 and the average between 2016 and 2019. Data derived from iFish2 and includes landings from all ICES rectangles.

Port/Region	Average number of vessels landing 2016 - 2019	Number of vessels landing in 2021	Number of vessels landing in 2022	2022 compared to average 2016 - 2019	2022 compared to 2021
Hartlepool	14.5	13	10	-31.03% ▼	-23.08% ▼
Redcar	25.5	33	21	-17.65% ▼	-36.36% ▼
Staithes	7.5	12	6	-20.00% ▼	-50.00% ▼
Whitby	26	27	25	-3.85% ▼	-7.41% ▼
Scarborough	34	27	25	-26.47% ▼	-7.41% ▼
Bridlington	24.25	24	26	7.22% ▲	8.33% ▲
UK under 10m	2007.25	1879	1795	-10.57% ▼	-4.47% ▼

- 3.16 At this stage it is not possible to evaluate the state of the stock due to the lack of reliable effort data. Assessing landings does not give any reliable information about stock status, however they can be used to identify general trends.
- 3.17 The comparison of national and regional trends in shellfish landings highlights the localised disproportionate decline of shellfish landings in the affected area. These instances where trends by port fall outside of trends at a national level suggests that the shellfish stocks within this geographical area are subjected to additional localised impacts.
- 3.18 The reduction in vessel landing events and number of vessels actively landing in this area in 2022 indicates a possible reduction in catch rates in affected areas (Hartlepool, Redcar and Staithes). Further assessments would be required to determine the level of impacts on the stocks (of the mortality event) in the affected area.
- 3.19 There are many other potential contributing factors (climate change, sea temperature, changes in weather patterns) which need to be considered and could have either contributed to the overall decline or weakened the crab and lobster population enough for such an event to cause a mortality at this scale.
- 3.20 Further factors that have the potential to impact or weaken crab stocks are diseases such as the Amoebic Crab Disease (ACD) recently discovered in the English Channel, or potentially new and undiscovered pathogens. However, to date the ACD has not been confirmed in any edible crab populations North of the English Channel or any other new pathogens.
- 3.21 The decline in inshore edible crab stocks especially North of Bridlington coincides with a significant increase of “vivier” vessels in Hartlepool over the past 4-5 years landing catches from further offshore grounds. Edible crabs migrate between inshore and offshore grounds and therefore an increased fishing pressure on offshore stocks by these “vivier” vessels has the potential to reduce inshore stocks. Any mass mortality event such as

the one in 2021 would have the potential to reduce the already affected local stocks even further.

Organisational Structures

- 3.22 To demonstrate the complexity of the governance 'landscape associated with fisheries management, information attached at **Appendix 14** was provided for consideration by the Working Group.

FINDINGS

- Data collection has been poor, and although this is recognised by NEIFCA, and changes have been made, it has the potential to cause significant additional work for the fishers who have been impacted by this.
- Data recording appears to be separate for DEFRA and IFCA's and should be brought together with appropriate data sharing agreements
- The governance landscape associated with fisheries management is excessively complex, which impacts on issues relating to transparency and accountability (see **Appendix 14**)

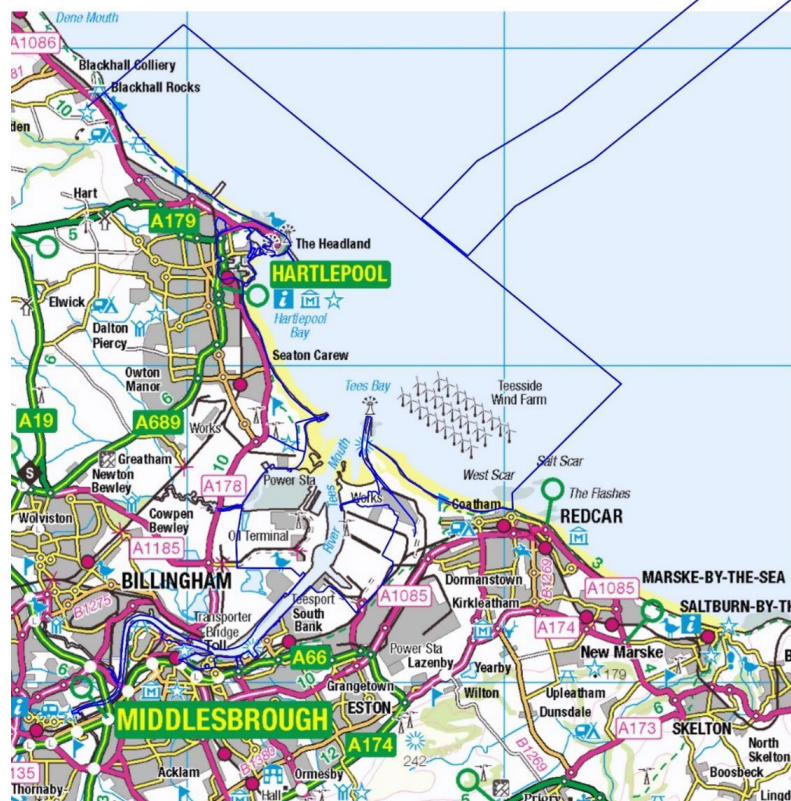
Mr Jerry Hopkinson, Executive Chairman and Mr Paul Brooks, Harbour Master, PD Ports

Evidence heard at a meeting of the Working Group on 13 October 2023

Mr Hopkinson and Mr Brooks provided an oral presentation on the dredging process and the role of PD Ports.

- 4.1 Statutory Harbour Authorities (SHAs) have oversight of marine operations in waters within their jurisdiction and have an obligation to conserve and facilitate the safe use of a harbour. Powers and duties are conferred or imposed on an SHA by statute. Under a combination of general public legislation and local acts of parliament, each port has its own set of legislation tailored to its specific needs.
- 4.2 With regards to the River Tees, the Tees and Hartlepool Port Authority Act 1966 (the “1966 Act”) established the Tees and Hartlepool Port Authority (“THPA”) as the SHA for the Ports of Tees and Hartlepool, and the subsequent privatisation of the undertaking of the THPA resulted in the powers and duties conferred or imposed by the 1966 Act being transferred to Tees and Hartlepool Port Authority Limited, which changed its name to PD Teesport Limited in 2003. The Statutory Harbour Authority Jurisdiction is outlined at **Figure 6**.

Figure 6



- 4.3 Around 1500 people are employed by the PD Ports, which contributes 15% of GVA in the Tees Valley and is the largest private sector employer. PD Ports are not the only port operator on the River Tees but is the only Statutory Harbour Authority.
- 4.4 Part III (Duties and Powers of Authority) of the Tees & Hartlepool Port Authority Act 1966 confers the duty of 'conservancy, maintenance and improvement of the harbour', on the SHA, which includes the power to dredge and to grant licences for dredging ¹³. The Harbour Master retains separate legal duties in relation to matters of marine conservancy.
- 4.5 PD Teesport operate 2 survey vessels equipped with modern state of the art multibeam survey equipment. The channels and berths are regularly surveyed to ensure the safety of navigation and to monitor the requirement for maintenance dredging.
- 4.6 Dredging typically falls into two categories, as follows:
- **Capital Dredging** – dredging to a depth not previously dredged, or to a depth not dredged within the last 10 years. Capital dredging is generally undertaken to create or deepen navigational channels, berths or to remove material deemed unsuitable for the foundation of a construction project.
 - **Maintenance Dredging** – is undertaken to keep channels, berths and other areas at their designated depths. It involves removing recently accumulated sediments such as mud, sand and gravel. To be classed as maintenance dredging the activity must take place where:
 - The level of the seabed to be achieved by the dredging proposed is not lower than it has been at any time during the past 10 years;
 - and
 - There is evidence that dredging has previously been undertaken to that level (or lower) during that period.
- 4.7 The method of dredging has not changed in decades, and PD Ports can dredge with its own vessels or contract in as required. Most ports carry out dredging, and contract dredging campaigns are common.
- 4.8 A licence issued by the MMO is required to dispose of dredged material at sea, and a 10-year licence was issued to PD Ports in 2015. Only naturally accreting material is deposited at sea and sampling is undertaken to a plan approved by the MMO. PD Ports are guided by internationally agreed levels of contaminant before disposal and adhere to the Maintenance Dredge Disposal Licence, which includes the following conditions:
- The licence holder must report any oil, fuel or chemical spill within the marine environment to the MMO Marine Pollution Response Team

¹³ Tees and Hartlepool Port Authority Act 1966, Part 3 Section 16 and 23
[ukla_19660025_en.pdf \(legislation.gov.uk\)](#)

within 12 hours to ensure that any spills are appropriately recorded and managed to minimise impact to sensitive receptors and the marine environment.

- Any man-made material must be separated from the dredged material and disposed of to land to exclude the disposal at sea of man-made material such as shopping trolleys, masonry, paint cans etc.
- A regime of future sediment sampling is undertaken by PD Teesport, of at least three yearly intervals, which must be agreed in advance with the MMO. Samples must be collected, analysed and the report of their notification signed off prior to dredging in the fourth and subsequently the seventh and tenth year of this licence. This is to ensure that only suitable material is disposed of at sea.
- During the course of disposal, material must be distributed evenly over the disposal site Tees Bay 1, TY160 to ensure an even spread of material is achieved over the area of the disposal site in order to avoid shoaling and minimise risk to navigational safety.
- No more than 2,889,700 tonnes wet weight is disposed of at Tees Bay A (TY160) per annum to ensure that acceptable volumes of material can be accommodated within the capacity of the disposal site.
- The licence holder must inform the MMO of the location and quantities of material disposed of each month under this Licence by 31 January each year for the months August to January inclusive, and by 31 July each year for the months February to July inclusive to ensure that accurate data is collected for the reporting of disposal at sea to meet UK OSPAR requirements.

4.9 Cefas routinely monitor the condition and impact of spoil grounds, potentially on a yearly basis.

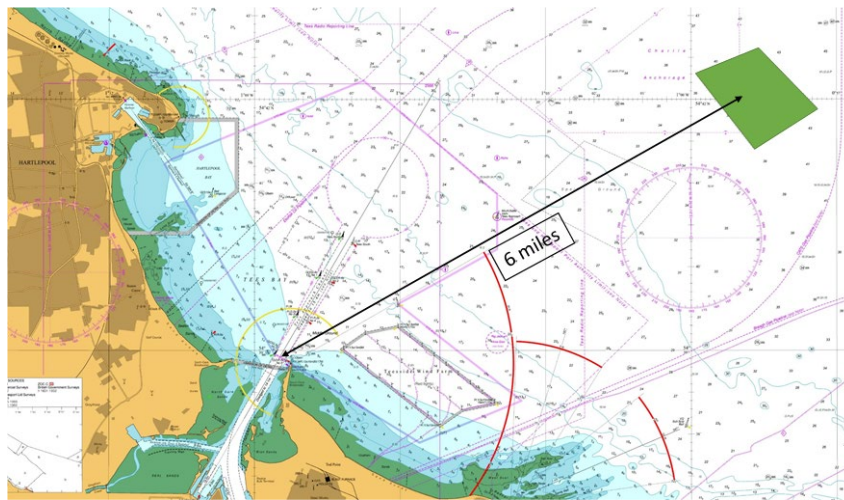
4.10 PD Teesport has carried out maintenance dredging of the River Tees over many decades, using similar methods, to conserve and facilitate the safe use of the harbour. Maintenance dredging is in strict accordance with the Marine Management Organisation Marine Licence, as verified by the compliance audit in October 2021 and May 2022. Sampling was carried out in accordance with the terms of the licence on 13 October 2021. The maintenance dredge disposal site is shown at **Figure 7**.

Figure 7
Maintenance Dredge Disposal Site



- 4.11 Capital dredging in the form of berth deepening was undertaken at the port of Middlesbrough facility (then known as North Sea Supply Base) during late 2013/ early 2014. Deepening of the berth at No1 Quay at Tees Dock was undertaken between 2014 and 2017 (inclusive). Deepening of Able Seaton Port's berths, holding basin and approach channel was undertaken between 2017 and 2020 (inclusive).
- 4.12 No capital dredging took place on the River Tees between December 2020 and September 2022. Capital dredging for the South Bank project was conducted from September 2022 to April 2023. The capital dredge disposal site is shown at **Figure 8**.

Figure 8
Capital Dredging Disposal Site



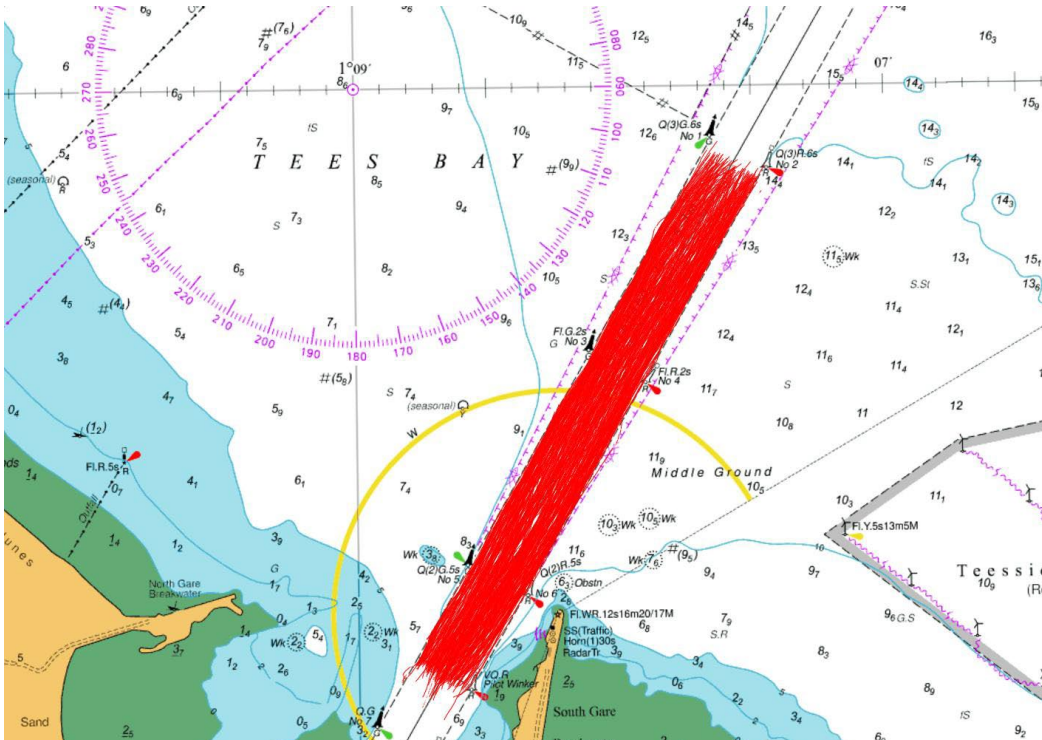
UKD ORCA

- 4.13 A backlog of material accumulated in the Tees entrance as a result of the 2018 'Beast from the East' storms and resulting loss of dredging capability. The UKD Orca was contracted to carry out maintenance dredging from 25 September 2021 to 4 October 2021 to clear the backlog. The target dredge depth was 14.6 metres, and the consented dredge depth was 15.4 metres. UKD Orca dredged 148,930 wet tonnes, which represent 5% of the consented annual disposal total of 2,889,700 tonnes.
- 4.14 The length and beam of the UKD Orca is comparable to the vessels normally used. Whilst the hopper capacity is greater, the Orca is unable to carry more weight of material. Methodology used was the same as PD Ports' existing dredgers. **See figures 9 and 10.**

Figure 9
Comparative Vessel Data

Vessel	Length	Beam	Gross tonnage	Hopper Capacity
UKD Orca	78.0m	15.85	3087	2373m ³
Heortnesse	78.36m	16.18	2162	1500m ³
Cleveland County	70.54m	11.99m	1265	1458m ³

Figure 10
UKD Orca Dredging Route



River Tees Tour

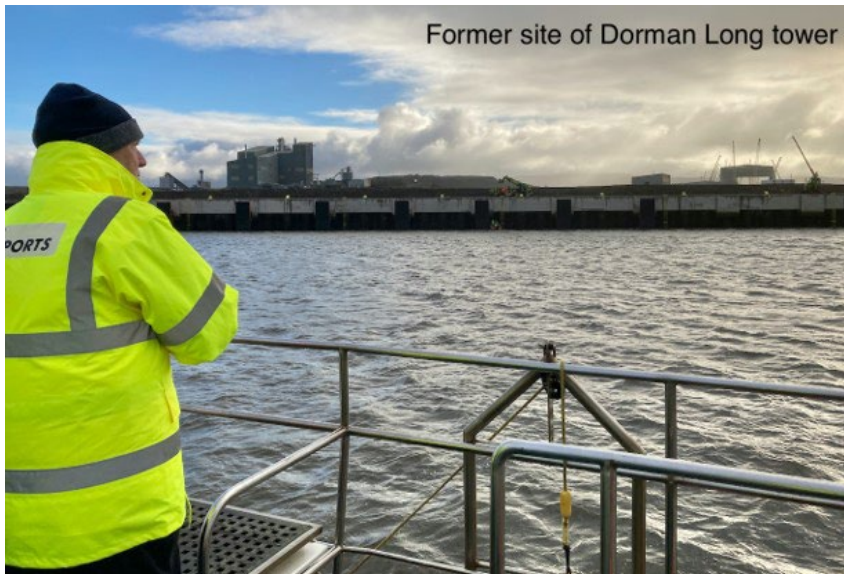
The Working group was invited to attend a tour of the River Tees by PD Ports on 10 January 2024. This was facilitated in order to further familiarise Members with the sites referred to as part of the investigation, and to provide context for the evidence given by witnesses.

4.15 At 9.30 am, the Working Group met the Chairman, Harbourmaster, Deputy Harbourmaster and Operations Manager of PD Ports.

4.16 The Group members were taken by coach from the Middlesbrough head office to the port where they embarked on the harbourmaster's vessel for a journey down river, almost to the estuary mouth. Photographic documentation shows the main buildings, including the recently developed wind turbine construction and biomass energy plants. Discussions with officials were largely confined to the sites on view and the operation of the port in respect of shipping and cargoes, as outlined below:

- The quay is forecast to handle 3.2 million tonnes of goods which is up from 0 in 2014.
- Rail transportation handles 1300-1500 tonnes per day.
- 5000-6000 box containers were handled every week pre-pandemic, but this has dropped to 3000. War in Ukraine is an issue although there is no obvious change due to EU exit.
- Corn, soya, and other types of animal feed are among the key goods stored.
- Tesco's largest UK distribution centre is on site. The main building is fully automated.
- Asda also has a facility. Cummins store engine parts before onward distribution.
- Significant capital investment has been made. This includes a fully electric 130 tonne pedestal crane and rolling out installation across the site of solar panels.
- Future plans include further quay development although this will not be for another 3 or 4 years.
- Green Lithium is about to begin production on site, building the UK's first lithium refinery.
- Workforce retention has been a problem
- The average age of employees is reducing.

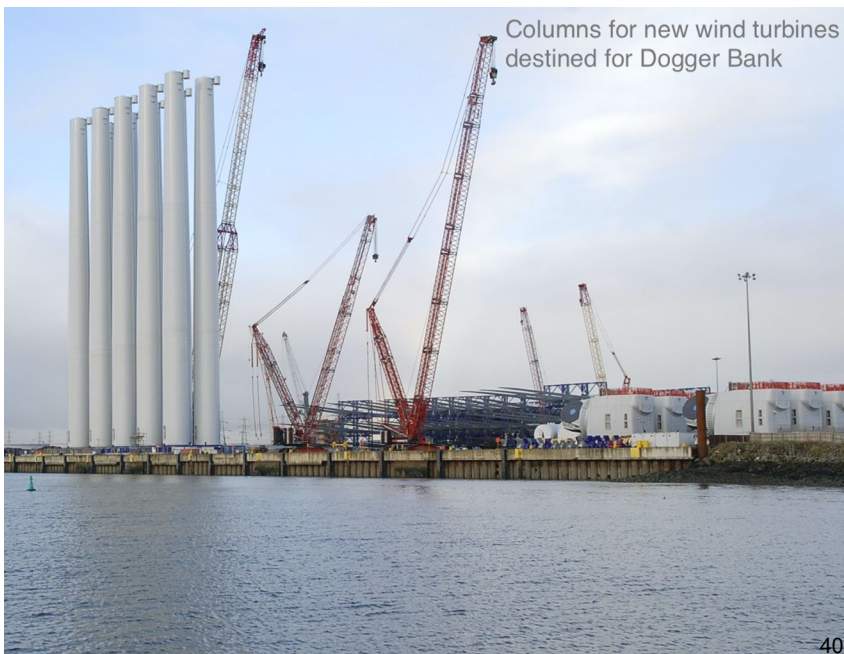
Former site of Dorman Long tower



Hartlepool nuclear power station



Columns for new wind turbines destined for Dogger Bank



Swalinge, dredger from the Wash



A post-tour discussion covered the following issues:

Maritime Environment

- 4.17 The formal relationship with authorities is managed within the Conservancy Department of PD Ports liaising with the Harbour Master's office on permissions and consents. They survey river depth and impediments, maintain infrastructure (Gares and navigational aids), and carry out dredging.
- 4.18 There is a good but not cosy relationship between PD Ports and government agencies. There is logical scrutiny and challenge with the business being held to account and tasked accordingly.
- 4.19 Interest in the ecological environment is contained within statutory obligations such as The Environment Act and dredging regulations. Environment Social Governance compliance is key to the moral compass of the business and to attract investment. There is no value to be gained at the expense of the environment.

Sampling

- 4.20 More intrusive sampling was discussed with MMO within a few weeks of the die off, but MMO had no reason to believe pollutants from dredged spoil caused the die off. There have not been any formal conversations between PD Ports and the MMO about the die off since.
- 4.21 Sampling was not brought forward. It was noted that sampling has to be carried out at specific times during a license period. It is for Cefas and MMO to consider the studies that have been undertaken and then guide the testing and set the criteria.
- 4.22 Borehole and core samples were tested by DEFRA agencies prior to the South Bank dredge, and they were used to determine actions. A proportion of dredged material was directed to be disposed of on land not at sea.
- 4.23 The footage of an open bucket being used is slightly misleading as it was not used on the relevant area but to loosen piles elsewhere. Likewise, drone footage was for an area that had been tested as suitable for disposal at sea and the discolouration was from sediment pulled from bedrock.
- 4.24 Teeswork and Tees Valley Combined Authority (TVCA) are responsible for ensuring their contractors work in accordance with the licence they have been granted. MMO ran audits and although there isn't constant oversight some additional testing was undertaken from the periphery of Teesworks.
- 4.25 PD Ports believe that there is a lack of academic rigour behind the conclusions reached by Caldwell et al. They acknowledged that there is a theory that toxic industrial waste lies beneath the maintenance level, but they do not necessarily subscribe to this theory.

Beast from the East

- 4.26 Regarding the events of 24 February to 1 Mar 2018, coastal damage was caused by the blizzards, gales and sleet resulting from the Beast from the East cold front meeting the warm front Storm Emma. PD Ports attributed the extensive 10-day Orca dredging of September / October 2021, to repair of the aforementioned damage.

- 4.27 PD Ports had planned to use existing dredgers to clear the backlog although in-house dredgers were unavailable owing to maintenance and break-down. Orca was commissioned in 2021 to seek dredging solutions with the forthcoming winter and associated storms in mind.
- 4.28 The Orca is the same size as the two in-house dredgers and was underloaded during the 10 days of dredging. The Orca has about 40% more gross tonnage than the Heortnesse, and around 150% more than the Cleveland County. It also has about 50% more hopper capacity than each of the other two. PD Ports confirmed that, whilst the hopper capacity is greater, the Orca is unable to carry more weight of material.
- 4.29 The Orca's work started on 25th September, lasted 10 days, and involved the removal of dredged material in 52 trips out to a sea location 7 km from the coast. The mortality event occurred on the day following the termination of the Orca's work. A Port official advised that PD Ports initially considered that the Orca was the cause, but later concluded that the event was inexplicable, and that the die-off was a coincidence.

Tower Demolition and Landslip

- 4.30 There is a considerable separation of distance between the demolition site and the area dredged by Orca. The landslip referred to at the select committee hearing was not related to the demolition as the slip was situated at Seaton Snook, well away from the demolition site.

FINDINGS

- The Port Authority has concluded that the mortality event was a coincidence and has minimised the role of the Orca's dredging task. PD Ports officials advise that the Orca dredger is the same size as the port's two home dredgers, and that it was 'under-loaded, although evidence received by the Working Group suggest that its capacity and tonnage are both about 50% larger.
- PD Ports officials advised that they didn't "subscribe to the theory that there was toxic material below the maintenance dredging level", despite previous comments advising that "capital dredging carried a risk of environmental damage".
- Evidence provided by PD Ports demonstrated that the Orca dredging took place at the maintenance level, but previous testimony suggested that the Orca was "capital" dredging "15m down into 150 years of industrial waste".
- During evidence taken on 12 January 2024, there was some confusion relating to the annual permitted tonnage figure for dredging. This misconception had been aired at previous meetings during discussion about the percentage of annual dredging performed by the Orca during its 10 days of work in September/October 2021. This is an important annual figure which should be clear, unambiguous and widely known.
- During evidence taken on 12 January 2024, it was stated that there was "no evidence of sampling before, during or after the Orca's capital dredging" although previous PD Ports testimony was that the Orca's dredging was at the maintenance level.
- The reason for the Orca's major dredging task is disputed. PD Ports state that it was in response to serious damage to the estuary coastline caused by major storms, particularly the Beast from the East, even though this was three years earlier. In response to an informal question during the port visit of 10 January 2024, PD Ports officials advised that the delay was owing to the unavailability of the two home dredgers. Anecdotal evidence suggests that the reason was otherwise - the Orca's commission began on 25 September 2021, 6 days after the demolition of the Dorman Long tower on the banks of the Tees involving the "biggest explosion in Europe since the Second World War" which caused a major underwater landslide.
- It is not reasonable to challenge the academic rigour of Caldwell et al, who have followed a scientific process having done research, created a hypothesis, written a paper and even made that paper publicly available. This is the definition of academic rigour.
- The Orca dredge image reported within the presentation (see **Figure 10**) from PD Ports, shows the Orca was only visiting the #2 channel marker, not the actual disposal site (see **Figure 7**). There is other evidence available online which shows the actual tracking of the Orca to the disposal site at Tees Bay.

Marine Management Organisation

- 5.1 On 31 January 2023, the Marine Management Organisation (MMO) was invited to a meeting of the Working Group to discuss the mortality event with Members. The following response was received on 24 February 2023:

“My (*sic*) thanks for the letter of invite to the proposed Tees Valley Authorities Crustacean Deaths Collaborative Working Group.

Having considered the group aims and terms of reference we do not consider it appropriate at this stage for the MMO, considering its regulatory and licensing remit with regard to development activity within the Tees, to form part of the group’s membership. However, we would be happy to respond to any requests for information and/or questions coming from the group and would request such matters are forwarded to info@marinemanagement.org.uk.”

- 5.2 The Working Group subsequently submitted a list of written questions to the Marine Management Organisation (MMO) on 27 July 2023. Responses to questions 1 – 10 were provided on 30 August 2023. Responses to questions 11 – 19 were provided on 19 October 2023 following a request for the information under Environmental Information Regulations.

- 1. Given the MMO’s remit is to protect and enhance the marine environment, and support and enable sustainable marine activities and development, what actions have been taken in respect of the crustacean die-off on the NE Coast in October 2021 and in subsequent incidents since then?**

In May 2022, Defra (Department for Environment, Food and Rural Affairs) published a report that concluded ‘dredging has been ruled out as a likely cause [of the mass mortality event]’ (see

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1082129/Joint_agency_investigation_into_Teesside_and_Yorkshire_Coast_Crab_and_Lobster_mortalities.pdf).

Moreover, a subsequent independent review commissioned by Defra has concluded that capital dredging is exceptionally unlikely (less than 1% probability), and maintenance dredging is very unlikely (less than 10% probability), to have caused the unusual crustacean mortality seen in the Northeast (see

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1131769/Independent_Expert_Assessment_of_Unusual_Crustacean_Mortality_in_the_north-east_of_England_in_2021_and_2022.pdf).

Any reported issues since the original incident have been investigated by MMO (check with PMO for info) and other agencies.

- 2. What report(s) relating to this were prepared by the MMO and can we have copies, please?**

Both reports are available online and detailed above

- 3. What conclusions were reached by the MMO on the algal bloom theory?**

This conclusion was reached by the initial Defra findings and MMO supported the outcomes of that report.

- 4. The reason given for the exclusion of dredging as a cause is that sediment is examined for contaminants prior to a licence being granted for the dredging to be taken out to sea and deposited. This is vital, of course, but the letter says that testing is done at least once every three years. Is this sufficient testing?**

When assessing the suitability of dredged material for sea disposal, the Marine Management Organisation meets its international obligations including but not limited to the OSPAR – Oslo/Paris Convention (for the Protection of the Marine Environment of the North-East Atlantic). Sediment sampling in England follows OSPAR guidance and uses a risk-based approach. In industrialised locations including the Tees, sediment is tested on a more frequent basis (at least every three years) than sediment from locations that have received lower contaminants inputs.

Sediment sampling must be in accordance with MMO sampling plan, and it is standard that a contractor or applicant undertake the sampling; an accredited lab must undertake the analysis to inform licence applications.

- 5. With respect to the Tees area, what are the chemicals tested for in material designated for dredging?**

The UK is signed up to the London Protocol and OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic, both of which address preventing marine pollution from disposal at sea.

MMO licences disposing of dredged materials at sea and uses guidelines produced by OSPAR to regulate this activity. A marine licence to dispose of dredged materials to sea requires the sediments to be characterised to allow the potential adverse environmental effects of disposing of the material to be considered.

The OSPAR guidelines recommend a tiered approach to assess the sediments, if sufficient information is not already available from existing sources. The assessments required will depend upon the specific details of the proposed activities, although characterisation of a standard set of physical and chemical determinands within the sediments is often necessary.

Further details can be found at <https://www.gov.uk/guidance/marine-licensing-sediment-analysis-and-sample-plans>

- 6. Who completes testing and evaluation of the results and where are the results published?**

Testing of samples are undertaken by validated laboratories, details of these are detailed in the link above. Evaluation of the sampling is undertaken by the MMO with advice from our scientific advisors Cefas

- 7. Is there a record of what has been dredged and geotagged that would allow a quick and easy check to see if anything had been disturbed?**

Dredge quantities are recorded by the undertakers. Geotagging is not a requirement of licences.

- 8. Can a protocol of issuing licences be explained and the process for monitoring compliance?**

9. Were dredging activities curtailed or reassessed by the MMO following the October 2021 crisis?

There was no evidence support curtailing licenced activities in and around the Tees . To date, there has been no causal link established between the dredging in the Tees and the mass crustacean mortality event and subsequent investigations including by independent scientists have also concluded that it is unlikely that a release of any toxic chemical due to dredging could have caused the deaths

10. What restrictions apply to activity in or near SSSI, Ramsar and SPA sites?

No defined restrictions apply near Marine Protected Areas (MPA), if there is potential for activities to have an effect on an MPA a Habitat Regulation Assessment is undertaken and an Appropriate Assessment is produced to identify and mitigate any aspects that may effect the integrity of the site.

11. What framework needs to be in place for more comprehensive analysis of what is in the water?

The MMO ensures its licensing activity is compliant with international conventions and directives. The Water Framework Directive is transposed into national law by the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 that require the MMO to undertake an assessment of applications for the purpose of managing and protecting water resources. The MMO also consults the Environment Agency (EA) in the EAs role as competent authority for water quality. Relevant restrictions may be attached in the form of conditions to marine licences granted by the MMO following consultation with bodies including the EA.

12. Can you advise which other relevant agencies or organisations does the MMO work with in attempting to deliver its objects?

The MMO has wider powers to consult and commonly consults with its primary advisers including the Centre for Environment, Fisheries and Aquaculture Science (Cefas), Joint Nature Conservation Committee (JNCC), Environment Agency (EA) (on WFD issues), Natural England (NE), Maritime and Coastguard Agency (MCA), Ministry of Defence (MoD), Historic England (HE).

13. How is this managed?

The MMO has an on-line IT system – Marine Consents and Management System that is used to manage consultations.

14. Are there reports of collaborative meetings held and where are these meetings recorded for public examination?

Relevant records are uploaded to the MMO Public Register.

15. Given the determination of the MMO to lead change and new methods of operation with other organisations, what proposals are there to work more closely with local authorities which border the coastline, and which have high levels of industrial activity and fishing communities within their areas of responsibility?

The MMO is a signatory to the Coastal Concordat. The Concordat seeks to streamline consenting at the coast. Some Local Planning Authorities (LPAs) are also concordat

signatories and both Defra and MMO has encouraged LPAs to sign up to the Coastal Concordat.

16. What proposals are there being discussed to work more closely with local authorities in the Tees Valley and North Yorkshire area?

Please see 15 above.

17. What work is the MMO engaged in, either independently or in conjunction with other agencies, to ensure the sustainability of the shellfish industry on the Northeast coast and where is the evidence of this work?

The MMO was established to champion sustainable development in our marine area. A range of support (grants) has been provided to the English seafood sector through the Fisheries and Seafood Scheme (FaSS) and the £100 million UK Seafood Fund. Local fishers have been advised how to apply to MMO for relevant grants.

18. In its declared role to develop a sustainable marine development strategy for inshore waters what discussions are being held with the EA, Defra, Cefas and other organisations to determine improved standards of testing and monitoring of water content and quality?

The EA has responsibility for routine testing and monitoring of water quality. See 11 above.

19. What actions has the MMO, either independently or in conjunction with other agencies, taken to identify need and to support any merited compensation?

Compensation is a matter for Defra not MMO. Also see 17 above as certain grants are administered by MMO.

Able UK MMO Application Summer 2024

- 6.1 Plans by Able UK to undertake a capital dredge of the River Tees came to light in August 2024 when news that they were talking to Stockton-on-Tees Borough Council about seeking planning consent for works was reported in the Gazette.¹⁴
- 6.2 It subsequently became apparent that they had submitted an application to the Marine Management Organisation (MMO), under reference: MLA/2024/00166¹⁵
- 6.3 The application was for a licence to undertake capital and maintenance dredging along the North side of the River Tees, with dredged material disposed of at Tees Bay A and Tees Bay C dump sites.

The proposal is as follows (sourced from application documentation).

Project background

Able UK Limited are seeking to expand the current capacity of their operations at Middlesbrough Port, in order to futureproof the site for future commercial needs, such as the increased approach depths required by vessels. Further detail can be found within the attached Marine Planning Statement (D/I/D/149058/501). This marine licence application will include capital dredging works to achieve the previously licensed dredge depth across the expanded berth, -7.0mCD, and a deeper approach channel being dredged to a depth of -6.5mCD, as shown on Drawing No. AMP006-00015 E. This is the capacity required to allow for the berthing, loading and unloading of vessels which seek to continue to use Middlesbrough Port, but which require maintained and expanded channels. The capital dredge to extend the berth and deepen the channel will require 44,400m³ of material to be removed, with subsequent maintenance of circa 1,000m³ per annum. The maintenance dredge of the existing berth will involve an initial dredge of 24,600m³, followed by subsequent maintenance of circa 2,000m³ per annum. The length of licence proposed is 10 years, with routine sampling to be undertaken every 3 years.

Programme of works

Works to undertake dredging at Middlesbrough Port will take place on an as-needed basis, dictated by tenants. There is no set proposed works timing, however it is considered that if undertaken together, the initial capital and maintenance dredge of the existing berth and proposed extensions will take place over a period of approximately 20 days. For the initial dredge this is considered likely to be 20 consecutive days, but subsequent maintenance is likely to be up to 20 days per annum, as required to maintain the licenced depth. Start and end dates are therefore proposed to be the dates of the licence i.e. 30/06/2024-30/06/2034. Disposal operations will be undertaken intermittently between dredging operations as the TSHDs are filled, and as such, all disposal activities will take place over a similar time period per dredge campaign

¹⁴ Teesside Live (2024). *Able UK seeks opinion from council for new quay proposal as 'a facility for a range of projects'*. [online] Gazette Live. Available at: <https://www.gazettelive.co.uk/news/teesside-news/able-uk-seeks-opinion-council-29724208> [Accessed 18 Sep. 2024].

¹⁵ https://marinelicensing.marinemanagement.org.uk/mmofox5/fox/live/MMO_PUBLIC_REGISTER/
(Click on view Public Register and then input the Licence reference number MLA/2024/00166 in the search box and click on "Marine Licence applications and requests")

6.4 Objections to the application were provided by the North East Fishing Collective (NEFC) and by NEIFCA, as follows:



20.8.24

Dear Sir/Madam,

This letter is being submitted on behalf of the North East Fishing Collective (NEFC) and its members in response to the capital dredging application (MLA/2024/00166). The NEFC and its members formally object to this application based on significant concerns regarding the potential environmental and fishing industry impacts it may cause.

As you will be aware, there have been significant and ongoing sea-life mortality events along the Northeast coastline (as recent as May 2024) as a result of the previous three major dredging works. The NEFC, the industry and members of the public have witnessed catastrophic scenes of dead and dying marine life which has coincided with the dredging and disturbance of extremely high levels of harmful pollutants into the marine environment. These events have caused devastation to the fishing industry, resulting in the striking decline of fishing vessels along the Northeast coastline, including over half of the Hartlepool fishing fleet alone since the initial capital dredging in September 2021. Despite pleas from the NEFC to engage fully and purposefully with government agencies on dredging and desperately needed legislation changes to prevent dumping at sea, no committed or meaningful discussions or actions have taken place. Those who have barely managed to stay in the industry continue to receive zero support or have yet to see any efforts to restore the marine environment to acceptable levels.

Despite several investigations into the causes of these sea-life mortalities, you may be aware that the exact cause was not established, with an outcome of 'as likely as not,' that a new pathogen new to UK waters caused the unusual mortalities, which is why the NEFC has been undertaking its own investigations into the cause as the panel also concluded that there were 'no significant pathogens identified in the north-east.'

The NEFC have continuously highlighted the need for more robust and transparent testing regimes by government agencies. It is historically documented that the River Tees is highly polluted due to its industrial heritage, and government testing itself (most recently in 2022) shows that a high range of specific pollutants, including arsenic and polybrominated diphenyl ethers (PBDEs) are at consistently high levels. The proposed dredging activities raise serious concerns about the disturbance and release of these harmful chemicals into an already decimated and extremely fragile marine environment that has yet to begin to regenerate to any sustainable level since the first (and ongoing) wash-ups began. The application does not adequately address the serious and highly-likely risks associated with disturbing these sediments and, disturbingly, appears to minimise the severity of the environmental marine impact. ■

The application states, 'There is no set proposed works timing, however it is considered that if undertaken together, the initial capital and maintenance dredge of the existing berth and proposed extensions will take place over a period of approximately 20 days. For the initial dredge this is



considered likely to be 20 consecutive days, but subsequent maintenance is likely to be up to 20 days per annum, as required to maintain the licenced depth.'

The initial wash-ups occurred after the UKD Orca made approximately 52 trips to the drop zone (Tees Inner or Tees A area) 7km off the coast, disposing of approximately 123,396m³ of material (66% of an annual quota of maintenance dredging) in the space of a 10-day period. The results of this initial event have been nothing short of catastrophic, which have not only brought serious hardships onto those in the industry, but which have negatively impacted and changed the marine environment beyond belief. The application itself ensures that this toxic sediment will be continually disturbed annually, which only solidifies to the NEFC that the devastation and impact will continue to burden and already overwhelmed marine ecosystem for at least another decade, potentially ensuring that it does not recover and remains overburdened with contaminants. The application is not supported by scientific modelling to support the claim that dredging works can be completed within '20 consecutive days,' which is completely unacceptable when it is evident that similar events have resulted in mass mortalities along the Northeast coastline alongside sediment blooms from disturbed toxic materials.

The application suggests that sediment sampling every 3 years is sufficient – a deeply flawed and inadequate assertion. Given the known contamination levels, it is clear that sampling at 3-yearly intervals is insufficient to ensure environmental safety and compliance with the OSPAR Convention's Precautionary Principle: preventative measures should be taken where there is reasonable cause for concern that human activities may harm the marine environment, particularly when dealing with hazardous substances. The application therefore fails to address this critical guideline by proposing that sampling be conducted every 3 years. Furthermore, by suggesting that contaminated sediments be disposed of at sea rather than being safely decontaminated on land, it is a blatant disregard for the precautionary principle that such sediments should, and can, be safely decontaminated on land. As you should be aware, license applications also state that dumping at sea should be a last resort, and then only if environmentally safe to do so.

We would like to draw your attention to the Tees disposal sites of other dredged materials over decades: the disposal sites do not get any shallower as the heavily and dangerously contaminated sediment is spread by the tides to the North and South over hundreds of square miles. All dumping at these disposal sites is infact dumping over hundreds of square miles of the North Sea – something which the application (and all others which use these methods) fail to acknowledge and address.

The NEFC strongly believes that there have been no lessons taken from previous events along the Northeast coastline by government agencies to ensure that these events do not continue to cement the destruction of our coastline and marine environment. This is reiterated by the disregard for such events in the current planning application, which ignores the severe ecological consequences which have resulted from similar works in close proximity. The cumulative impact of such events, and any current and future applications must be considered as an area of immediate priority, as required by the Environmental Impact Assessment (EIA) regulations.

The NEFC and its members strongly oppose this dredging proposal. We urge the authorities to reject this application until a thorough, adequate science-based assessment is conducted. Such assessment should, without question, fully comply with all marine environmental protection policies. We urge



transparency from any such applications as the one we oppose to provide public information regarding which steps have been taken to ensure that alternative methods of disposal have been considered before reaching the last resort. Additionally, any future consideration of this project and its maintenance should include more frequent, wider and comprehensive sediment sampling with a firm commitment to decontaminate dredged materials on land as a first, and only, resort in order to protect and allow adequate restoration of our marine environment along the Northeast coastline.

Thank you for considering our representation. We trust that our concerns will be given the adequate and essential weight they deserve in this serious environmental matter.

Stan Rennie

On behalf of the NEFC.

NEIFCA response:

“Given the sensitivity of dredging in the River Tees since the Crustacean die offs in 2021 and lack of clearer understanding of potential impacts, we feel a precautionary approach would be more appropriate. In our opinion, capital dredge material, especially in areas where levels of trace metals and DDT are between Cefas’ Action Level 1 and 2, should not be disposed at sea. Recent reviews of Cefas’ Action Levels concluded that currently there are no processes in place to ensure consistency and transparency for samples between Action Level 1 and 2. Action Level 2 has been found to be the least effective approach in Europe to filter out potentially toxic samples. We also disagree with the frequency of sampling and feel that every 3 years is not enough. Sampling should be undertaken annually or at least bi-annually. At this stage we cannot consent to this proposal.”

The Cefas Action Levels referred to in NEIFCA’s response are described as¹⁶

Sediment analysis

The MMO must ensure that sediment sample analysis data submitted to support a marine licence application is consistent and comparable between separate applications, as well as [Cefas action levels](#). Cefas action levels are currently used by the MMO to decide how suitable it is to dispose of dredged sediments at sea.

¹⁶ GOV.UK. (n.d.). *Marine Licensing: sediment analysis and sample plans*. [online] Available at: <https://www.gov.uk/guidance/marine-licensing-sediment-analysis-and-sample-plans>.

6.5 The document also includes a table showing the thresholds for Action Level 1 and 2:

Contaminant or compound	Action Level 1 (mg/kg dry weight (ppm))	Action Level 2 (mg/kg dry weight (ppm))
Arsenic	20	100
Mercury	0.3	3
Cadmium	0.4	5
Chromium	40	400
Copper	40	400
Nickel	20	200
Lead	50	500
Zinc	130	800
Organotins (TBT, DBT, MBT)	0.1	1
PCBs – sum of ICES 7	0.01	None
PCBs – sum of 25 congeners	0.02	0.2
PAHs	0.1	None
DDT	*0.001	
Dieldrin	*0.005	

In comparison to the data provided with the MMO application from Able UK you can see the concerns raised by NEIFCA re heavy metals in particular:¹⁷

Determinand analysis outputs:

Laboratory sample number	Dredge Area	Sample ID(s)	Total solids (%)	Metals as mg/kg dry weight							
				Arsenic (As)	Cadmium (Cd)	Chromium (Cr)	Copper (Cu)	Mercury (Hg)	Nickel (Ni)	Lead (Pb)	Zinc (Zn)
MAR02072.001		MSA 0.00	43.8	18.3	0.77	71.8	63.4	0.71	30.6	167	253
MAR02072.002		MSB 0.00	62.3	20.7	1.02	87.7	86.1	0.92	32.5	208	307
MAR02072.003		MSC 0.00	48.1	16.8	0.77	63.9	63.8	0.64	30.8	150	229
MAR02072.004		CSA 0.00	41.9	7.2	0.31	38.8	19	0.08	34.9	28.8	96.8
MAR02072.005		CSA 1.00	43.7	22.8	1.65	136	137	1.7	34.6	285	486
MAR02072.006		CSA 2.00	68.4	6.6	0.29	14.8	6.3	0.05	16.3	12.2	50.3
MAR02072.007		CSB 0.00	68.1	5.9	0.28	14.6	5.8	0.05	15.5	12.3	51.8
MAR02072.008		CSB 1.00	42.6	21.3	1.4	112	136	1.21	37.3	277	424
MAR02072.009		CSB 2.00	41.3	7.8	0.34	40.8	36.3	0.14	35.5	54.3	118
MAR02072.010		CSC 0.00	76.6	26.5	2.17	189	174	2.2	36.9	343	626
MAR02072.011		CSC 1.00	69.4	9.1	0.46	49.1	27.3	0.24	33.8	49	128
MAR02072.012		CSD 0.00	70.3	11	0.46	40.9	33.3	0.14	40	37.8	124
MAR02072.013		CSD 1.00	52.9	25.8	1.54	118	141	1.44	36.3	341	516

6.6 A 2016 MMO review of the Cefas Action levels indicates that samples that fall between Action Level 1 (the safest agreed level for disposal at sea) and Action level 2 (considered unacceptable for uncontrolled disposal at sea without special handing and containment) need further consideration¹⁸

... it was concluded that the existing guidance and action levels are not fit for purpose within the context of this report, i.e. in terms of the ability to avoid disposal of toxic sediments at sea and refusal of non-toxic sediment disposal. However, it is acknowledged that the overall fitness for purpose of tools such as action levels are also importantly defined by legislative requirements and policy objectives which may include consideration of costs and proportionate regulation as well as environmental risk. A further, more detailed, review of action levels

¹⁷ MLA_2024_00166-MMO_Results_Template - MAR02072_1-6 (available via the marine licensing link in above reference no.14)

¹⁸ MMO (2015). High Level Review of Current UK Action Level Guidance. A report produced for the Marine Management Organisation, pp 73. MMO Project No: 1053. ISBN: 978-1-909452-35-0. Available from: https://assets.publishing.service.gov.uk/media/5a818afae5274a2e87dbe2f7/High_level_review_of_current_UK_action_level_guidance_report_1053_.pdf

and guidance is required to establish whether they are fit for purpose given current policy objectives and legislative requirements.

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27 January 2025 – the MMO application has not been resolved and is on hold.

Comments by other stakeholders are publicly accessible and alongside the objection of NEIFCA, of particular note are the comments from the MMO local office which emphasise the concern of local fishers and states “That this well-documented die-off and the media stories surrounding it are not considered or even mentioned in the application, considering the time and work that went into the case over months by the North Shields office, is somewhat jarring.”

The Comments from NEIFCA are not recorded on the MMO public register.

Disappointment that

The Cefas response, although overall does agree that the levels of a variety of contaminants can be disposed of at sea, does include the following admonishment in Additional Information:

Section 6.14 of the Marine Planning Statement (document referenced in paragraph 9) states “*As such, it is considered that given the very small scale of dredging proposed within this application in comparison to the volume of dredging presently undertaken on the Tees, largely by PD Teesport themselves, there will be no meaningful change to the water quality either at source or at the disposal site as a result of this dredging.*”. I disagree with the claim that “*there will be no meaningful change*” at both the source and disposal site. With respect to the source site, the current proposed dredge area has not been dredged at minimum since 2016 (8 years) and therefore dredging of the sediment will likely disturb and distribute sediment contaminants into the water column. This disturbance will also be more prevalent through the use of a Trailing Suction Hopper Dredger (TSHD) over a method such as Grab dredging with an enclosed clamshell grab (please see my answer to Question 12). Whilst on this occasion I agree that disposal of the material at sea would not be unacceptable. The level of assessment presented by the applicant is insufficient to conclude with certainty that there will be no such meaningful change in water quality. *There remain key evidence gaps as to the ongoing effects of dredging material with levels of organic contaminants seen in the Tees on marine life. (our italics)*

Dr Gary Caldwell, Newcastle University

Evidence heard at a meeting of the Working Group held on 3 March 2023

The following evidence was relayed orally by Dr G Caldwell, Senior Lecturer in Applied Marine Biology at Newcastle University.

- 7.1 Dr Gary Caldwell attended the meeting to speak as an expert in marine biology, with specialisms relating to marine ecotoxicology in northern climates. Dr Caldwell had been commissioned by the Northeast Fishing Collective to undertake independent research relating to the possible effect of pyridine on crustacea, owing to the fact that pyridine had been identified as present in the flesh of deceased crabs and lobster recovered from the initial wash-up.
- 7.2 At the outset of the project, there was no data in existence relating to the toxicity of pyridine in large crustaceans. A team at Newcastle University undertook 'vanilla' experiments that involved exposing crustaceans sourced from outside of the impacted zone to a chain of pyridine concentrations. The results involved a violent and convulsive response in the crustaceans, which was described as 'shocking'
- 7.3 Following the initial extreme response, which lasted roughly 2 – 5 minutes, crustaceans settled onto their backs with legs facing upwards and movement slowing down over a 30 – 40-minute period. Death was marked by the falling forward of mouth parts.
- 7.4 At a pyridine concentration of 15mg and above, all exposed crabs were dead within 6 hours, and at lower concentrations, a change in behaviour was noted, with crabs observed to be more placid and pliable. This fundamental loss of aggression, it was posited, might lead to a loss of ability to defend against predators.
- 7.5 Results of experiments conducted in the lab correlated to observations by the fishing community. Initial spasming would have taken place in the water and crustaceans on the periphery would have displayed a change of behaviour likely to result in inability to defend or feed themselves. Experiments are ongoing to explore this hypothesis further.
- 7.6 A working hypothesis has been developed which shows that pyridine, even in vanishingly low concentrations, alters the brain chemistry of crustaceans inducing a form of Alzheimer's disease. Certain crustaceans are probably vulnerable to pyridine toxicity owing to the position of nervous receptors and their hypersensitivity to purines, which are molecularly similar to pyridine.
- 7.7 Further to die-off of crabs and lobsters, evidence collected at survey sites suggested that barnacle numbers had also been severely reduced in recent years. Pyridine exposure during migration from Scotland was suggested as an explanation for this.

- 7.8 The long-term impact of the die-off, which involved the removal of an entire section of the food chain, was already being felt and would continue to impact the local and national ecosystem into the future. The current seascape was described as a 'desert environment' from Hartlepool to Scarborough.
- 7.9 Defra has refused to sample sediment for traces of pyridine, citing lack of suitable equipment as the reason. Government agencies have also refused to award the relevant permits in order that the team could undertake sediment sampling on behalf of the investigation. There has been no communication with the team from Newcastle University from any of the Defra agencies.
- 7.10 Dr Caldwell, referring to differing theories relating to potential causative factors, discussed the timeline of die-offs, which immediately followed an intensive round of dredging that was reportedly clearing a large slippage of sediment. Deeper dredging, he suggested, had potentially dislodged stable sediment.
- 7.11 Three major sources of pyridine had been identified in the area close to the impacted zone, and whistleblowing reports had identified major flaws in management of industrial waste, which had resulted in large amounts of pyridine entering the river. The production of a map of pyridine on the Tees was a suggested strategy for managing future dredging work.
- 7.12 Capital dredges could possibly be linked to loss of prawn stocks and a massive loss of seaweed populations had been noted, although with no data to verify this, satellite data was being used to discover the extent of the loss of kelp beds. This loss of seaweed beds might impact on carbon capture, diversity of habitats and coastal erosion, so the issue is much further reaching than just the death of crustaceans.
- 7.13 In terms of a life cycle, pyridine is a water-soluble compound that is lost to the environment quickly. It is attacked by oxygen and has a half-life of 8 days in water. A proportion sticks to sediment grains, and without exposure to oxygen may remain present in an environment with a PH below 7 for many years. In terms of dispersion, it is estimated that the models used by team at Newcastle University were conservative, and it is likely that sediment moved further south than Whitby.
- 7.14 Further to this, the independent report recently produced by CMEP, which claimed that pyridine levels found in the impacted area were too low to cause mortality in crustaceans had, in the opinion of Dr Caldwell, made an error in interpreting data. A response was being drafted to draw attention to this.
- 7.15 Dr Caldwell further advised that, in his opinion, England are behind the curve when dealing with environmental pollution in terms of what is tested for and associated risk assessments. Pyridine, for example, is not in the current list of chemical determinands produced by the Government.
- 7.16 There had been a slow degradation of the crustacean population in Portsmouth and loss of populations had occurred in Kent in line with incidents of dredging. It was hoped that the experience of Teesside would encourage other ports to consider their industrial fingerprint and risk assess appropriately as a result.

- 7.17 Dr Caldwell welcomed the development of the Teesworks site, but questioned the pace of work, and ability to apply environmental regulations in light of the current timeline.
- 7.18 In terms of future work of the team at Newcastle University, Dr Caldwell advised that there would be a further 6 months of wrapping up current investigations followed by monitoring of recovery, which may take many years.

Evidence heard at a meeting of the Working Group on 3 November 2023

Dr Caldwell provided a presentation outlining an elemental analysis of River Tees sediment core, with a focus on metals. Dr Caldwell advised that the data presented was interim, although the broader messages would be unlikely to change.

- 7.19 Levels of 19 elements were determined, including metals which bio-accumulate and are known to cause environmental toxicity. The following metals were included in the study: aluminium, arsenic, barium, calcium, cadmium, chromium, copper, iron, lead, magnesium, manganese, nickel, phosphorus, potassium, silicon, sodium, strontium, tin & zinc.
- 7.20 Cores were sliced and elemental levels determined at various sediment depths – 0-2 cm, 8-10 cm, 18-20 cm, 28-30 cm and 38-40 cm. There were fewer deeper samples due to limitations in core penetration.
- 7.21 The core samples allowed the mapping of the prevalence of elements across the Tees estuary, with common trends in distribution identified. There were changes in concentration by location, with consistent hotspots identified from the areas of the channel affected by the Athena cutter suction dredger.
- 7.22 Levels of all analysed elements were elevated, with some (aluminium and iron) remarkably high. Elemental levels changed with sediment depth, typically increasing with depth, and for some, e.g., aluminium, there was a reduction in levels in the deeper sediments likely unaffected by the Athena.
- 7.23 Hydrocarbon contamination had not been discussed, but a full composition would be available at a future date.
- 7.24 A project using AI to predict the outcome of exposure to cocktails of chemicals is in early stages, and the focus of ongoing work.
- 7.25 Statutory requirements for testing are inadequate in relation to the River Tees, which should be looked at with more nuance and tested more regularly. Further to this, the re-development work has brought forward a new threat, and any event that returns older sediments to the channel remains a risk, particularly to the fragile areas of recovery.
- 7.26 The Northeast lacks data and a systematic way of monitoring the health of its coastline, and the current response-driven method is not effective.

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- Observational work in in laboratory conditions shows that exposing crustaceans to different concentrations of pyridine, elicits behaviours and effects on the crustaceans similar to that observed by fishers and members of the public during the mass crustacean die off.
- Pyridine is a water-soluble compound that sticks to sediment grains and may remain present in an environment with a pH below 7 for many years.
- It is clear from Dr Caldwell's research that the impact on Crustaceans of pyridine causes similar symptoms as those observed by fishers and members of the public.
- Dr Caldwell's evidence also called into question the whether the required level of testing for potential contaminants was sufficient within the UK, and within the Tees, a river that is known to have been heavily polluted in the past, in particular.

Dr S Gibbon, Citizen Environmental Group / The University of Manchester

Evidence heard at a meeting of the Working Group on 1 September 2023 and provided in writing.

River Tees – Maintenance Dredging

- 8.1 The River Tees is a major port for the UK and so by Act of Parliament the Statutory Harbour Authority (SHA) has a legal obligation to keep the river channels clear to allow navigation. The SHA is now PD Ports, the company that owns and operates Teesport. The Act gives the SHA permission to carry out maintenance dredging but does not give the SHA permission to dispose of the dredged material at sea. PD Ports has to apply for marine licences from the Marine Management Organisation to dispose of the dredged material at sea.
- 8.2 Maintenance dredging covers dredging which must not result in an increase in the depth of the river when compared to its lowest depth at any time in the last 10 years. This means that the material which is removed by maintenance dredging is either material that has washed into the River Tees from the sea or suspended material carried down the river from upstream which has deposited on the riverbed. Any dredging which increases the depth of the river is classified as capital dredging and once again is permitted only by marine licences issued by the Marine Management Organisation.
- 8.3 PD Ports only carries out maintenance dredging using either its own dredgers (Heortnese / Cleveland River retired 2021 / Emerald Duchess due 2024) or occasionally using contracted vessels (i.e. UKD Orca). The dredgers used are trailing hopper suction dredgers, as such they do not cut into the riverbed and will only remove relatively loose material. PD Ports also use an adapted tug (Tees Guardian) fitted with an underwater bulldozer blade to level out the riverbed after dredging.
- 8.4 PD Ports is required to apply for licences which define what can be disposed of at sea and any requirements for mid-term sampling of materials. PD Ports obtained a three year dredging licence ([MLA/2012/00141](#)) in 2012, which was extended to the end of 2015 due to delays in processing of the information for the subsequent licence. The subsequent and latest marine licence ([MLA/2015/00088/6](#)) for disposal at sea was issued in 2015 for 10 years, and defines what can be disposed of at sea and requirements for mid-term sampling of materials.
- 8.5 The dredging industry portrays maintenance dredging as a clean operation, taking material washed into the river from the sea back out to sea. Capital dredging, on the other hand, involves dredging of historic and potentially contaminated sediments to be dumped at sea. In reality maintenance dredging is only clean if the material it removes has not been contaminated, so any ongoing pollution or one-off incidents will result in contaminated material being disposed of at sea.

- 8.6 The River Tees has historically been a highly polluted river owing to a 140 year history of heavy industry along its banks, which used the river as a disposal route for unwanted materials (waste/toxic chemicals). It is accepted that the sediments laid down in previous decades were widely contaminated with toxic chemicals and as such capital dredging which digs into these sediments requires extensive sampling to be undertaken to determine whether the material is suitable for disposal at sea.
- 8.7 Maintenance dredging as described above, in an unpolluted river, could be a chemically clean operation. In order to obtain a licence for disposal at sea samples have to be taken in order to determine whether the material is compliant with the Convention for the Protection of the Marine Environment of the Northeast Atlantic (OSPAR Convention).
- 8.8 The OSPAR Convention defines the process that countries have to undertake to ensure that only compliant materials are disposed of at sea. In the UK Cefas have determined a set of Action Levels¹⁹ for the ranges of chemicals which are specified in the convention, and which are used to assess whether material should be disposed of at sea. Most chemicals have 2 action levels, with materials above Level 2 being prohibited from disposal at sea. Below Action Level 2, but above Action Level 1, disposal at sea should only be undertaken if considered safe.
- 8.9 The River Tees could be expected to be highly contaminated with a range of hydrocarbons due to the long use of the riverbanks for the production of coke and its byproduct coal tar, chemical works and oil processing. Some of the most toxic hydrocarbons are polycyclic aromatic hydrocarbons (PAHs) which are specifically regulated under OSPAR. However, there is only an Action Level 1 for PAHs (0.1mg/kg), and no Action Level 2.
- 8.10 OSPAR regulations do not specify the amount of sediment that can be disposed of at sea, with levels at the discretion of individual countries' regulators. In the UK the regulator is the Marine Management Organisation (MMO), who issue the licence for disposal, and use the Government Cefas laboratory to obtain the necessary scientific guidance.
- 8.11 Cefas note that levels of PAHs are above those normally acceptable but make no mention of the amount of material being disposed of. However, written evidence shows that 250,000 wet tonnes was agreed as an annual safe disposal amount, and this was produced prior to application for variation 6 of [MLA/2015/00088](#), which corrected the annual disposal from 250,000 wet tonnes to 2,500,000 wet tonnes, a factor of 10 increase.
- 8.12 Whilst having no effect on physical operations (this was always the amount to be disposed of), it meant that a new MMO officer stated the incorrect total annual dredge as 10% of the real figure when justifying allowing disposal at sea and fishers to assume that the Orca had dumped over 50% of the annual dredge volume when in fact it was only over 5%.

¹⁹ [Cefas - Action Levels - North East File Collection \(northeastfc.uk\)](#)

- 8.13 The PD Ports licence remained incorrect until 2022 as PD Ports had completed the application form incorrectly, stating that over the whole 10-year period of the licence, they would dump only the annual amount, not the correct annual amount x 10. This coloured others understanding of the Orca dredge.
- 8.14 The exact concentrations in the sediment or the total amounts being disposed of at sea are only part of the picture. Damage is done to humans, animals, plants and any other living things, by the amount of material they are exposed to at any one time or cumulatively over a period of time, depending on the specific way in which a chemical is toxic. The exposure amount will be increased by higher levels of chemicals in the sediment, by larger amounts of sediment being disposed of at sea but also by the rate of disposal of the sediment.
- 8.15 The faster the rate of disposal the higher the concentration of chemical will be and so the more poisonous the sediment will be to the aquatic environment. Faster rate of disposal will also mean the concentration of a chemical will remain above the concentration at which it is toxic for longer. Very high concentrations may also slow down the rate of breakdown of the chemical, as the concentration of oxygen for oxidation is reduced by previous breakdowns and any microbial breakdown is swamped or even poisoned due to the high concentration.

UKD Orca

- 8.16 The UKD Orca was contracted to dredge the channel in Tees Bay from 25th September 2021 to 4th October 2021, which corresponded exactly with the first die off of marine life. This led to the assumption that the UKD Orca must have been responsible for the marine die off.
- 8.17 This assumption was reinforced by errors made by PD Ports in the original Application Form for [MLA/2015/00088](#) where the total dredge for the River Tees was stated as only 1,507,770 wet tonnes for sand and 930,065 wet tonnes of slit to be removed over the ten year period between 1st January 2016 to 31st December 2025. These were in fact the amounts that PD Ports expected to dredge every year. Similar errors were made for the Hartlepool dredge amount, i.e. 322,800 wet tonnes of sand and 128,480 wet tonnes of silt over ten years and not each year. These errors had not been corrected, so that when it was known that the UKD Orca had disposed of almost 150,000 wet tonnes at sea, this appeared to be 60% of the annual allowance of the incorrectly stated 245,000 wet tonnes, as per [MLA/2015/00088](#) before variation 6 (June 2022).
- 8.18 The Application Form for variation 6²⁰ merely states "The licence currently has an admin error on the quantities, so they do not align with the correct volume on the licence conditions." The previous licence [MLA/2012/00141](#) did give annual breakdown of amounts to be dredged, so to someone in the know this is just an administrative error in [MLA/2015/00088](#), but this was not the case for consultees

²⁰ [MLA 2015 00088 6-VARIATION-6-FORM.pdf \(northeastfc.uk\)](#)

who explicitly stated their opinions were based on the incorrect annual amounts i.e. Cefas recommendations based on 2020²¹ sampling and 2021 sampling²².

8.19 It is now known that the UKD Orca removed 148,930 wet tonnes, 5% of the annual total amount allowed to be disposed of at the inshore Tees Bay A, 2,889,700 wet tonnes, which is normally 80% from the Tees channel and 20% from the Hartlepool channel. The UKD Orca was dredging 24 hours a day for 10 days, whereas, according to the maintenance dredging method statement²³, PD Teesport's own dredgers normally only dredge 8-10 hours a day for 6 day week. So, in 10 days (2.8% of a year) UKD Orca had removed more material that the normal operation would in 18 days.

8.20 Key Points:

- PD Teesports disposal at sea licence([MLA/2015/00088](#)) issued in 2015, was incorrectly issued for one tenth of material actually dumped at sea and only corrected with variation 6 in 2022.
- Opinions of the safety of disposal at sea states the incorrect quantities of material.
- The dredged material disposed of at sea is many 100s of times above notification level for polycyclic aromatic hydrocarbons
- UKD Orca disposed of 5% of annual dredge in 10 days rather than 18 days, almost double rate of disposal at sea.
- UKD Orca dredge occurred at the same time as the marine die-off occurred in late September and early October 2021.
- Why was sampling carried out one year early immediately after UKD Orca dredge, i.e. many samples were below level where river is usually dredged.
- Sampling in October 2021 showed PAHs had in general increased compared to November 2020 (of 176 measurements 152 increased by up to 22times), but no similar increase seen in metal concentration (of 64 measurements only 34 had increased by at most 4 times and some had decreased to 10%).
- This suggests that an event with a large release of hydrocarbons happened prior to 13th October 2021.

Creation of South Bank Quay

8.21 Teesworks is reclaimed land and a historical site of steelworks and coke ovens, metal recovery and landfill, much of it Made Ground around 3-5 m deep, now below the recently installed / being installed capping layers. Large amounts of various contaminants, many of which are highly toxic to marine life (as noted in site COMAH status which remained until end of 2023), were present in

²¹ [20210329 MLA2015000885 L2015004275 Tees and Hart Maintenance Disposal - Variation Advice Minute FINAL.pdf \(northeastfc.uk\)](#)

²² [20211217 MLA2015000885 L2015004276 Tees and Hartlepool Maintenance Disposal Mid-licence Advice Minute FINAL.pdf \(northeastfc.uk\)](#)

²³ [PD Teesport - Maintenance Dredging Method Statement\(2\).pdf \(northeastfc.uk\)](#)

complex remaining structures above ground, and still remain below ground and should be considered as part of remedial work. Contaminants present include heavy metals, PAH, phenols, chromium, TPH/EPH, PCBs, VOCs, dioxins, furans, pyridine and novel contaminants from industrial legacy.

- 8.22 If developed properly the site could not only provide long term employment once the most appropriate industries are attracted, but also with imagination as promised in the original 2017 South Tees Regeneration Masterplan²⁴ provide fantastic opportunities for heritage and nature. In fact in predevelopment consultations, the local population stress the importance of nature and heritage not just jobs (2019 South Tees Regeneration Masterplan²⁵). Other UK brownfield regeneration schemes (The Avenue Coke Works, Chesterfield²⁶) have achieved all three and international examples such as Bilbao have regenerated whole regions (Transformation Bilbao²⁷). In Bilbao's case, the regeneration enable progress from a cyclical economy to one that has been stable for three decades so far (The Bilbao Effect²⁸).
- 8.23 Teesworks approach does not compare well to best in class nationally and certainly not internationally. For example, the approach to dredging for the Teesworks South Bank Quay development is a very visible demonstration of the lack of ambition being shown by Teesworks, through what appears to be substandard operations, where speed and low cost seem to trump any heritage/environmental considerations. South Bank Quay will create much needed jobs in a sector that really supports the UK's need to move to Net Zero, but the jobs could have been equally created with a protective/precautionary approach to the environment and respect for local heritage. Instead, a short-sighted approach where short terms profits both financial and political appear to have been prioritised over real sustainable long term benefits.
- 8.24 In order to create the new South Bank Quay, Teesworks and its sister organisations (STDC/STDL) carried out capital dredging, which involved the removal of up to 16m depth of material from the original riverbank and river bed.
- 8.25 The construction of the South Bank Quay is covered by a number of planning applications and 2 marine license applications. One of the marine licence applications, South Bank Quay Phase 1 [MLA/2020/00506 plus variations 1 and 2](#), includes thousands of pages related to the South Bank site including much information related to its industrial history. The site has been used for over 100 years for a wide variety of industrial uses, the major ones being related to iron/steel making, in fact the area was classified at the most dangerous hazard level (COMAH) due to the by-products of coke making that remained on the site at the time of the application. The major by-product (coal tar) is a dangerous mixture of chemicals distilled from coal whilst being transformed into coke. The

²⁴ [171019South-Tees-Master-Plan-19-Nov-17.pdf \(northeastfc.uk\)](#)

²⁵ [1911South-Tees-Master-Plan-Nov-19.2.pdf \(northeastfc.uk\)](#)

²⁶ [The Avenue Landscaping and Remediation Project – one of the UK's most significant brownfield projects - GOV.UK \(www.gov.uk\)](#)

²⁷ [bilbaoturismo.net/BilbaoTurismo/en/history/transformation-bilbao-](#)

²⁸ [The Bilbao effect: how Frank Gehry's Guggenheim started a global craze | Frank Gehry | The Guardian](#)

COMAH status was due to the 1000's of tonnes of mainly coal tar related material still on the site. What is unknown is how many thousands of tonnes of material have leaked into the site over the 100 plus years of coke oven operation.

- 8.26 The licence application also contains the chemical analysis for the suite of chemicals that is specified by OSPAR (Oslo and Paris Convention) as having to be tested if material is to be disposed of at sea. Samples that had been taken of the riverbed and the river bank all had high level of polycyclic aromatic hydrocarbons (PAHs), which was not surprising bearing in mind the site history of coke production. There is no explicit requirement in OSPAR regulations for a developer to test for other coal tar / coke related chemicals and they were not looked for.
- 8.27 Chemical analysis showed that about a third of the riverbed designated for dredging for the berth at the South Bank Quay was so contaminated that it was classified as an exclusion zone. The material that was dredged from this exclusion zone was therefore excluded from being disposed of at sea and instead had to be brought to land for appropriate disposal or cleaning. The top 8m was excavated to land, as this 'human made' waste (as defined by the London Convention) could also not be disposed of at sea.
- 8.28 The MMO had to make a subjective judgement on whether the cumulative effects of dredging would cause sufficient damage to warrant blocking of disposal at sea. The MMO takes advice from Cefas, who stated that while levels of contamination were high enough that disposal at sea should not be allowed, due to previous activities in the vicinity of the Tees, disposal at sea should not be precluded (18th June 2021 - Cefas Follow up Advice [MLA/2020/00506&00507](#)²⁹). So, in the case of the sea around the River Tees due to its history of pollution, adding more contamination is acceptable. In other words, in other marine areas without an industrial past, it could be assumed that the disposal would not have been acceptable, and the environment would be protected.
- 8.29 We know, from both from the record of historical industrial activity and waste disposal into the Tees and from the limited sampling carried out before the dredging occurred, that the material disposed of at sea will have been contaminated to some extent. The disposal at sea is allowed because it does not breach current internationally agreed limits and because there is an assumption that development takes precedence over potential environmental damage.
- 8.30 Further to this, although a marine licence specifies the way in which the dredging must be carried out and how the dredged material is to be disposed of at sea, it is up to the contractor to comply with the specifications. Disposal sites are only checked by the MMO for contamination level once every three years.
- 8.31 The MMO originally asked the developers to monitor the amount of sediment being released locally into the river at the dredge sites to ensure it did not disrupt the marine ecosystem. This would have involved extra expense and potential

²⁹ [20210615 MLA202000506 MLA202000507 Tees South Bank Phases 1 and 2 - EIA SEAL Advice Followup+SJB.docx \(northeastfc.uk\)](#)

disruption to the Teesworks dredging operations, so the developer proposed an alternative - that dredging would not take place during July and August as this is when the salmon mainly migrate along the River Tees Estuary. All flora as well as fauna in marine ecosystem can be damaged by exposure to the dredged sediment but only salmon is fully protected in law.

South Bank Capital Dredging - 11th October 2022

- 8.32 As outlined in section 6.25, Chemical analysis showed that about a third of the riverbed designated for dredging for the berth at the South Bank Quay was so contaminated that it was classified as an exclusion zone. Developers were therefore required to use a closed bucket dredge, on the basis that "An enclosed grab results in virtually no release of sediment as the material is dredged"³⁰
- 8.33 A Marine Licence Application return document MLA/2020/00506 Condition 5.2.11 - P03³¹ evidenced that this was not the case, and that so much contamination was spread from the excluded dredge site that there was a requirement to carry out localised remedial dredging to remove the contaminated sediment around the excluded area. Planning documents show that locally released sediment will have been deposited over most of the River Tees estuary. However, Teesworks only remediated close to the exclusion zone meaning that excluded contaminated sediment will also have been dumped at sea either through the cutter suction dredger Athena's capital dredging of the rest of the berthing pocket adjacent to the exclusion zone or by PD Ports maintenance dredging of the main channel adjacent to the exclusion zone.
- 8.34 Further dredging activity undertaken between 5 February and 14 April 2023 contributed to the disturbance and spread of contaminated sediment along the bed of the river. The following conclusions may be drawn from video evidence captured between 30 March and 14 April 2023:
- The resuspension of riverbed sediment is clear, with material of all sizes changing the rivers colour around the Athena and presumably mainly fine sediment being allowed over the weir on the barge as the suction dredged sediment settles in the barge effectively dewatering the sediment in the barge. The more water that is allowed to leave the dredged material in the barge, the larger the loads of dredged material that can be removed per trip to the disposal site, but the greater the amount of dredged material which is released back into the river.
 - The video starts with images of the large banded mound which is believed to be the material dredged from the exclusion zone. This material is so contaminated that it cannot be disposed at sea, it has been piled near to the river to dewater with the required bund to capture any water, potentially to be treated before disposal (as specified in the marine licence).

³⁰ [MLA_2020_00506-PC1084-RHD-ZZ-XX-RP-Z-1115_South Bank Quay supplementary report-16.pdf \(northeastfc.uk\)](#)

³¹ [MLA_2020_00506-PC1084-RHD-SB-EN-ME-EV-1145-Condition 5.2.11 Note P03.pdf \(northeastfc.uk\)](#)

- The two excavator dredgers are working towards the western end of the quay, with the Athena operating towards the eastern end of the quay.
- The material dredged by the Athena is allowed to be dumped at sea, so you can see the hopper barge connected by the floating pipe. The water around the hopper barge shows the material which is being released from the barge as the dredged material is allowed to drain into the Tees. The more water that can be removed from the material piped from the Athena, the fewer times the hopper barge has to be taken out to the disposal sites.
- Finally, the Athena cutter suction dredger can be seen in operation and unlike the animation the amount of sediment which is not caught by the suction can be seen by the change in water colour around the cutter head, travelling to the stern of the boat.

Redevelopment and Remediation Work

8.35 The approach to remediation of the South Bank Site, as outlined in the STDC Enabling Earthworks and Remediation Strategy Report ³² was described as being potentially inappropriate for DNAPLs (Dense non-aqueous phase liquids), which require specialist equipment for removal or remediation. Further to this, consideration has not been given to risks to local receptors, such as SSSI, RAMSAR site and River Tees as they are removed from the Conceptual Site Model (CSM). There was also no reference to potential risks from the creation of additional pathways to sensitive receptors as a result of piling, explosives or dredging activity, or of the possibility of tidal flats groundwater acting as source and pathway, owing to hydraulic continuity with river and sea. A revised CSM showing risks to river and marine receptors is shown at **figure 11**.

8.36 In terms of risk assessment, the following was identified:

- There are multiple known and unknown pathways to contaminate river and sea and there was a failure in assessing significant risks to the water environment, which is highly dynamic.
- There appears to have been no consideration for DNAPLS, and the granting of a planning application without remediation of DNAPLS in affected areas is not in line with EU guidance. Correspondence from the Environment Agency, dated August 2019, advises that 'decontamination operations should be completed prior to any demolition or longer-term restoration of the site.
- The CSM contained no reference to the impact of development on offsite receptors, such as SSSI, Ramsar and the River Tees.
- No consideration was given to the creation of additional pathways caused by explosions, or migration of contaminants through Tidal Flat Deposits.

8.37 In terms of regulatory issues, the following was identified:

³² South Bank Priority Area, Enabling Earthworks and Remediation Strategy, STDC, ARCADIS, May 2021 [R-2021-0465-FFM-10035117-AUK-XX-XX-RP-ZZ-0271-02-South Bank Priority Strategy.pdf \(northeastfc.uk\)](#)

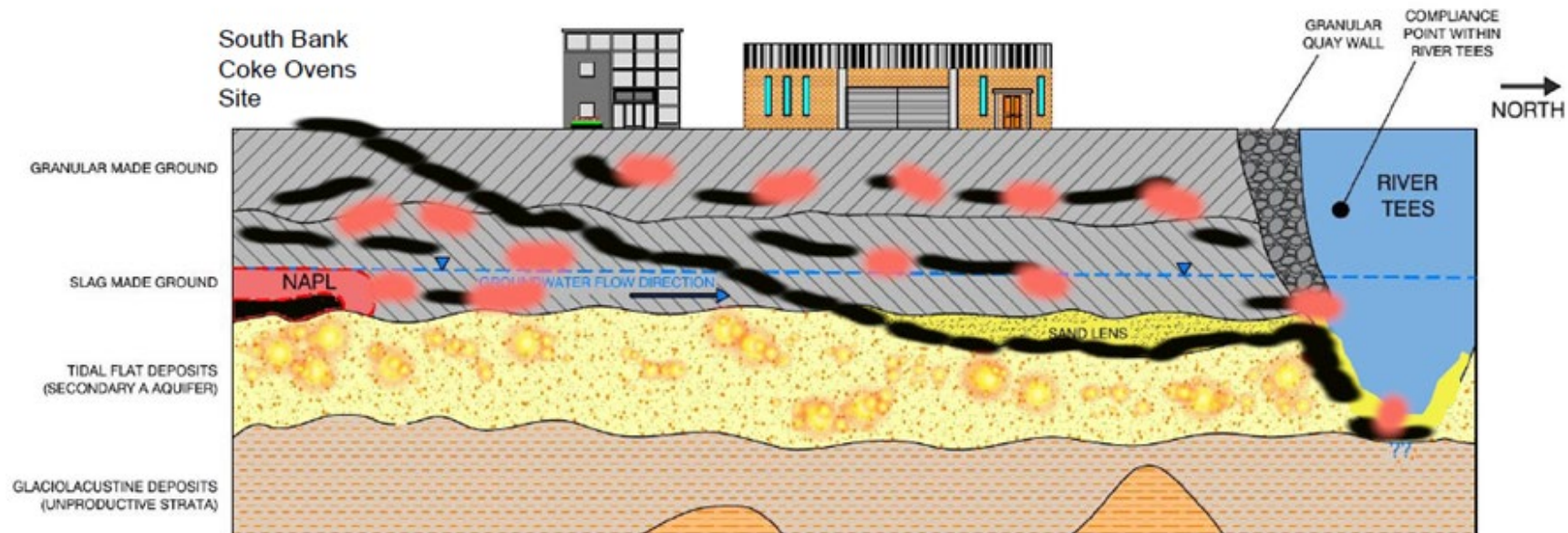
- The precautionary principle was not applied given the recent die-offs. The assumption should be that any work on the site is likely to cause environmental damage or at least reduce the resilience of the local environment to damage.
- The incident relating to Borehole 34 was not properly addressed.
- There was no independent testing of dredged material or the dredged site, as would be expected with a landfill scenario.
- The Independent Panel review of the October 2021 die-off was used as a rationale to approve future dredging – see **Variation MLV2**

FINDINGS

- Concerns are raised here as to the administration of the MMO applications with such a fundamental error of the amount of material to be dredged and disposed of at sea being wrong. This was only corrected on 17 June 2022.
- This means that the original license was issued erroneously given that the figures given were 1/10th of the actual required.
- Who polices / audits how much material is dredged and disposed of at sea? If there was any policing, it should have been picked up that this was significantly over the amount stated on the license for the years from 2015-2022
- Sampling carried out after the Orca dredge which was a year earlier than expected given the standard testing regime. Why was this decision made when PD Ports told us that they would not test over and above what was the minimum necessary
- Sampling around 13 October 2021 shows a large increase in the levels of PAH in comparison with levels of heavy metals in comparison with November 2020. This could indicate that an event occurred shortly beforehand which released a high number of Hydrocarbons
- Concern as to the impact of a number of demolitions on reclaimed and contaminated land, including the Dorman Long tower, potentially releasing contaminants into the river, and in particular PAH.

Figure 11

Revised Conceptual Model showing risks to river/marine receptors (EA DNAPL + Arcadis South Bank)



South Bank, Teesworks, Redcar - Detailed Quantitative Risk Assessment - South Tees Development Corporation - Document Ref: 10035117-AUK-XX-XX-RP-ZZ-0331-02-SB_DQRA - Revision: 02 - SEPTEMBER 2021 - Arcadis
https://www.northeast.co.uk/teesworks/Planning/R-2022-0006-CD/R-2022-0006-CD-10035117-AUK-XX-XX-RP-ZZ-0331-02-SB_DQRA.pdf
Environment Agency 2003 - R&D Publication 133 - An illustrated handbook of DNAPL transport and fate in the subsurface

Professor D Roberts, Department of Geography, University of Durham

Evidence heard at a meeting of the Working Group on 3 November 2023

Professor Roberts provided an oral presentation on his work relating to sediment core samples taken from the Tees riverbed in April 2023 between the South Bank site and the mouth of the Tees. Professor Roberts advised that he was working as part of the community effort as a sedimentologist with expertise in how sediment is deposited in coastal environments. Professor Robert's interest in the area had developed over decades, particularly in relation to coastal evolution and waste produced as a result of coal mining activity. He has extensive experience of collecting sediment cores from offshore, coastal and estuarine areas.

- 9.1 Following several mortality events, scientists have been examining dredging activity to assess how dredged sediment may have found its way to the sea / estuary floor, and to assess what the sediment may contain with respect to pollutants. Cores have been retrieved as part of a collaborative process between the scientific and fishing communities and are currently in the process of being analysed for content. Within 6 – 12 months comprehensive results relating to the characteristics of the sediment should be available.
- 9.2 Some basic considerations in relation to the work were described as follows:
- In an estuary sediment is moved through fluvial and tidal action.
 - Sediment is deposited as bedload by currents and via suspension settling.
 - Suspension settling is very important where there is fine sediment in the water column.
 - Dredging activity leads to the formation of sediment plumes which release both coarse and fine sediments (plumites) via rainout onto the seafloor.
 - Plumites accumulate layer by layer providing a record of the sediment that has been released.

Law of Superposition

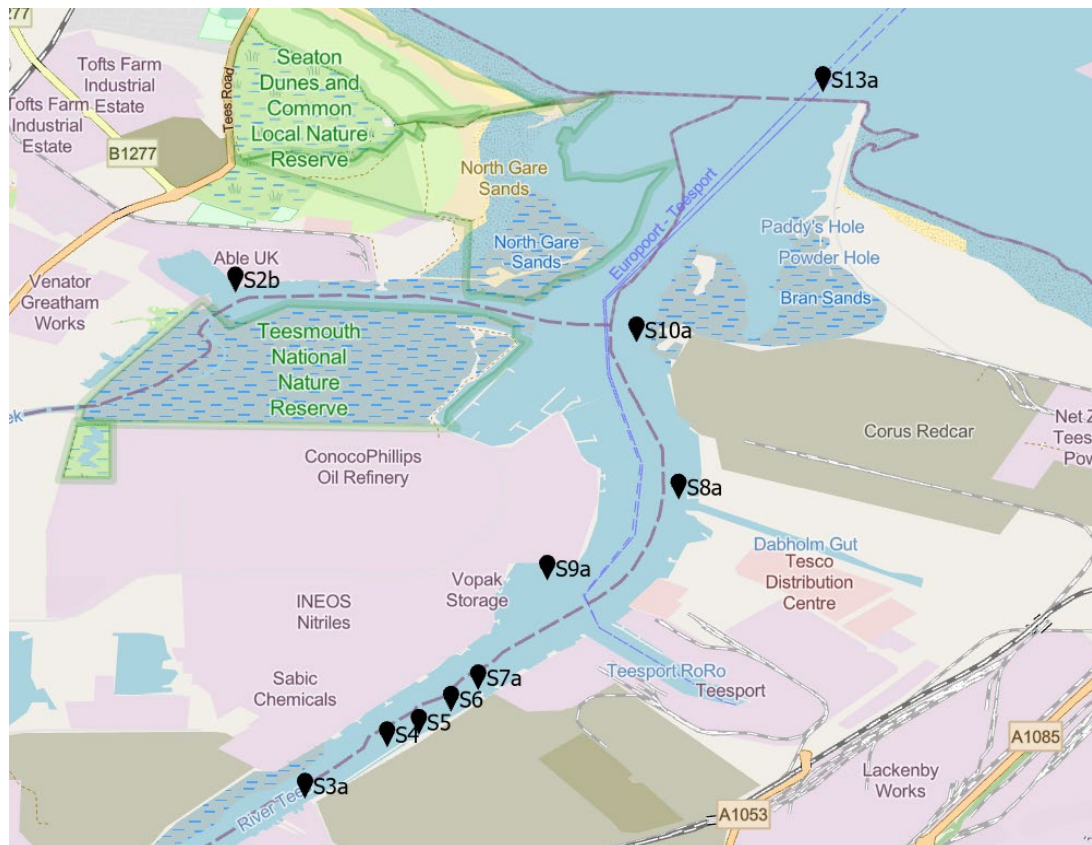
- Younger sediments lie above older sediments.
- So, the most recent sediment layers sit on the top of the sediment pile.
- Sediments tell us about depositional processes and pollutant signals.
- Timescale:
 - The Tees cores undoubtedly capture sediment accumulating on the riverbed in the days, weeks, months prior to April 11 2023. The 'dredge' signal has distinctive: colour, grain size, physical properties, structure and lacks fauna. The cores also contain older 'pre-dredge' sediments which have distinctive: colour, grain size, physical properties, structure and faunal communities.

- 9.3 The location of Tees core samples is found at **figure 12**. Sediment cores taken as part of this investigation were retrieved in situ, on a single day on 11th April 2023.

Cores taken were not a standard length due to variable sediment density and water content. Data was derived from the following processes:

- MSCL scans to ascertain the physical properties of the core (e.g., grain size).
- CT scans, which allowed researchers to look inside the core to define sediment structure (e.g., normal grading associated with rainout).
- XRF scans which provided elemental analysis.

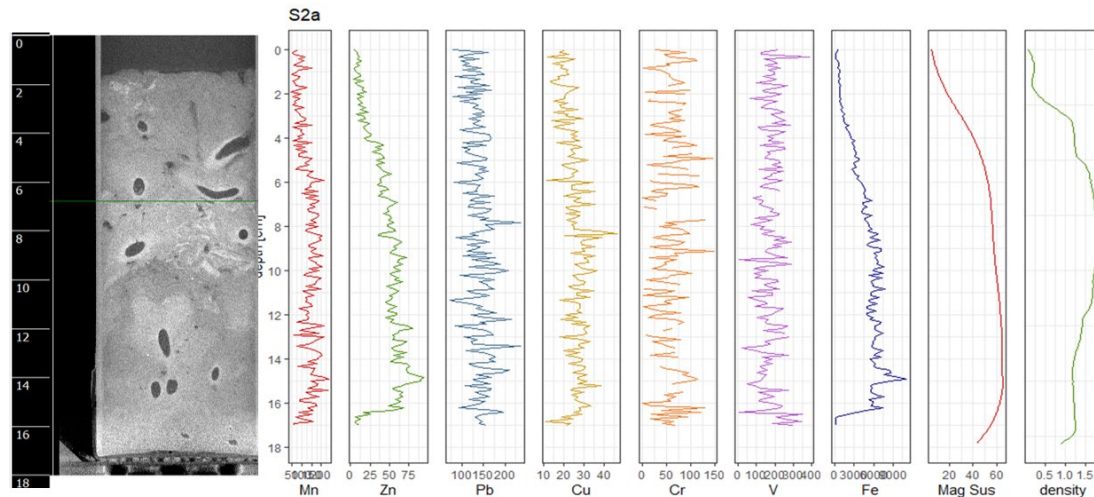
Figure 12 – Tees Cores Locations



9.4 Findings from core sample analysis are as follows:

S2a (pre-dredge sediment)

- Dark brown; muddy sand; massive; macrofauna (worms, molluscs, gastropods); bioturbated.
- High density.
- High magnetic susceptibility.
- Elemental signal: Zn/Fe/Al ↑; Pb/Cu/Cr/V↓



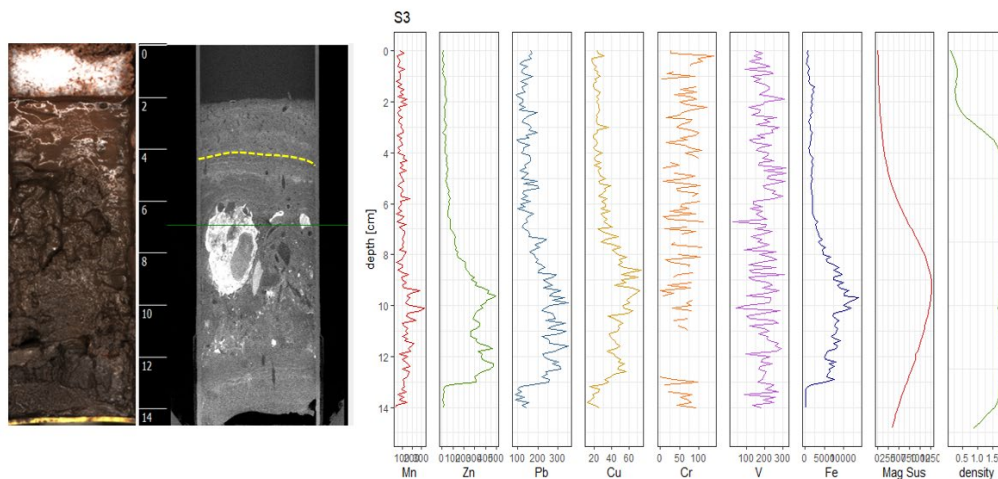
S3 (pre-dredge overlain by thin dredge)

Pre-dredge

- Dark brown, muddy sand, macrofauna (worms, molluscs, gastropods)

Dredge

- A thin cap of red, muddy sand on top, lacking fauna, not bioturbated, laminated.
- Drop in Mag Sus and density.
- Drop in elemental signal (Zn, Cu, Pb, Fe)



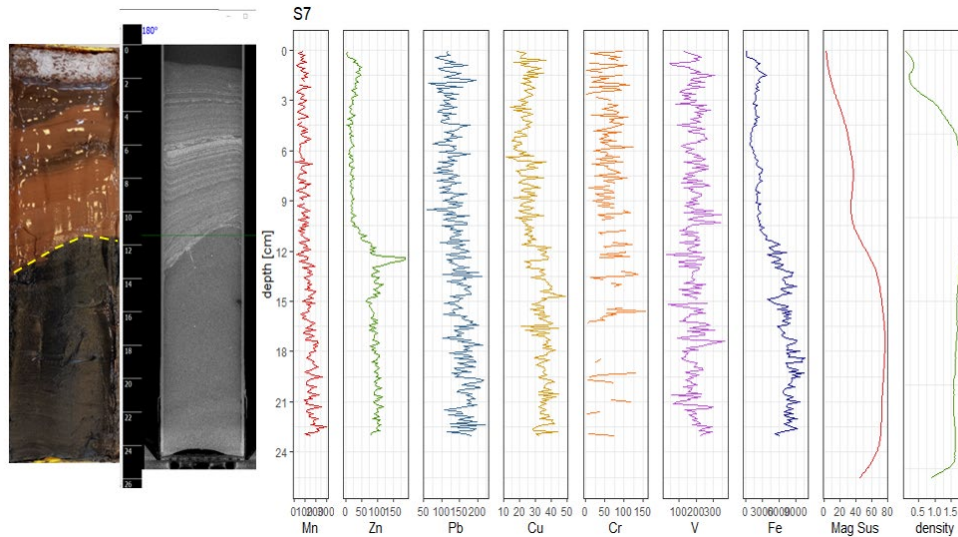
S7 (pre-dredge overlain by thin dredge)

Pre-dredge

- Dark brown, muddy sand, no macrofauna

Dredge

- 10cm cap of red, mud, lacking fauna; laminated
- Drop in Mag Sus and density.
- Drop in elemental signal (Zn, Cu, Pb, Fe, Al)



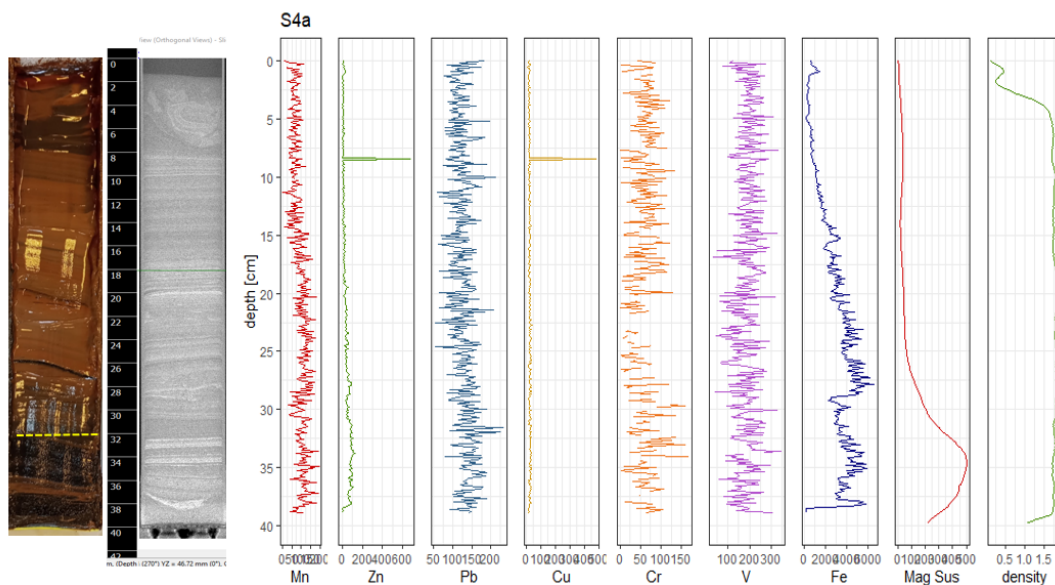
S4 (pre dredge overlain by thin dredge)

Pre-dredge

- Dark brown, muddy sand, no macro fauna

Dredge

- 32cm cap of red, mud, lacking fauna; laminated
- Drop in Mag Sus and density
- Drop in elemental signal (Fe), spikes in Cu/Zn



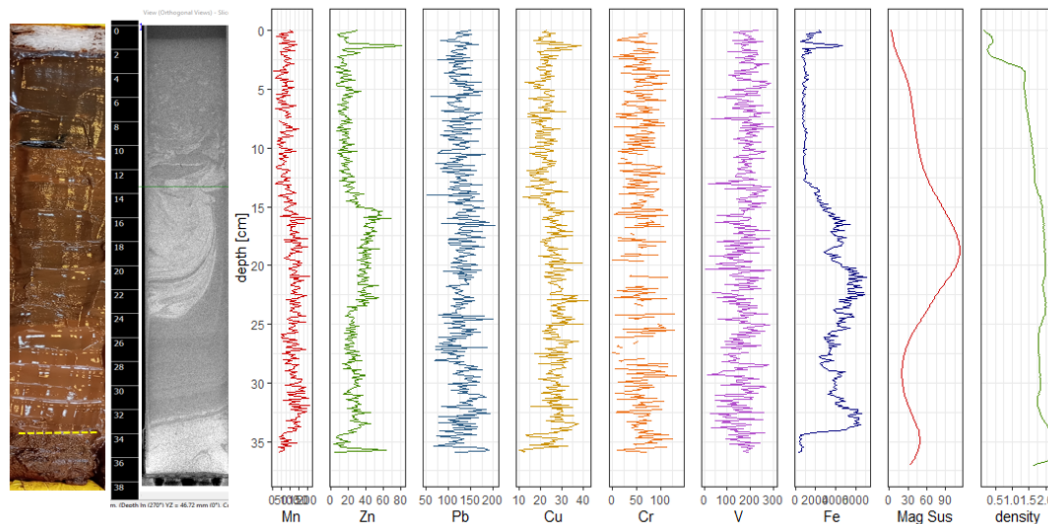
S5a (pre dredge overlain by thin dredge)

Pre-dredge

- Dark brown, muddy sand, no macrofauna

Dredge

- 34cm cap of red, mud, lacking fauna; laminated, deformed
- Drop in Mag Sus and density
- Change in elemental signal.



9.5 Key sedimentary properties:

- Pre-dredge signal shows dark brown, muddy sands with extensive evidence of macro fauna (worms, gastropods, molluscs) and related bioturbation. Sediment is high in density and magnetic susceptibility and distinctive elemental signal.
- The dredge signal is composed of fine-grained (silt/clay) sediment, which is laminated, red-brown in colour and devoid of life, low in density and magnetic susceptibility, and a different elemental signal to the pre-dredge material. The red colour of the dredge signal suggests a distinctive local source.

9.6 Professor Roberts advised that, in his opinion, core samples 3 – 7 contained material dredged and released as a result of adaptation and alteration of the South Bank site, possibly resulting from work undertaken by the Athena dredger. The plumes associated with the Athena have a distinctive red colour similar to the sediments cored on the riverbed. Although it is difficult to date plumes, the law of superposition dictates that the uppermost deposits are most recent and likely deposited in the days/months prior to 11th April 2023. There has been no comprehensive survey of the riverbed, but common sense would dictate that the red dredged sediment released via plume activity is now likely to be ubiquitous along the riverbed and across many parts of the estuary.

9.7 'Pre-dredged' older sediment (e.g., core samples S2b) showed evidence of marine life. In contrast, the red 'dredge' sediments are devoid of life, most probably due to

high levels of toxicity, sedimentation or turbidity making the riverbed inhospitable to life.

Centre for Environment, Fisheries & Aquaculture Science (Cefas)
“Development, validation, and application of a fully quantitative method for the determination of pyridine in crustacean tissues (and application of the same method in sediments).”

The report, and associated feedback, was discussed at a meeting of the Working Group on 7 December 2023.

10.1 The report referred to above outlines the following points (taken from the Executive Summary):

- Pyridine was implicated as a cause in the mass mortalities events (MMEs) that occurred during the autumn 2021 in the NE coast of England involving mainly crabs and lobsters. This was inferred from high pyridine levels reported in some crabs from the affected area, following analysis by the Environment Agency (EA).
- The analytical screening method used by the EA (although accredited for water samples), was neither quantitative nor validated for biota (or for sediment) samples but was used within this incident to identify lines for potential follow up.
- Due to continuing external concerns over pyridine, Defra commissioned (this work) at Cefas to develop and validate a robust quantitative method for pyridine in these environmental matrices.
- This method was used to re-analyse stored samples collected during the MMEs.
- Cefas analysts developed and validated a method, using a head space injection gas chromatography coupled to a mass spectrometer, HS-GC-MS technique. The limit of detection (LOD) and the limit of quantification (LOQ) of the method was 0.006mg/kg and 0.02mg/kg wet weight (ww) for the shellfish matrix and 0.002mg/kg and 0.008mg/kg ww for the sediment matrix, respectively.
- The analytical method developed in this study, demonstrated fit-for-purpose performance criteria for biota matrices, including a recovery range of 89-101% and an associated within batch coefficient of variation (relative standard deviation) of 2-3% across three concentration levels (5, 25 and 500mg/kg).
- Reanalysis of crustacean samples that had originally returned high indicative pyridine levels with the EA method (3-429mg/kg) demonstrated very low concentrations of the chemical (<0.22-0.077mg/kg, over 3 orders of magnitude lower). Analysis of additional crab samples, unrelated to the events, also demonstrated the presence of pyridine at very low levels (<0.02-0.139mg/kg).
- A single mussel sample returned a value of 2.36mg/kg.
- Pyridine levels in sediments collected in November 2021 all returned values between the LOD and LOQ. Three sediment samples collected in January 2022 returned values above the LOQ (0.014, 0.008, 0.009mg/kg ww), although below 2x LOQ.
- Both sediment and biota samples returned levels of pyridine within an expected range based on the low environmental persistence, and high biodegradation rate of the chemical.

- It is therefore considered very unlikely that pyridine, as a single chemical entity, was the cause of the crab and lobster mortalities during autumn 2021.

10.2 Dr Gary Caldwell provided the following response to the report:

“Context: The Cefas report details a validated method to precisely measure the quantity of pyridine (a highly volatile organic solvent) in crustacean tissues and marine sediments. The research was commissioned in response to concerns about the quantities of pyridine measured by the Environment Agency (EA) as part of their pollution incident response following the autumn 2021 mass crustacean die-offs. The method used by the EA was validated for water but not for tissue samples. The publication of a validated method is to be welcomed, and I expect a second validated method developed by the University of York will be published in the coming months. Having validated methods is important in ensuring confidence in the pyridine values reported. Cefas applied their validated method to samples of frozen carcasses collected at the time of the original die-offs. While I have no issue with the method itself, care must be taken with respect to the absolute quantities of pyridine measured in the tissues as they had been stored frozen at -20oC rather than -80oC (which is the accepted temperature for the long-term storage of unstable samples). Pyridine, being volatile, will continue to have been lost to atmosphere at -20oC, albeit slowly. Further, at -20oC microbes present in/on the carcasses could still have been metabolically active and may have further degraded the present pyridine.

The storage issue aside, there are important nuances that an informed reader would have picked up from the report, but which have been overlooked by public figures and by the media. Firstly, drawing conclusions based on tissue pyridine content is of limited value, and I would argue that it is potentially flawed for, as the report states:

“...the water-soluble nature of pyridine suggests very low bioaccumulation potential.”

Bioaccumulation is the process whereby the quantity of a chemical is increased within the tissues of an organism, often to dangerous levels. Whether a chemical bioaccumulates or not is primarily dictated by the properties of the chemical, and pyridine is widely accepted not to bioaccumulate. However, this is a moot point as pyridine does not need to enter the body of a crab/lobster to exact its toxicity. The receptors that are sensitive to pyridine are found on the outside of the crab/lobster (on the exoskeleton). The implication of this is clear, for pyridine to be toxic it needs only to be present in the water and/or sediment - there is no need to bioaccumulate. Therefore, one would not necessarily expect high levels of pyridine to be found in the tissues.

With respect to the surface sediment testing, these samples were collected several weeks after the main die-off event and were also stored sub-optimally at -20oC. Pyridine has a half-life of approximately 8 days (a logarithmic decay). Due to the timing of the sampling, the bulk of pyridine will have been lost and/or degraded. Even so, it's important to state that some of the pyridine levels that Cefas detected in sediment (particularly around Hartlepool) do fall within the toxic range against crabs. If one was to back calculate the quantities measured in the sediment according to the 8-day half-life, this

would lead to the inevitable conclusion that the pyridine levels in the sediment at the time of the die-offs would have been even more deeply into the toxic range.

The final point that I want to highlight is directly related to one of the key conclusions of the report, and indeed was the message briefed by No. 10 to local MPs and the media.

“It is therefore considered very unlikely that pyridine, as a single chemical entity, was the cause of the crab and lobster mortalities during autumn 2021.”

To the casual observer this may seem like a definitive dismissal of a pollution link, but for those of us that have been immersed in these events and have had to deal (both in private and in public) with the unequivocal and at times unnecessarily forceful denials of the DEFRA agencies of any pollution involvement, the report’s conclusion is a notable change in position.

Considering the “...as a *single chemical entity*...”, a multichemical pollution event is the most likely source of the die-offs. Pyridine is but one component of coal tar, and another coal tar component that we are very worried about is naphthalene. The report’s authors will have been all too aware that I will have read the report - to those of us versed in the science, that conclusion speaks volumes. This is the first admission that pyridine could, as part of a multichemical mix, have been responsible for the die-offs.

- 10.2 Dr Simon Gibbon advised that Cefas should have tested old samples again with both tests, or ideally, tested new samples with both tests. Otherwise, differences caused by the age of the samples can’t be ruled out.
- 10.3 NEFC queried the validity of the findings in the absence of a peer review process.

FINDINGS

- The development of a validated method for determination and quantification of pyridine in tissue samples is welcome but the report published by Cefas had not been peer reviewed prior to publication.
- Peer review is very important in ensuring the quality and validity of research findings prior to publication of any findings.
- Storage of the tissues used in the Cefas study at -20oC was not optimal. Storage at -80oC is recommended for unstable products such as pyridine.
- It is considered unlikely that pyridine “as a single chemical entity” was the cause of the mass die off.

Whitby Lobster Hatchery

Evidence gathered by Members of the Group at a visit held on 8 January 2024

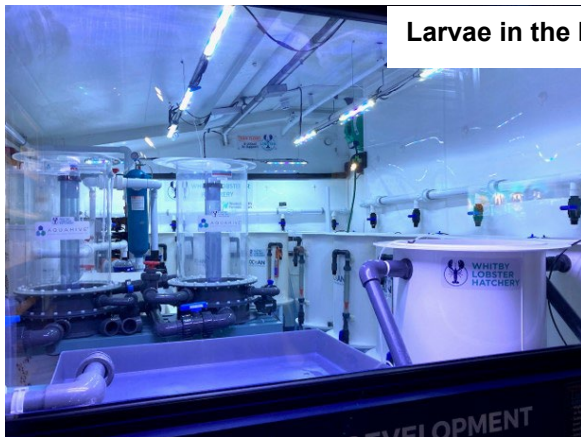
- 11.1 Whitby Lobster Hatchery is a charitable organisation that was created in 2021. Set up with grants from the MMO and local businesses, the organisation has recently opened a visitor centre with the ambition of becoming a self-sustaining educational, conservation and research centre.
- 11.2 The fishing industry along the Yorkshire coast is the largest in England with Whitby ranking at the 3rd largest port for lobster landings. Along all of the ports on the Yorkshire coast, lobster fishing has replaced the white fish industry as the main target species and lobster now make up the majority of income for Yorkshire fishing communities. Yorkshire lobsters are some of the best in the world, highly desired by seafood markets across Europe. It is therefore vital that these species are healthy, abundant and sustainable.
- 11.3 The aim of the Hatchery is to protect Whitby's fishing heritage by conserving the local lobster populations. This will be achieved with the release of 100,000 juvenile lobsters into the sea.
- 11.4 Lobsters produce up to 20,000 eggs per cycle, which are released into the water as larvae. Statistically, only 1% of these larvae survive. Wild caught egg-bearing lobsters are brought into the hatchery, where the eggs are developed safely and the juveniles protected over the most vulnerable period of their life cycle before being released back into the wild. The intervention is predicted to increase larval survival rate to 30-50%.
- 11.5 It is envisaged that the released juvenile lobsters will fortify the existing lobster population year on year. Juvenile lobsters take 5-7 years to grow to market size and during this time they will reach sexual maturity and begin to release eggs of their own. The Yorkshire Lobster Hatchery maintain that this conservation method, alongside effective management, will protect lobster fishing in the area by strengthening local lobster stocks and securing jobs for the fishing fleet.
- 11.6 The hatchery was assembled before the mortalities began, although the target for release numbers hasn't altered, being already ambitious. The Manager, however, advised that the organisation were spurred on by the die-off event and the realisation of the fragility of the marine environment. Since the mortalities, support from the fishing community for the programme has increased from 80% to 100%.
- 11.7 As lobsters regularly moult by creating a new shell and eating the old one, a DNA database of released lobsters has been created to identify and track individual lobsters and assess the success of the release programme. The industry remains unclear on the patterns of movement of lobsters, and there is uncertainty about where juvenile lobsters - less than an inch long – live and feed in their natural marine environment.

Hatchery Process

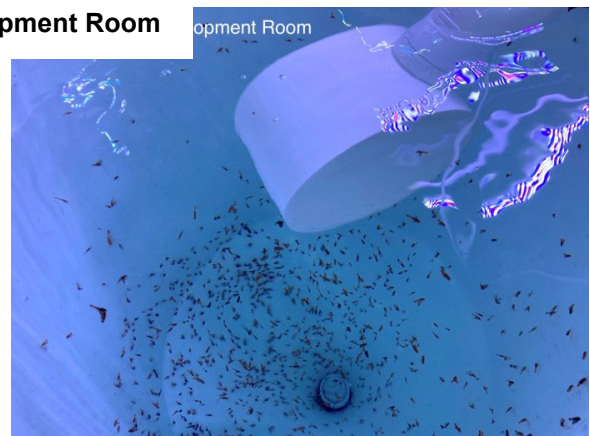
- 11.8 Egg-bearing lobsters, or berried hens, are placed in tanks after being brought in by fishing vessels with dispensation to take them from the sea. After the eggs hatch, the hens are released back to the sea, and the eggs are piped to the Development Room.
- 11.9 The eggs develop to larvae, then juveniles, where they take the familiar lobster shape and continue growing. Artemia (brine shrimp) are bred in a separate room and used to feed the larvae and juveniles until they are about 3 months old, when they are released into the wild by divers, who try to find an environment on the sea bed which looks safe for them.



Tanks holding berried hens

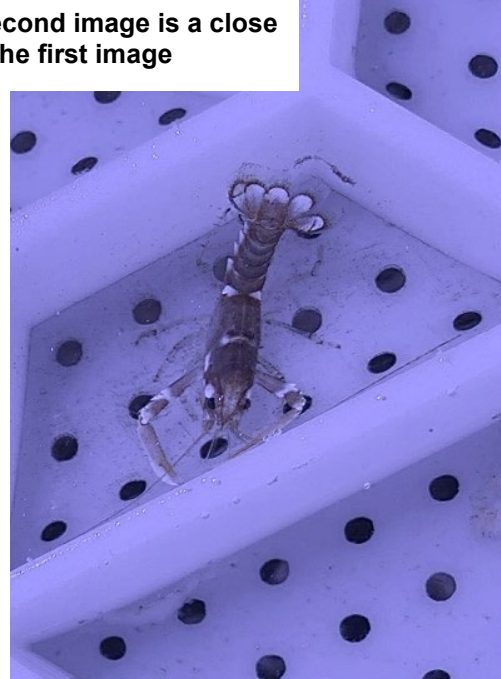


Larvae in the Development Room





Juvenile Lobster. The second image is a close up of the tray shown in the first image



FINDINGS

- It is apparent that the work of Lobster Hatcheries is valuable in our area and should be invaluable to the recovery from this significant event.
- It could be possible for the work to be expanded to include crabs but obviously would require additional funding to enable this.

Mr David McCreadie
Former Senior Lecturer, Marine Biology and Oceanography

Evidence heard at a meeting of the Working Group held on 12 January 2024

The following evidence was relayed orally by Mr McCreadie in his capacity as a former academic and fisheries trader.

- 12.1 Mr McCreadie's shellfish business failed due to River Mersey sludge dumping in 1997, which led to a loss of marine life and livelihoods in the Menai Strait. A sample from the dump site was considered by the Ministry of Agriculture, Fisheries and Food (MAFF) to be a matter of national security.
- 12.2 Mr McCreadie experienced Persian Gulf pollution owing to dumped barrels of toxic waste that had corroded, which led to the death of plant and animal marine life.
- 12.3 Mr McCreadie witnessed the Orca dredging and assigns the wash up of dead crustaceans to this event. The wash-ups continued through January and February of 2022, paused and then recurred in April 2022 along with dead seaweed and marine scavengers such as starfish and whelks. There was a suggestion that whatever was dredged has travelled to the Netherlands and that seals have died further down the English coast owing to the anticlockwise gyre exhibited in the North Sea.
- 12.4 Agent Orange as well as other materials were illegally disposed of in the Tees during the last century. Given the industrial heritage and the lack of regular testing, the release of juvenile lobsters from the Whitby Hatchery and the proposed Northumbria Water sponsored oyster beds are not viable.
- 12.5 Mr McCreadie maintained that the dredging campaign undertaken by UKD Orca was deeper than it should have been, there should be a sonar record of the dredge. (information requested by email from UK Dredging on 15.01.24)
- 12.6 Mr McCreadie believes that there should be sediment testing before, during and after dredging campaigns, to be carried out by scientists independent of Defra.

FINDINGS

- Evidence from Mr McCreadie as a first-hand witness to the crustaceans die off as well as having had first-hand experience as a fisheries trader.

Holding Statement and Public Inquiry

- 14.1 The Working Group met in February 2024 to agree a set of final recommendations based on the evidence received to date. The Group concluded that it was not possible to produce a conclusive piece of work as given its inability to engage with the main government agencies involved in marine management.
- 14.2 The Working Group therefore produced a Holding Statement outlining the interim findings and recommendations. The Holding Statement (see below) was forwarded to the following organisations, with a request for a response:
- The Secretary of State for DEFRA / Working Group Chair's response (**Appendix 15**)
 - Environment Agency (**Appendix 16**)
 - Cefas (**Appendix 17**)
 - MMO (**Appendix 18**)
 - NEIFCA
 - PD Ports (**Appendix 19**)

Crustacean Deaths Collaborative Working Group

Holding Statement

In October 2021, a sea life mortality event occurred along the Northeast coast of England that involved the wash-up of thousands of dead and dying crustaceans. Members of the public, the fishing community and environmental charities continue to report occurrences of mortality events to date, mostly involving crustacea, although wash-up of other species has been reported.

Councillors representing the Tees Valley authorities affected by the incident were concerned that initial Government investigations were closed prematurely and agreed to form a Collaborative Working Group to consider evidence from various sources, including written reports and presentations from expert witnesses and stakeholders.

Representatives from North Yorkshire Council joined the Group in July 2023 in view of the impact of the event on communities further south of the Tees Valley.

The Terms of Reference for the work of the Group outlined the need to better understand the reasons for the event; the impact it had on local communities; the response of key partners and recommendations for future actions.

The Working Group initially agreed to publish findings and recommendations in March 2024, but agreed to continue the work for a further 6-month period to allow government agencies further opportunity to engage and in order that peer-review work on relevant reports is completed.

Recommendations detailed in the Holding Statement

On the basis of information considered by the Working group so far, the following findings and recommendations have been agreed:

- A formal request for the Secretary of State to establish a public inquiry into the events will be made.
- In relation to testing regimes, there is a need to review current arrangements for monitoring of the maritime and waterways environment. In particular:
 - There is a need to review the frequency of testing, alongside the regime for management of sampling and reporting.
 - There is a need to test for a more comprehensive suite of chemicals and combinations of any variety of chemicals.

Review of testing regimes should apply to the whole of the maritime and waterways environment.

- To better manage potential future mortality events, there should be a robust published procedure, which clearly shows lines of responsibility and processes for storing and testing of samples.
- In view of the fact that it has been difficult for the Group to identify interested parties within the maritime environment, a register of pertinent organisations and their contact details should be created. It was also noted that there is a need for stakeholders to establish closer working relationships with each other.
- There is a need to improve the data regarding the health of the maritime and waterways ecosystem, stock levels and catch effort.
- Financial support for ventures that might aid the recovery of marine ecosystems is requested.
- The Working Group call for more appropriate and relevant compensation for the fishing communities impacted by the die-offs. Members believe that the schemes currently on offer – namely, the UK Seafood Scheme and the Fisheries and Seafood Scheme, are not fit for purpose.

14.3 The Holding Statement contained a call for a Public Inquiry in addition to a number of recommendations based on evidence received over the course of the review, as outlined in the body of this report.

14.4 Stakeholder responses to the Holding Statement are attached at **Appendices 15 – 19**. The MMO and Cefas was not able to respond on the basis that they had provided joint feedback with DEFRA.

Final Conclusions

In reference to the aims of the review, the Working Group has made the following recommendations for future actions:

The reasons for the event

Having sought to engage with relevant authorities, agencies and directly interested groups and individuals it has become evident that a wide variety of views and opinions are held in respect of the Crustacean Die Off.

These are based on observations within the existing frameworks of data recording and a wide variety of research that has been conducted, some of which is ongoing.

The original algal bloom has been discounted, and the novel pathogen remains on the table as the only outcome of learned deliberation.

Although unable to add to a definitive conclusion, the Working Group has established that there are a significant variety of factors working independently but also collectively which do influence water quality, be it sea or river.

Although human activity appears to be regulated and the natural environment researched and understood there remains much to better manage and research.

Even with the existence of a plethora of related organisations and the interest shown by the general public, the scientific and fishing communities there have been no definitive conclusions reached.

Recommendations / Actions

1	<p>Further research does require to be undertaken in the fields of marine and river ecology and of its management.</p> <p>Defra and Cefas have initiated further research and it is imperative that relevant work be expedited to establish a greater understanding of the coastal environment, the pressures that bear upon it and the management structures that are best fitted to monitor and manage. Reports should be peer reviewed and placed in the public domain in a timely manner.</p> <p>All research that is being undertaken by Government agencies, scientific institutions, companies and sponsored individuals should be acknowledged and accessible for reference.</p> <p>The complexity of relationships needs to be simplified so that any future events of a similar nature can be more readily addressed.</p>
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The impact it has had on local communities

Clearly the impact on fishing communities has been catastrophic in certain areas.

Most areas along the coast in both directions from the Tees Mouth have experienced a fall off in catch.

The marine environment has been adversely affected in certain areas.

The number of vessels involved in inshore fishing has significantly diminished.

Livelihoods of many have been permanently altered.

Stocks of lobster have fallen but have shown some signs of recovery

Stocks of crab have fallen but have shown little recovery.

In addition to impact on fishing communities the adverse environmental aspects have been felt across all communities from Seaham to Filey.

The health of coastal waters and river waterways is of fundamental importance to every community.

When the health of these waters is damaged and when no logical reasons are forthcoming the concerns of communities are to be recognised.

Recommendations / Actions

2.	<p>The Working Group commends the efforts of the lobster hatchery approach to improve stocks.</p> <p>The work being conducted at hatcheries in Whitby and Bridlington is to be commended and encouraged.</p> <p>Further hatcheries require to be evaluated to ensure that the restocking of lobsters is maintained to support a sustainable future for the inshore fishing industry.</p> <p>Similar efforts to restore the population of crabs should also be explored.</p>
3.	<p>Evidence received from academics, NEIFCA and the fishing community suggests that there are broad ecological implications from the incident.</p> <p>The Working Group to write formally to government agencies requesting that that the general ocean environment in the region be monitored to assess recovery.</p> <p>It is also recommended that scientific sampling work that is being undertaken in inland waterways in Yorkshire be extended to the RiverTees water way catchment area.</p>

The response of key partners

The first challenge that the Working Group encountered was to identify who were the relevant organisations.

The vast number of relevant and interconnected organisations were not immediately identifiable, and it only became apparent in the course of exploration how complex the maritime administration system is.

Not all organisations were responsive to enquiry.
As a Local Authority conducting an enquiry into matters of local and national significance it was both a surprise and a disappointment that the status of this and fellow Working Group authorities did not receive an entirely proactive response that might be expected of all public bodies.

Recommendations / Actions

4.	The Working Group to request monitoring of progress made towards the Defra commissioned investigations. In particular, the key line of enquiry relating to preparedness for future incidents.
5.	<p>Given that the MMO advises 'relevant restrictions may be attached in the form of conditions to marine licenses granted by the MMO following consultation with bodies including the EA.', it is requested that the MMO be required to review current standards to ensure robustness, especially in areas affected by legacy contaminants. Levels of testing related to dredging licensing were advised as being in line with international standards and agreements.</p> <p>The frequency of testing and the periods during which they might be conducted did not appear to be stringent enough in environments where historic contamination had been identified.</p> <p>The deposition sites for dredged materials vary for maintenance and capital dredging. Both permitted distances should be reevaluated where historic levels of pollution have been highlighted and where current bed core sampling suggests potential pollutants, either in singular form or potential interactive form.</p> <p>Strong consideration should be given to ensuring land deposition be prioritised for capital dredging.</p>
6.	<p>The current governance arrangements are incredibly complex. The Working Group recommends that efforts are made to improve collaboration, and a process instigated to ensure that local authorities can productively engage with appropriate stakeholders.</p> <p>The current areas of responsibility for the maritime coastal area surrounding the British mainland do need to be reviewed.</p> <p>The number of organisations would appear to be too great.</p> <p>The interaction between such organisations does not appear to be effective.</p> <p>The perceived lack of synergy experienced during the Group's explorations was not conducive to confidence building or ease of communication and understanding.</p> <p>A restructuring of the overall maritime management to reduce organisation numbers, better clarify remits, welcome public scrutiny and operate in a robust and timely manner is a requirement in need of prompt action.</p>

7.	<p>The Working Group noted that there were occasionally errors in process administration and some confusion in relation to dredging activity.</p> <p>The Group recommends that attention be given to ensuring robust administrative processes are in place and ready independent audit</p>
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Recommendations for future actions

Chemical analysis provided by academic colleagues and documentary evidence relating to land remediation shows that there is significant pollution on the land sites around the River Tees.

In light of this information, the Working Group notes that:

Recommendations / Actions

8.	<p>Sampling is only required on a 4-yearly basis, and consideration should be given to increasing the rate in the Tees, especially in view of the industrial legacy of the area.</p> <p>Risk assessments did not take into account the local sites of special scientific interest, which should not be omitted in future assessments.</p> <p>Waterways are dynamic environments that require further understanding, and there is a need to continue to explore water quality. Further engagement needs to be made with all companies responsible for water management.</p>
9.	<p>The Working Group will not be continuing under its existing remit.</p> <p>Although no firm findings have been revealed to confirm the reasons for the Crustacean Die Off the deliberations of the Working Group have identified a real requirement for local authorities to be better advised of maritime matters where land boundaries border coastal or river environments.</p> <p>Elected members would benefit from greater awareness of maritime legislation, organisational structure, and effective lines of communication and respective authorities should facilitate.</p> <p>There is a perceived need to continue to engage with government agencies.</p> <p>This could be achieved through existing frameworks, but these do need to be robust.</p> <p>The reinstatement of the Annual Coastal Forum should be considered, with a appropriate remit.</p> <p>A review of how local authorities are involved with and relate to</p>

	<p>relevant maritime organisations, either through Elected Member or Officer representation.</p> <p>Communications with members of the public require improvement. All government agencies and all relevant local authorities should be conscious of that responsibility and seek to be better informed and communicative on matters maritime and environmental.</p>
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HOUSE OF COMMONS
LONDON SW1A 0AA

Anna Turley MP
The Palace Hub
The Esplanade
Redcar
TS10 3AE

Email: anna.turley.mp@parliament.uk
01642 929159

Daniel Zeichner MP
Minister of State for Environment, Food and Rural Affairs

Sent via email

Dear Daniel,

Congratulations on your appointment as Minister of State.

I am writing to you regarding an issue that I know you are familiar with, and which has been on-going here on the North Yorkshire and Teesside coast for some years now - namely the mass die-off of crustaceans on our coastline which began in October 2021. I am attaching a copy of the letter which all the Labour Tees Valley MPs sent in July to the Secretary of State.

After much time had passed an investigation into the devastation was undertaken by DEFRA. However, confidence in that inquiry remains very low in this region due to the political backdrop of resistance from the Conservative Tees Valley Mayor and local MPs and the context of industrial work being undertaken at the Teesworks site at the time, led by the Conservative Tees Valley Mayor.

I am writing to ask that you and your officials please meet with representatives from the fishing community, scientists and the non-political local authority Task Force working together on this issue here on Teesside to hear the implications of the disaster and to discuss ways forward.

We would like to request that the Department:

- re-examine this issue and reopen scientific investigation working with scientists and academics in the region
- explore financial assistance for the fishermen whose livelihoods continue to be decimated by this incident
- look at a proactive programme of ecological restoration in the affected region

Thank you in advance for your assistance.

Best wishes

Anna Turley
Member of Parliament for Redcar and Cleveland
Lord Commissioner of the Treasury (Government Whip)



HOUSE OF COMMONS
LONDON SW1A 0AA

Steve Reed
Secretary of State for Environment, Food and Rural Affairs
Department for Environment, Food and Rural Affairs
1st Floor, Seacole Block
2 Marsham Street
London SW1P 4DF

Sent by email only

24 July 2024

RE: Tees Bay and North-East crustacean die-off

Dear Steve and Emma,

Following my brief chat with you both other day, I confirm that the issue of crustacean deaths in the Tees Bay and beyond, devastating marine life – principally, shrimps, crabs and lobsters- continues to be a be a major issue for us in the Tees Valley.

Whilst this is of enormous significance for us all in the Tees Valley, the principal constituencies impacted by this are Anna Turley's in Redcar and Jonathan Brash's in Hartlepool given the damage caused to their fishing communities. Those industries have been decimated.

It's a complex story and the issue of the dredging of the Tees is engaged both in terms of the maintenance dredging carried out by PD Ports the Ports and Harbour Authority and the operator of Teesport, and then in terms of the remediation and reclamation works carried out under the auspices of the South Tees Development Corporation Chaired by Lord Houchen the Tees Valley Mayor, to create the South Bank Quay.

Theories have been offered to explain the massive and sudden die offs but there is as yet no definitive answer. Initial theories settled on Algal Bloom in the North Sea which was dismissed. Many fishers and marine biologists settled on the chemical Pyridine being released into the Tees or being disturbed by dredging but the review carried out investigation carried out by your Department under the previous government settled on the most likely cause being an unknown pathogen. The likelihood of it being the cause was rated as being in order of 30%.

The major asks pivot around:

- a) scientific investigations as to the cause be reinstated given that there is no active investigation ongoing,
- b) there be a review of the assistance that might be given to the fishing communities and
- c) consideration be given to a programme for active restoration of the marine ecology given that this disaster has laid waste to vast areas of the north sea and coast, from Seaham in the north to Whitby in the south.



We would be most grateful if you could meet with us at the earliest opportunity so that we can further appraise you and explore what actions could be taken.

We look forward to hearing from you.

Regards,

Andy

Andy McDonald MP

Middlesbrough & Thornaby East

Writing on behalf of Tees Valley Labour MPs

Jonathan Brash MP

Hartlepool

Chris McDonald MP

Stockton North

Lola McEvoy MP

Darlington

Luke Myer MP

Middlesbrough South & East Cleveland

Anna Turley MP

Redcar

cc. Emma Hardy MP, Parliamentary Under-Secretary, Department for Environment, Food and Rural Affairs



Department
for Environment
Food & Rural Affairs

T: 03459 335577

helpline@defra.gov.uk

www.gov.uk/defra

(By email)

Redcar and Cleveland Scrutiny Committee Board

Date: 18 July 2022

Dear Councillor Shelagh Holyoake

Crab Mortality incident in the North-East

Thank you for inviting Defra to appear before your Committee to give evidence on the 2021 mass wash up of dead crabs on the North-East coast. While a Defra representative won't be able to attend the Committee, I wanted to respond directly to your questions on the investigation.

Has the investigation concluded?

I can confirm that the investigation into the cause of the incident concluded in March 2022. The Environment Agency (EA) led the initial emergency response to the wash up with the support of partner agencies. Defra assumed responsibility for coordinating the ongoing investigation in December 2021 and multi-agency response involving the EA, Centre for Environment, Fisheries & Aquaculture Science (Cefas), Marine Management Organisation (MMO), the North-East Inshore Fisheries and Conservation Authority (NEIFCA), the Food Standards Agency (FSA) and the UK Health Security Agency (UKHSA).

The EA, MMO, NEIFCA and Cefas investigated a range of potential causes including licensed dredging activity, chemical pollution, the presence of algal blooms and aquatic animal disease. No single, consistent causative factor was identified. However, a harmful algal bloom present in the area coincident with the event was identified as of significance.

A multi-agency report on the investigation was published in May.

[\[https://www.gov.uk/government/publications/joint-agency-investigation-into-teesside-and-yorkshire-coast-crab-and-lobster-mortalities\]](https://www.gov.uk/government/publications/joint-agency-investigation-into-teesside-and-yorkshire-coast-crab-and-lobster-mortalities)

Is any ongoing monitoring happening and if so what?

Defra and partner agencies have established a recovery team to monitor recovery of the affected area and assess new reports of dead crustaceans.

A key focus is on understanding the impact the event has had on shellfish stocks in the region. We are also undertaking further testing that will help us to better interpret the scientific findings of the incident in 2021, increase the suite of analytical tools that we have to respond should any such incidents occur in the future.

Government technical leads met industry commissioned researchers to share knowledge gained from the work completed so far and to discuss planned university and Defra commissioned research. We will continue to share our findings when available and to work collaboratively with other experts. I have included further details below on the research and monitoring being carried out.

Cefas testing

Given previous indicative detection of pyridine in some of the impacted crabs and also in non-impacted crabs, Cefas are developing and validating a chemical detection test to measure the amounts of pyridine in crab tissues. Once completed, this test will be used to assess the levels of pyridine in environmental crab tissues associated with the impacted and non-impacted areas, which were collected and stored during the event last year. This validated test will also enable us to precisely measure any pyridine in crabs post-mortem, to test the theory that pyridine can be a natural by-product associated with the decomposition process in crabs.

The detection of algal toxins (Diarrhetic Shellfish Toxins (DST)) in many of the impacted crabs was also considered a significant finding. Cefas is setting up an exposure study with live crabs. The animals will be exposed to Diarrhetic Shellfish Poison (DSP)-positive food and DST-producing algae. These exposure studies will be carried out to high standards of animal care and welfare in accordance with Cefas' Animal Welfare policy.

Once the studies are completed the information collected will be used to better understand the potentially harmful effects of toxins and/or harmful algae on crab health.

EA Sampling activities

The EA continues to monitor water in the Tees on a monthly basis as part of its national programmes. This includes chlorophyll and phytoplankton sampling as well as chemical sampling. Blue mussel samples for chemical analysis have also been collected as part of the annual mussel programme. As sample results become available, they will be published in the Water Quality Archive on data.gov.uk.

IFCA Monitoring

The North-Eastern IFCA continues to monitor the health of shellfish stocks throughout the affected area, following trends in catch and effort reporting, actively working survey pots, conducting observer trips onboard fishing vessels and on the quayside and supporting any additional biological sampling and testing work undertaken by other lead organisations. This monitoring programme is supported by active intelligence gathering and reporting from the ground, informed by daily engagement with fishermen, merchants and the general public, to identify any continuing and emerging issues. A working group has also been established with the fishing industry to facilitate communication and information sharing between regulators and key representatives. This group meets every four to eight weeks alongside operational meetings with key MMO leads and the wider response group.

Why was dredging ruled out as the cause?

As the report into the investigation makes clear, dredging has been ruled out as a likely cause of the wash up incident. Before a marine licence can be granted to allow dredged sediment to be disposed, samples of dredge material must be tested, and they must meet the highest international standards protecting marine life before they are permitted to be disposed of at sea. If samples analysed for contaminants do not meet the standards, the disposal at sea of that material will not be licensed.

Nothing in the testing of sediment prior to disposal or results from the wider EA environmental sampling, suggested that a chemical contaminant was the cause. The MMO manage an annual disposal site survey programme that provides field evaluation and ensures disposal operations conform with licence conditions at dredged material disposal sites around the coast of England. Fieldwork and testing of sediment at the Inner Tees disposal site took place in April 2021 and there was no evidence of significantly elevated contaminants in sediment at locations around and within the disposal site.

Sediment that is proposed to be dredged in the Tees Estuary is tested and sampled across the footprint of the area to be dredged at least every three years prior to disposal. Cefas completed an indicative 2D tracking model of the potential sediment plume from the Tees disposal site. The model indicates that the plume from material deposited at the Tees disposal site is relatively confined along the tidal excursion at the disposal site and does not have the same geographic extent consistent with the known mortalities.

The MMO uses the best available evidence to inform its decision making. There is no evidence to suggest that the disposal of dredged sediment was responsible for the crab and lobster mortality. Testing has been conducted in accordance with international (OSPAR – Oslo/Paris convention (for the Protection of the Marine Environment of the North-East Atlantic)) obligations.

Full details of marine licences and their conditions are available on the MMO public register.
[Check the public register of marine licence applications and decisions - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

We recognise the impact this wash-up incident has had on the local community and remain committed to providing updates on both the research and monitoring currently underway.

Yours sincerely

Anne Freeman

Deputy Director
Domestic Fisheries and Reform
Department for Environment, Food and Rural Affairs
Mobile: 07788 916798



Councillor Mary Lanigan
Leader of the Council

Redcar & Cleveland Borough Council
Redcar & Cleveland House
Kirkleatham Street
Redcar
TS10 1RT

To: Ranil Jayawardena, Secretary of State for
Environment, Food and Rural Affairs

Our Ref:

12th September 2022

Dear Sir,

Mass Crustacean Mortality Event

I am writing to express this Council's deep dissatisfaction regarding the conclusion of the investigation into the dead crustaceans that washed up onto our beaches last year.

In early October 2021, significant numbers of dead crabs and lobsters started being washed up on the beaches of Teesside, the mass mortality event continued until December 2021 with dead crustaceans found from County Durham down to North Yorkshire. The deaths had a significant impact on our local population, especially our coastal communities, many of which rely heavily on tourism and the fishing industry. The support so far from Defra to mitigate the impact on the livelihoods of those affected has been wholly inadequate.

The Environment Agency led on the emergency response, with Defra taking responsibility for leading the investigation into the cause of the event, which ended in March 2022. The investigation was unable to determine the cause of the event and concluded that no single, consistent, causative factor could be identified. The report hypothesised that a potentially harmful algal bloom present in the area leading up to the start of the mass mortality event may have been of significance. It is very concerning and unacceptable that, despite the significance of the event on the marine life in the area and the impact on our coastal communities, the investigation was concluded before any cause was identified.

The Borough Council at its meeting on the 14 July 2022, passed a motion agreeing the following:

1. The decision to close the investigation was premature and demands that the Government re-open it as a matter of urgency to consider why the crustacean deaths.
2. That the Government proposal to give support to the local fishing industry via the existing Seafood Fund is inadequate and calls on them to provide proper compensation for the lost income and livelihoods caused by this crisis.

I would be grateful if you would consider these two requests and provide a response as soon as possible.

Yours faithfully,

Mary Lanigan



Steve Newton
Governance Director & Monitoring Officer
Redcar & Cleveland Borough Council
Redcar & Cleveland House
Kirkleatham Street
Redcar, TS10 1RT
Tel: 01642 444648
www.redcar-cleveland.gov.uk

The Environment Food and Rural Affairs (EFRA)
Committee

Our Ref: Legal/SN

14 October 2022

By email to: efracom@parliament.uk

Dear Sir or Madam,

The Environment Food and Rural Affairs (EFRA) Committee - Hearing into the Deaths of Large Numbers of Crustaceans off the Yorkshire Coast Since October 2021.

I write on behalf of Redcar and Cleveland Borough Council ('the Council') and would ask that the following information is taken into consideration as part of the above hearing.

The matters forming the subject of this hearing have been the cause of very significant concern to both residents and Elected Members of the Council since the initial deaths took place. This concern ultimately led to a motion being considered and approved at a meeting of the Full Council as follows:

RESOLVED that on the successful motion of Councillor C Quartermain and duly seconded by Councillor Thomson that:

"Redcar and Cleveland Council believes that much more needs to be done to investigate the reasons for the mass death of sea creatures found on our coast in the latter part of 2021 and more recently.

Redcar and Cleveland Council also believes much more support should be given to our local fishing industry which has been adversely affected by the consequent radical reduction in fishing stock.

Since October last year dead crustaceans have been found on our beaches along with, the possibly associated, deaths of seal pups and porpoises. The report of the Government Joint agency investigation into Teesside and Yorkshire Coast Crab and Lobster mortalities was published in May 2022 and concluded that as healthy crabs and lobsters were now being found the investigation was closed.

Redcar and Cleveland Council believes:

- 1. The decision to close the investigation was premature and demands that the Government re-open it as a matter of urgency to consider why the crustacean deaths*

2. *The Tees Valley local authorities should work together in expressing concern to central government and commission a new independent report in the light of the inconclusive evidence. In addition, the ongoing situation should be monitored by a special Scrutiny Committee from each local authority.*
3. *That the Government proposal to give support to the local fishing industry via the existing Seafood Fund is inadequate and calls on them to provide proper compensation for the lost income and livelihoods caused by this crisis.*
4. *That the possibility of creating a coastal hatchery to replenish crustacean stocks should be investigated.*

In line with this motion, the Council has written to the Government making the requests identified under paragraphs 1 and 3 above but, regrettably, has yet to receive any sort of acknowledgment or reply. A copy of the Council's letter is attached for your attention.

It is understood by the Council that the hearing on 25th October 2022 will consider both the cause and impact of the deaths and that information from interested parties is welcomed on both aspects of these matters. Although the Council clearly cannot comment specifically on the cause of the deaths and has not had the opportunity to collate detailed information on their impact, it would make the following general comments, based on information received via residents and other sources in the course of its normal business.

1. The current conclusion that the deaths are the result of an algal bloom is somewhat less than definitive and has not been accepted by some of the scientific community and those involved in the fishing industry - the latter querying how something which is a relatively localised phenomena occurring at near surface level can impact on crustaceans which inhabit the sea at a much greater depth.
2. It seems unclear whether all potential sources of pollution and/or other causes of death have been conclusively explored. For example, earlier this year, the Council received information from an anonymous source who indicated that, some years ago, they had been employed by a chemical company to deal, in secret, with toxic chemicals at a specified location in the River Tees. The source was concerned that these chemicals could be a potential cause of crustacean deaths if disturbed and this information was forwarded to DEFRA. The Council clearly cannot say whether the source is credible or the information of any potential relevance but is not aware that any consideration or investigation of this issue has taken place.
3. The impact of the deaths has been significant, both in terms of local residents, visitors to the Council's beaches and, of course, the local fishing industry. In terms of the latter, the Council understands that catches of crabs have been decimated and that catches of lobsters have been halved along a large stretch of the coast.
4. Fishing boats now have to travel much further afield resulting in additional time and cost. It is known that some within the industry have given up, whilst others struggle

on, in what are already difficult times. It seems that efforts are underway to ensure that the lobster population is restocked but there is no such effort in terms of crabs.

5. The deaths have had a notable impact on those visiting the beaches in the Borough. Residents and visitors have been clearly distressed by huge numbers of dead crustaceans quite literally piled on the sand. There is a sense of frustration and upset about the apparent lack of ability for any relevant body to authoritatively explain the reason for this situation.
6. It is not known how these issues might have impacted negatively on tourism – something upon which the Council significantly relies - given the ongoing press coverage, negative connotations about potential pollution and perpetuation of false perceptions about the industrial nature of the area.

In summary, the Council feels that the impact of these deaths has been substantially underestimated and considers it unacceptable that investigations were closed when the conclusions reached seem, at best, to amount to what is essentially a working hypothesis.

As indicated in its motion, the Council strongly believes that the investigations should be re-opened and continue until a definitive (or at least more definitive) outcome has been reached and that, in the meantime, those working in the fishing industry who have been adversely affected by these issues should be appropriately supported by the Government.

Thank you for your consideration of this information.

Yours faithfully



Steve Newton
Governance Director and Monitoring Officer

Councillor Brian Cowie
CEREMONIAL MAYOR
Hartlepool Borough Council
 Civic Centre
 Hartlepool
 TS24 8AY

Tel: 01429 523702/3704
www.hartlepool.gov.uk

Our Ref: BC/KM
 Your Ref:

Contact Officer/Email: Memsec@hartlepool.gov.uk

24 January 2023



The Rt Hon Dr Therese Coffey
 Secretary of State for Environment, Food and Rural Affairs
 House of Commons
 LONDON
 SW1A 0AA

Dear Secretary of State

Sea Life Mortality off the North East Coast

Following the investigation into the mass deaths of crustaceans off the North East Coast, and the impact this has had to local fishermen in Hartlepool, Hartlepool Borough Council would like to thank you for finding the time in consider the outcome of the Environment, Food and Rural Affairs Committee investigation into the cause of this tragic event in Tees Valley.

I am sure you agree with the recommendations of the Committee that there is clearly a need for further data and research on the causes of the mass die-off and that an expert independent scientific panel be appointed to review the evidence for both theories identified, i.e. *consequences of the breakdown of an algal bloom of the impact of chemical from maintenance dredging of shipping channels.*

It was also recommended the Marine Management Organisation urgently review the dredging activity in the Tees and routinely check for pyridine as part of the testing and approval process for any new capital dredging works, whilst complying with the current licence for routine dredging.

Hartlepool Borough Council not only support the recommendations of the EFRA Committee, we wish to request that as Secretary of State, you accept all the recommendations including the need for Government to reconsider its position on providing financial support to affected communities.

Yours faithfully

Councillor Brian Cowie
CHAIR OF COUNCIL

Councillor Brian Cowie
CEREMONIAL MAYOR
Hartlepool Borough Council
Civic Centre
Hartlepool
TS24 8AY

Tel: 01429 523702/3704
www.hartlepool.gov.uk

Our Ref: BC/KM
Your Ref:



Contact Officer/Email: Memsec@hartlepool.gov.uk

24 January 2023

Rt Hon Sir Robert Goodwill MP
Chair, Environment, Food and Rural Affairs Committee
House of Commons
LONDON
SW1A 0AA

Dear Sir Robert Goodwill

Sea Life Mortality off the North East Coast

Following the investigation into the mass deaths of crustaceans off the North East Coast, and the impact this has had to local fishermen in Hartlepool, Hartlepool Borough Council would like to thank you for finding the time to investigate the cause of this tragic event in Tees Valley and wider North East Coast.

Hartlepool Borough Council not only support the recommendations of the EFRA Committee, we have also written to the DEFRA Secretary of State requesting she accept all the recommendations including the need for Government to reconsider its position on providing financial support to affected communities.

Yours faithfully

Councillor Brian Cowie
CHAIR OF COUNCIL



Department for Environment Food & Rural Affairs

The Rt Hon Mark Spencer MP
Minister for Food, Farming and Fisheries

2 Marsham Street

London

SW1P 4DF

T: +44 (0) 3459 335577

E: correspondence.section@defra.gov.uk

W: gov.uk/defra

Councillor Brian Cowie
Chair of Council
Hartlepool Borough Council
memsec@hartlepool.gov.uk

Your ref: BC/KM
Our ref: PO2023/01910/SC

16 March 2023

Dear Councillor Cowie,

Thank you for your letter of 24 January to the Secretary of State about the crustacean fatalities along the North-East coast. I am replying as the Minister responsible for this policy area.

Following a request from the Environment, Farming and Rural Affairs Select Committee, Defra's Chief Scientific Adviser, liaising with the Government Chief Scientific Adviser, established an independent scientific panel to assess the causes of the unusual crustacean mortality in the North East of England in 2021 and 2022. The Crustacean Mortality Expert Panel (CMEP) was convened in December 2022 and was asked to conduct and complete its work in a timely fashion; they published their findings on [GOV.UK](https://www.gov.uk) on 20 January 2023.

The Independent Expert Assessment of Unusual Crustacean Mortality in the North-East of England in 2021 and 2022 report summarises thorough and insightful analysis of diverse relevant data by a wide range of experts from academia and industry representing 11 leading marine institutions. A wide range of possible causes for the unusual crustacean mortality were considered including a potential disease or parasite, a harmful algal bloom, chemical toxicity including pyridine, and dredging which could have released a toxic chemical.

The CMEP concluded that pyridine or another toxic pollutant was very unlikely to have been the cause, as was any link to routine maintenance dredging. There was no capital dredging (involving movement of previously undisturbed material such as is required for construction projects that require deeper dredging) immediately prior to the first reports of the incident in autumn 2021 and capital dredging did not occur at South Bank Quay until September 2022, it was therefore considered exceptionally unlikely to be the cause of unusual crustacean mortality by the expert panel. Furthermore, although maintenance dredging (the routine clearance of recently moved sediment from existing channels) had occurred at the time of the crustacean mortality, the expert panel considered this was very unlikely to have caused the deaths as any associated release of pyridine would have been more than 1,000 times too small to reach toxic levels and could not explain the geographical spread nor the duration of the unusual crustacean mortality.

The Marine Management Organisation (MMO) regulates the disposal of dredge materials to sea in England and follow international standards for assessment of contaminants in dredged material. Guidance from the Convention for the Protection of the Marine Environment of the North-East Atlantic (the OSPAR Convention) and London Convention/London Protocol is used to inform decision making. In order to allow disposal activities, the suitability of dredged material for disposal at sea must be assessed in line with international guidelines and requires consideration of the physical and chemical characterisation of the dredged material to ensure protection of marine life and uses of the sea.

Any marine licence application for disposal of dredged sediment to sea requires sampling and sediment analysis. This is carried out before the application is submitted as part of a pre-application process, and sediment analysis data must be included as part of the formal marine licence application. The MMO consults the Centre for Environment, Fisheries and Aquaculture Science (Cefas) on the suitability of material for disposal to sea as part of any application. A series of 'Action Levels' are used as guidelines to assess suitability for disposal to sea. Action Levels indicate when material would have restrictions placed on it to ensure suitable disposal, or for it not to be dredged at all. The consideration of whether the material is acceptable for disposal at sea is done through an evidence-based approach. The MMO must ensure that it is compliant with both domestic and international obligations and does not allow the disposal of toxic dredged material to sea.

Pyridine is not routinely measured in sediment and is not listed as a Chemical for Priority Action (contaminant of concern) by OSPAR (the international group that guides practice in this area). There is evidence that pyridine is readily mobilised from sediment, is highly water soluble and is not considered to readily bioaccumulate in marine life. Cefas scientists advise the MMO on which chemicals should be tested in dredged sediment, using a risk-based approach, and do not require the testing of pyridine.

The Government currently provides a range of support to the English seafood sector through the Fisheries and Seafood Scheme (FaSS) and the £100 million UK Seafood Fund (UKSF). The FaSS provides grants of up to £100,000 to help businesses diversify through setting up new processes and practices, purchasing new gear and equipment to target different species and training to build capability. Since opening in April 2021, the FaSS has provided £2.2 million to seafood businesses in the North-East and is open for applications now.

Given the circumstances of the incident, the findings of the independent expert panel, and guidance on managing public money, the Government will not be providing any compensation or specific support in addition to what is already provided through the FaSS and UKSF.

Please do not hesitate to get in touch if you need further information.

Yours sincerely,



Rt Hon Mark Spencer MP

Dead Crustaceans Collaborative Working Group – —Terms of Reference

1. Purpose

1.1 The purpose of the Working Group is for the partner Councils to work collaboratively with regards to their response to the mass mortality crustacean event that occurred in late 2021.

2. Aims of the Working Group

2.1 The key aims of the working group are as follows:

- To consider evidence from various sources, including written reports and presentations from expert witnesses and stakeholders, to better understand:
 - The reasons for the event
 - The impact it has had on local communities
 - The response of key partners
 - Recommendations for future actions
- To consider and make recommendations to partner authorities and government agencies, including future meetings of the Environment, Food and Rural Affairs (EFRA) Committee or any other investigation into the issue.

2.2 The key activities and deliverables are likely to include, but are not limited to:

- Joint lobbying of government on the issue
- Sharing of expertise and knowledge
- Gathering and compiling evidence from stakeholders, eg, the fishing industry
- Submitting evidence to future meetings of the Environment, Food and Rural Affairs (EFRA) or any other investigation into the issue.
- Jointly commissioning any agreed further research or evidence gathering, subject to agreement of constituent councils.

3. Working Group Administration Arrangements

3.1 The Chair and Vice Chair shall be agreed at the first meeting of the working group.

3.2 Lead Officer support will be provided by the Adult and Communities Directorate of Redcar and Cleveland Borough Council.

3.3 The organisation and facilitation of the working group meetings will be carried out by the Democratic Services Section of Redcar and Cleveland Borough Council. This will include providing secretariat support to the working group in terms of

meeting organisation, minute taking, and recording and monitoring issues through the working group issues logs.

- 3.4 Meetings to be held virtually and in person, at the discretion of the Chair and Vice-Chair and dependant on the focus and function of the meeting. The dates and times of meetings to be determined by the working group
- 3.5 Meetings to be held in public, with the group reserving the right to meet in private where a witness or the work demands.
- 3.6 The working group can invite partners from external organisations to share information and / or jointly commission further research
- 3.7 Minutes and associated reports to be produced by Redcar and Cleveland Borough Council but reported back to individual authorities in a manner appropriate to their respective governance structures.

4. Timescales

- 4.1 A review of the progress of the investigation to be undertaken 6 months after the date of the initial meeting.

5. Membership

- 5.1 Each Council can nominate up to four Members to attend the working group plus one officer. Other officers or external parties can be invited to join, with the approval of the working group.

6. Conflict of Interest

- 6.1 Any member of the working group shall declare any conflict of interest which might arise at the start of the meeting and shall then withdraw and take no part in the relevant discussion and/or any decision relating to it.



Environment, Food and Rural Affairs Committee

Committee Office, House of Commons, London, SW1A 0AA

Tel 020 7219 6194/5528 Email efracom@parliament.uk Website www.parliament.uk

From the Chair of the Committee

Thérèse Coffey

Secretary of State for Environment, Food and Rural Affairs

Department for Environment, Food and Rural Affairs

2 Marsham Street

London SW1P 4DF

Sealife Mortality off the North East Coast

1 November 2022

Dear Secretary of State

On Tuesday 25 October, the Environment, Food and Rural Affairs Committee heard a powerful testimony about the mass deaths of crustaceans off the North East Coast, including its potential causes, and the profound and long lasting impact that it is having on fishing communities.

Two scientific theories regarding the possible cause were presented to the Committee: the consequences of the breakdown of an algal bloom or the impact of chemicals (pyridine toxicity) from maintenance dredging of shipping channels.

Following this session, the Committee would like to draw your attention to its interim conclusions on this topic.

- There is clearly a need for further data and research on the causes of the mass die-off. This must include urgent investigation of the potential sources of pyridine that Dr Gary Caldwell of Newcastle University identified in his oral evidence including more extensive sampling of the sediments in the bed of the Tees Estuary to create a map of potential sources of pyridine in proximity to maintenance dredging and the wider area.
- This research must be done in an open and collaborative way between Government Agencies and the wider scientific communities, including the independent verification of testing. We hope this would also include Dr Caldwell sharing his research data with all interested parties. A collaborative approach is essential to start the process of

rebuilding trust between Government Agencies and the local fishing communities which has been badly damaged.

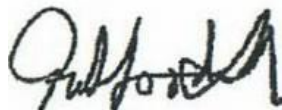
- We also recommend that the Government Chief Scientific Adviser should urgently appoint an expert independent scientific panel ("the expert panel") to review the evidence for both theories. The expert panel should conduct its work as quickly as possible and report back its findings as soon as possible.
- The Marine Management Organisation (MMO) must urgently review the dredging activity in the Tees. Maintenance dredging, we were told, removes material recently deposited in the shipping channels. This will include sand that has washed in from the North Sea but it also includes silt washed down the river. Dr Caldwell suggested that this could have been contaminated with historic material that may have entered the channel. Further detailed surveys may quantify the extent to which this has happened and the future potential risks.
- There are already controls on both capital and maintenance dredging. We note that only routine maintenance dredging took place ahead of the crustacean mortality event in Autumn 2021, although some maintenance dredging took place at a quicker pace than usual. We recommend that the MMO explore, in line with the precautionary principle, what steps could be taken to reduce the risk associated with capital and maintenance dredging such as improved techniques to prevent dredged sediment escaping into the wider environment during excavation. This should include consideration of whether there should be changes to the depth and intensity of dredging, whether changes should be made to dredging techniques, and where and how dredged material is disposed of.
- The MMO must also ensure that all the current conditions on its licence are met and should include pyridine in the testing as part of any future licence approval process. We also believe that all dredged material should be tested for pyridine and any that is found to have dangerous levels of pyridine should not be disposed of at sea. This, and dredging techniques, should be reviewed in light of the expert panel's findings
- A complete moratorium on maintenance dredging would eventually close the port and its associated industries, causing further economic damage. We believe that maintenance dredging should be kept to the minimum level needed to keep the port operational until the expert panel's investigation is completed. We believe this, together with the consideration of the factors we mentioned earlier, are sensible,

proportionate steps that could be taken to help manage the risk while further investigations are undertaken.

- Until the cause of the mass die-off is known, we also believe that the MMO should routinely check for pyridine as part of the testing and approval process for any new capital dredging works. Any current capital dredging work and new licences issued after the conclusion of the expert panel's investigation must take account of the outcome of that investigation.
- The Government should reconsider its position on providing financial support to affected communities. The UK Seafood Fund is not an appropriate vehicle for responding to this incident. A dedicated, separate fund should be set up to support affected fishers and potters and the regeneration of crab and lobster stocks.

We would appreciate an urgent response to this letter in advance of your appearance before the Committee in November.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Goodwill', is centered below the text 'Yours sincerely'.

Rt Hon Sir Robert Goodwill MP
Chair, Environment, Food and Rural Affairs Committee



Department
for Environment
Food & Rural Affairs

Appendix 9

The Rt. Hon. Mark Spencer, M.P.
Minister of State

2 Marsham Street
London
SW1P 4DF

T: +44 (0) 3459 335577
E: correspondence.section@defra.gov.uk
W: gov.uk/defra

Sir Robert Goodwill
Chair
Environment, Food and Rural
Affairs Committee
House of Commons
London
SW1A 0AA

15 November 2022

Dear Sir Robert,

Response to EFRA consideration of Sealife Mortality off the North East Coast

Thank you for the interim conclusions from the Environment, Food and Rural Affairs Committee's hearing on October 25th, and for your letter to the Secretary of State. I am responding on her behalf to the points raised in your letter and to indicate the actions that Defra will be taking in response.

As you know, there was a multi-Defra agency response to the incident that started in October 2021 and concluded in February 2022. The associated report of the investigation was then published [Joint agency investigation into Teesside and Yorkshire Coast Crab and Lobster mortalities - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/joint-agency-investigation-into-teesside-and-yorkshire-coast-crab-and-lobster-mortalities)

In your letter, you requested that the Government Chief Scientific Adviser should appoint an expert independent scientific panel ("the expert panel") to review the evidence for the two theories put forward as a cause of this mass-mortality.

The Secretary of State has asked Defra's Chief Scientific Adviser, who has not previously been involved in consideration of this issue, to liaise with the Government Chief Scientific Adviser to establish an independent group of external experts to assess the evidence and consider all explanations for sealife mortality, including the possible role of pyridine. She has asked that this work is completed in a timely fashion, and the findings of the panel will be published.

Your letter raised a number of other points to which I'd like to respond now to aid the committee's understanding and ahead of the expert panel's findings including:

- i. The need for more research on pyridine levels in the Tees Estuary;
- ii. That research and data should be open;
- iii. That MMO should review dredging practises in the area; and
- iv. That the Government should consider compensation to local communities.

i. Further research into Pyridine levels:

You recommend further data and research on the causes of the mass die-off including urgent investigation of the potential sources of pyridine that Dr Gary Caldwell of Newcastle

University identified in his oral evidence. You say this should include more extensive sampling of the sediments in the bed of the Tees Estuary to create a map of potential sources of pyridine in proximity to maintenance dredging and the wider area.

Defra group organisations have been actively undertaking research since the incident and the investigation. Investment has been made to develop a programme of research to consider how to measure the amount of pyridine in tissue, the effects of algal blooms, and test laboratory findings in field conditions. As part of the Defra group investigation, the EA had carried out a review of the possible sources of pyridine Dr Caldwell identified in his evidence to the Committee. They concluded that they were not credible sources directly causing the impacts being seen.

Your proposal to map sources of pyridine would provide more granular information about the spatial extent of potential pyridine within Tees estuary sediments. There is a body of scientific literature that details known contaminants of concern such as polychlorinated biphenyls and polybrominated diphenyl ethers, in sediments, water and biota in and around the Tees. Comparatively, pyridine is not a known contaminant of concern for sediments and biota due to its known chemical and ecotoxicological properties. As such, the evidence base for sediments is weaker than for other contaminants. Pyridine is, however, a known contaminant of concern for water, due to its known chemical properties and is monitored accordingly. EA detected no evidence of pyridine from water samples during the monitoring following the incident (October to December 2021). Pyridine is rarely detected in water including in the Tees and before that, the highest level of pyridine detected over the past decade was 2.4 µg/l (surface sample collected at Redcar Jetty) in October 2012.

We will seek advice from the external expert panel to assess whether additional measurements of pyridine in the sediments and waters of the Tees region would be beneficial, recognizing that a comprehensive survey across the full region would involve significant costs which would require adequate justification and clarity about the usefulness of resulting data.

It should be noted that during panel 1 of your evidence hearing, one of the committee members questioned the representative from PD Ports as to the impact of dredging to “14.6 m” when pyridine was found by NEFC Group researchers in the top 0.2 m of sediment. There may be a misunderstanding about this detail. Reference to dredging to “14.6m” referred to the water depth and not the sediment depth. Maintenance dredging seeks to maintain a safely navigable water depth through the removal of accreted sediments up to the Chart Datum depth of 15.4m.

ii. All research and data should be open

Defra research and data is routinely published. All data relating to processing applications for disposal and/or dredging licences are published on the MMO Public Register and can be specifically identified for an expert panel. Defra group are currently working to publish all raw data and ancillary reports onto government websites. This takes time to ensure the government information and accessibility is legally compliant, however it should be available online in the next few weeks. We expect that all parties involved in this issue will also ensure results and data are made available for peer-review and publication.

iii. Review of dredging practices

On the basis of previous evidence, we have not previously concluded that more evidence is needed. The views of the Expert Panel will steer consideration of further action.

Capital and maintenance dredging are common activities around the coast of England and have taken place on the Tees for many decades. The decisions on dredging methodologies and disposal of dredge material are fundamental to the continued operation of ports and associated industries. Requirements of dredging techniques may be entirely dependent on

local conditions, and an assessment is made pre-determination as a part of the licensing process as to the type of dredging allowed to take place and any mitigation required is included as licence conditions.

The MMO have conducted marine licence inspections on the dredging works in question and following this they remain satisfied that the works are being conducted in line with the relevant marine licence(s). Inspections on the licenced activities will continue on a periodic basis throughout the length of the licence.

iv. Compensation to local communities

Last, you suggest that the Government should reconsider its position on providing financial support to affected communities with a dedicated, fund to support affected fishers and pot-
ters and the regeneration of crab and lobster stocks. Defra analysts are continuing to assess the economic impacts of this incident including a comparison with landing data from previous years and with other parts of the country for the affected species.

The Secretary of State and I will be happy to speak with the Committee to discuss this matter further.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Spencer'.

The Rt. Hon. Mark Spencer MP



Department
for Environment
Food & Rural Affairs

Appendix 10

The Rt Hon Thérèse Coffey MP
Secretary of State Environment, Food & Rural Affairs

2 Marsham Street
London
SW1P 4DF

Sir Robert Goodwill MP
Chair, Environment,
Food and Rural Affairs
Committee
By email only

11th January 2023

Dear Sir Robert,

Sea life mortality off the northeast coast

Thank you for your letter dated the 13th December 2022.

I can confirm that the independent Crustacean Mortality Expert Panel has already been stood up by my Chief Scientific Advisor, who consulted the Government's Chief Scientific Advisor, to assess the evidence from all parties involved with a view to determine the most likely cause of the crustacean mortality event in the Northeast of England. Terms of reference were agreed at the first panel meeting held in December.

Membership is comprised from 11 different organisations, including many leading UK marine science universities. To ensure independence, institutes and individuals with past involvement in assessment of the crustacean mortality have not been included, nor is any member from a Defra agency. The identities of the panel members have not been made public yet to enable them to assess the scientific evidence without pressure or influence from interested parties. Names and affiliations of members will be released when the report of the panel is published.

Regarding ways of working, the panel will focus on the scientific evidence, including scientific data from key stakeholders, and rely on the diverse expertise of its members to consider all possible causes of crustacean deaths.

I expect to receive the report this month.

Yours sincerely,

Enclosed

Annex A: Aims of the Expert Committee

Annex A:

Aims of the expert committee:

- To scientifically review all the available evidence of the unusual crustacean mortality event.
- To identify the most likely causes and implications for recurrence.
- The scientific review will include, but will not be limited to, consideration of the theories put forward as a cause of this mass-mortality:
 - the consequences of the breakdown of an algal bloom
 - the impact of chemicals (including pyridine toxicity)
 - the impact of maintenance dredging of shipping channels

The panel will focus on scientific issues and will not consider government processes during the investigation of the mortality event(s), food safety, nor the economic implications of the deaths.



Environment, Food and Rural Affairs Committee

Committee Office, House of Commons, London, SW1A 0AA

Tel 020 7219 6194/5528 Email efracom@parliament.uk Website www.parliament.uk

From the Chair of the Committee

Rt Hon Dr Thérèse Coffey MP

Secretary of State for Environment, Food and Rural Affairs

By email

31 January 2023

Dear Secretary of State

Report of the independent Crustacean Mortality Expert Panel

Thank you for your letter of 20 January concerning the publication of the independent Crustacean Mortality Expert Panel's report.

You will recall that in our letter to you of 1 November 2022, the Committee called for an independent review to be conducted following its hearing on the matter on 25 October. We are therefore grateful to you for establishing the independent Panel, and we wish to note our thanks to the Panel for their expeditious and considered work on this matter.

As your letter highlighted, the independent Panel considered that a novel pathogen was the most likely reason for the crustacean mortality event that occurred from October 2021.

The Committee notes that the Minister for Food, Farming and Fisheries, Rt Hon Mark Spencer MP, told the House on 26 January:

"I am considering carefully if further analysis by the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) can ascertain conclusively the cause of this unusual mortality".

The Committee believes that further work should be undertaken to identify this novel pathogen, given the importance of determining its origin, its vectors of transmission, its transmissibility, its virulence and other factors related to it.

Indeed, as the independent Panel highlighted, a conclusive result from the broad diagnostic screening of samples would significantly affect the

level of confidence in the novel pathogen theory. We also noted the reported comments on this matter of the Minister for Biosecurity, Marine and Rural Affairs, Rt Hon Lord Benyon, that “undoubtedly we're going to need some additional research” which he made on 25 January at the Coastal Futures Conference.

Furthermore, the Committee notes that the independent Panel identified several viral and parasitic diseases that CEFAS may not have screened for during its investigation (see below). The independent Panel concluded:

“It would therefore be useful for archived samples to be retrospectively screened for a broader range of potential pathogens”.

We agree.

The Committee is of the opinion that CEFAS must undertake further analysis in regard to the novel pathogen theory given the importance of seeking as definitive an explanation as possible for this mass die-off event, and we recommend that you instruct CEFAS to conduct this study as a matter of urgency.

Key evidence in such a study will include histological analysis (i.e. via analysis of the structure of cells and tissue in affected crabs). CEFAS acknowledged that such analysis works best with fresh samples but, in this case, the independent Panel said that many samples were degraded so making some pathogens potentially been harder to discover.

The Committee would like to know how many crustaceans affected by the die off have been retained in cold storage for future sampling, when they were collected, and whether they are in a suitable condition for effective sampling.

The Committee also notes the independent Panel found that CEFAS’s method for screening crabs for known listed diseases was limited to only one disease (White Spot Syndrome Virus). This was because this is the only listed native crustacean disease that they are “statutorily obliged to screen”.

The independent Panel said that it would be useful to “collect appropriate samples in the future to be able to screen for all potential pathogens”.

We agree.

The independent panel identified several evidence gaps. It noted that there was no “dissolved oxygen data” to establish if anoxia – which is a state of total oxygen deprivation within tissues or organs – due to an algal bloom was possible.

While the independent Panel’s report considered the likelihood of pyridine (or another toxic pollutant) as having caused the mass die-off event to be “very unlikely”, particularly via dredging, it did not completely discount a pollutant as the reason.

The report stated that if a source of a sufficient level were found, a natural or man-made stressor of the neural system, such as a toxin, would be a “likely” cause that explains the pathology seen in affected crustaceans. More responsive and/or more regular sampling and testing could help discount or confirm such factors.

As the Chair of the North Eastern Inshore Fisheries and Conservation Authority, Dr Stephen Axford, told us in his written evidence, it does not appear that appropriate sampling of the prevailing conditions took place with sufficient urgency.

We recommend that all relevant Government agencies, including CEFAS and the Environment Agency, should carefully monitor the area and stand ready to respond quickly to a similar event in the future. They must be prepared to take rapid samples of the water, sediment and animals affected to understand prevailing conditions and determine the causes of another mass die-off. Sampling and testing practices – both routine and for emergencies - should take into account the findings of the independent Panel’s report: for instance, measuring dissolved oxygen levels in affected areas when appropriate and collecting tissue samples quickly enough to be able to screen for all potential pathogens. Measures should include thorough sampling and testing for chemical pollutants such as pyridine.

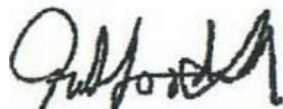
In our letter of 1 November, the Committee said that a dedicated, separate fund should be set up to support affected fishers and potters and the regeneration of crab and lobster stocks. It is also increasingly apparent that relations between the community, and Defra and the Government agencies involved have become strained.

In his reply of 15 November, the Minister for Food, Farming and Fisheries noted that Defra was continuing to assess the economic impacts of this incident.

We encourage Defra to swiftly complete its analysis of the economic impact of the incident and, pending its outcome, to provide initial financial support to those affected and for the regeneration of crab and lobster stocks. Steps to support the rebuilding of the local potting and fishing community would also help Defra to repair relations.

We would be grateful if you could reply within two weeks.

Yours sincerely



Rt Hon Sir Robert Goodwill MP
Chair, Environment, Food and Rural Affairs Committee



Department
for Environment
Food & Rural Affairs

The Rt Hon Thérèse Coffey MP
Secretary of State Environment, Food & Rural Affairs

2 Marsham Street
London
SW1P 4DF

T: +44 (0) 3459 335577
E: correspondence.section@defra.gov.uk
W: gov.uk/defra

Sir Robert Goodwill MP
Chair, Environment,
Food and Rural Affairs
Committee
By email only

7 February 2023

Dear Sir Robert,

Report of the independent Crustacean Mortality Expert Panel

Thank you for your letter dated the 31st January 2023.

The independent crustacean mortality expert panel (CMEP) published its findings on the 20th January 2023. The report states that a novel pathogen is about as likely as not to have caused the crustacean mortality event that occurred from October 2021.

Given the extent of the analytical work already undertaken, and further advice, I have decided that it is highly unlikely that we will find the cause and so no further analysis will be undertaken by the government.

The Environment Agency is the first responder. As for future events, there are sampling and testing protocols – both routine and for emergencies - in place where activities and events require, such as incident investigation, marine licensing etc. I have asked that Cefas be engaged promptly if a similar event occurs.

With respect to the economic impact, the landings data assessment as detailed in the NEIFCA stock monitoring report (September 2022) indicated, at a regional scale, landings in late 2021 were broadly in line with historic data and a significant reduction in landings in October and November 2021 were not observed. This does not preclude the possibility that some highly localised fishing grounds suffered significant mortalities. The stock monitoring report also found, as the 2022 season progressed, lobster landings at a regional level were in line with seasonal expectations.

There is no question of the government providing any compensation or specific support, however the UK Government currently provides a range of support to the English seafood sector through the Fisheries and Seafood Scheme (FaSS) and the £100 million UK

Seafood Fund. Since opening in April 2021, FaSS has provided £2.2 million to seafood businesses in the North East and is open for applications now.

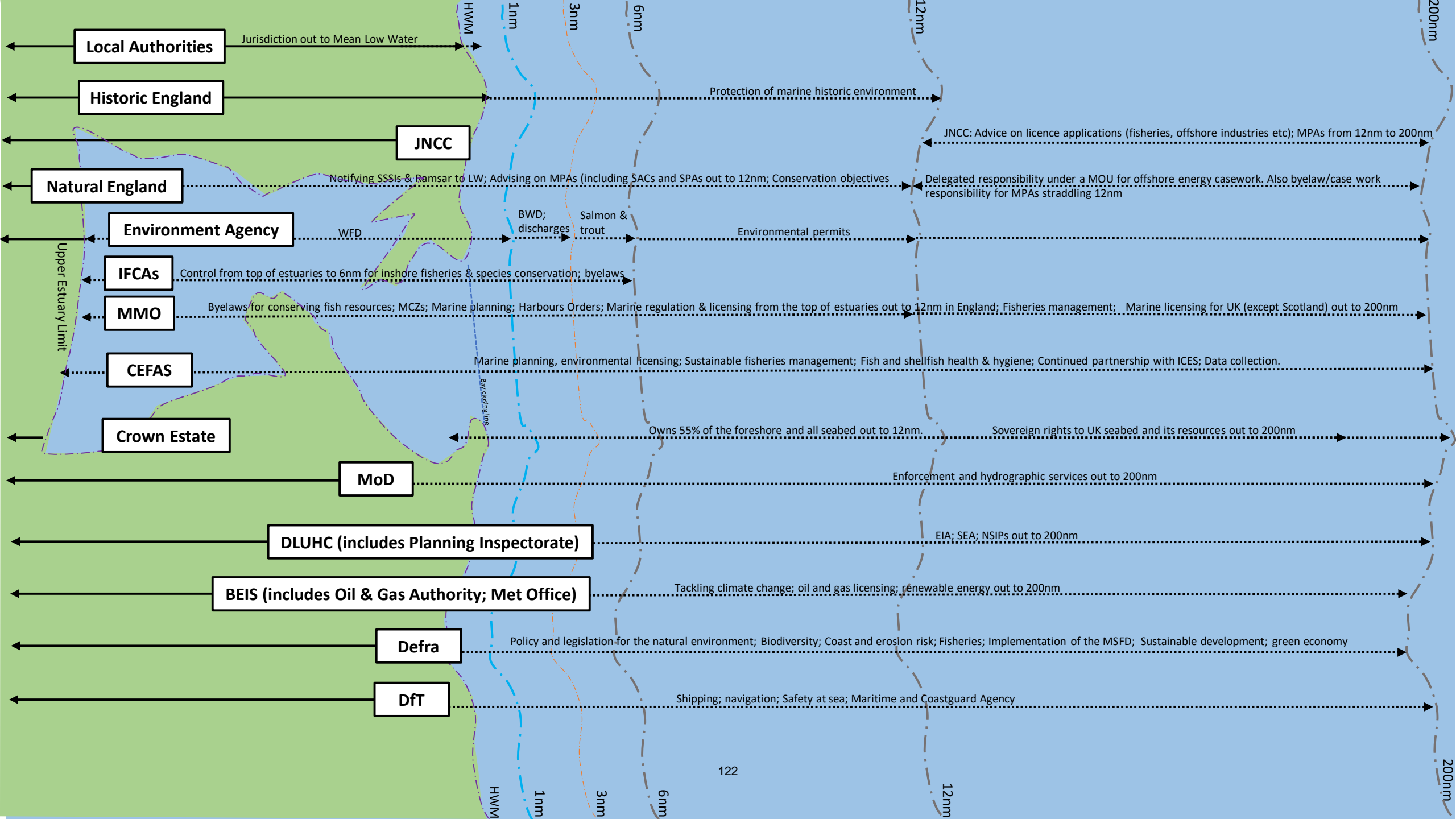
Yours sincerely,

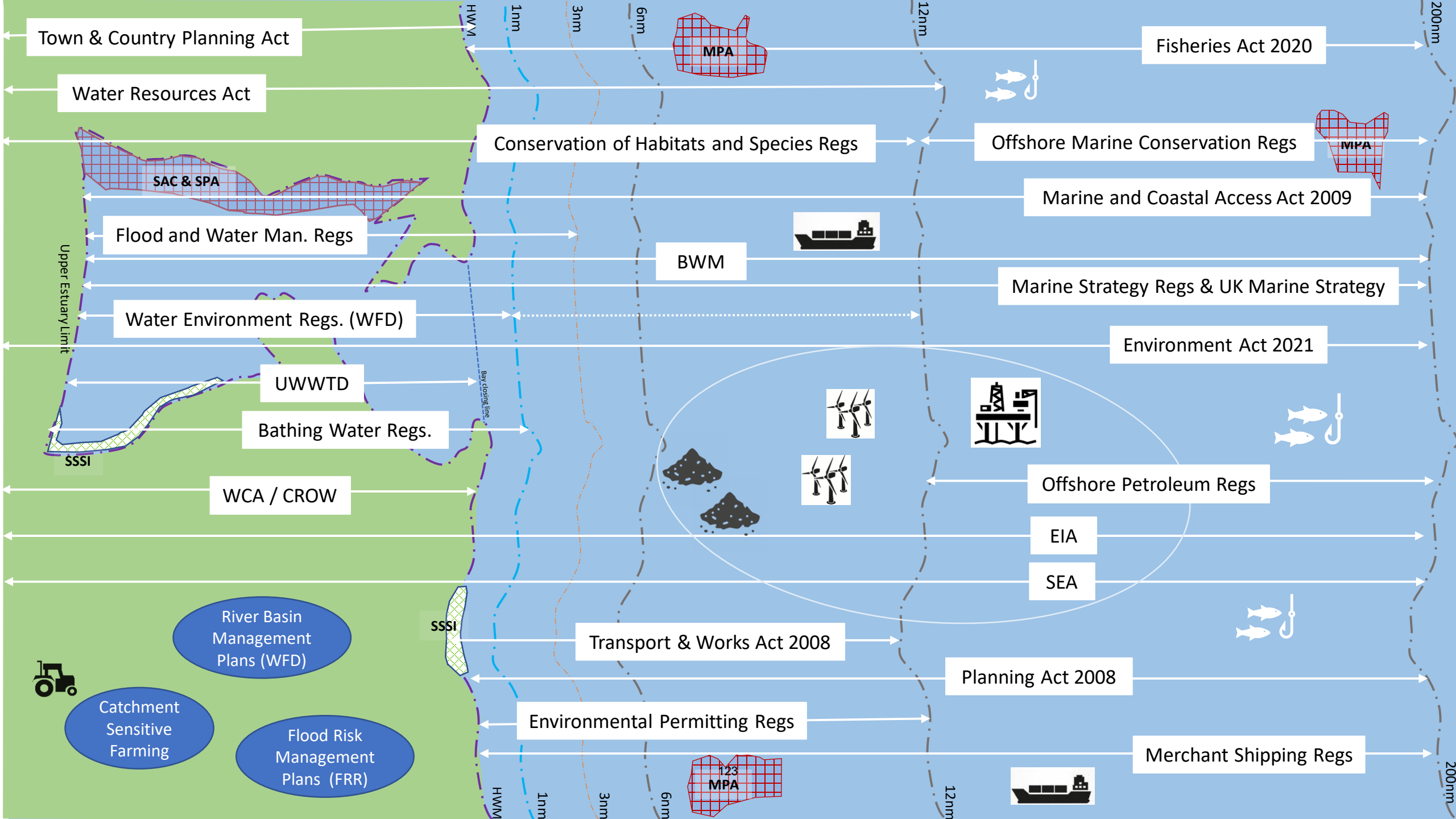
Thérèse Coffey

Selected Marine Governance Figures from:
**Natural England – Discussion Document – The Operationalisation, Governance and
Achievement of Good Environmental Status for UK Marine Areas**
Michael Elliott, Suzanne Boyes and Roland Cormier

International Estuarine & Coastal Specialists Ltd. (IECS Ltd.), Leven HU17 5LQ, UK.

Preferred Citation: Elliott, M., Boyes, S.J. and Cormier, R. (2022). The operationalisation, governance and achievement of Good Environmental Status for UK marine areas. Unpublished Discussion Paper for Natural England, International Estuarine & Coastal Specialists (IECS) Ltd, Leven, HU17 5LQ, UK; pp112, <https://www.iecs.ltd>.







Mean High Water
Springs or Mean
High Water

Mean Low Water
(internal waters)

1 nautical mile

3 nautical miles
(controlled waters)

6 nautical miles

12 nautical miles
(Territorial waters)

200 nautical miles
UK Waters
(Continental Shelf limit)

(not drawn to scale)

Regulatory Authorities (England)

Local Authority - Planning, Coast protection work

Historic England - Protected wrecks; protection of marine historic environment out to 12nm

Natural England - Notifying SSSIs & Ramsar to LW; Advising on MPAs (including SACs & SPAs) out to 12nm and their conservation objectives

Natural England have delegated responsibility for offshore renewable casework and byelaw making powers and casework responsibility for MPAs straddling 12nm
JNCC – Advice on licence applications (fisheries, offshore industries etc); MPAs (MCZs & EMS) from 12nm to 200nm; Monitoring and mapping;

EA - Flood risk; WFD to 1nm; Bathing waters; Pollution control; Licensing & water discharges to 3nm; Salmon & trout fisheries to 6nm; Environmental permits to 12nm

Inshore Fisheries and Conservation Authority (IFCAs) – Control from top of estuaries to 6nm for inshore fisheries and species conservation; byelaws making powers out to 6nm

MMO – Fisheries to 200nm; Byelaws for conserving fish resources; MCZs; Marine planning; Marine regulation & licensing from the top of estuaries out to 12nm in England & offshore for UK (except Scotland) to 200nm

Crown Estate - owns 55% of the foreshore and all seabed out to 12nm. Sovereign rights of the UK seabed and its resources of the Continental Shelf related to offshore energy development, licences for extraction of marine resources and marine planning.

Ministry of Defence (MoD) - Enforcement and hydrographic services

Department for Levelling Up, Housing & Communities (DLUHC) (includes the Planning Inspectorate) - EIA; SEA; nationally significant infrastructure projects (NSIPs) e.g. large wind farms >100MW etc

Department for Business, Energy and Industrial Strategy (BEIS) (includes Oil & Gas Authority; Met Office) – Tackles climate change; Oil & gas licensing; renewable energy

Department for Environment, Food and Rural Affairs (Defra) - Policy and legislation for the natural environment; Biodiversity; Coast and erosion risk; Fisheries; Implementation of the MSFD; Sustainable development and the green economy

Department for Transport (DfT) (includes Maritime and Coastguard Agency) - Shipping; navigation; Safety at sea; Ballast water management

Legislation related to the above organisations (English Law)

Town and Country Planning Act 1990

Localism Act 2011

National Heritage Act 2002; Merchant Shipping Regs (various); Protection of Wrecks Act 1973; Protection of Military Remains Act 1986.

Wildlife and Countryside Act 1981 (as amended); Marine and Coastal Access Act 2009; Environment Act 2021.

Conservation of Habitats and Species Regs 2010 (subsequently amended) - SACs & SPAs

Offshore Marine Conservation (Natural Habs &c.) Regs 2010; Environment Act 2021

Water Environment (WFD) (Eng & Wales) Regs 2017

Bathing Water Regs 2008

Urban Waste Water Treatment (Eng & Wales) Regs 1994 (coastal waters)

Land Drainage Act 1991; Water Res. Act 1991; Flood & Water Management Act 2010

The Environmental Permitting (Eng & Wales) Regs 2010 - out to 12nm

Marine & Coastal Access Act 2009; Sea Fish (Conservation) Act; Sea Fisheries (Shellfish) Act 1967

Marine and Coastal Access Act 2009 - MCZs, Marine licensing, byelaws, offshore fisheries (replaces existing controls under Part II of the Coast Protection Act 1949 and Part II of the Food and Environment Protection Act 1985)

Fisheries Act 2020 – sustainable management of fisheries; protection of species; Fisheries Management Plans for individual species and environmental purposes; Equal access. Sea Fisheries Act 1968 & Sea Fisheries Reg Act 1966

Merchant Shipping Act 1995

Planning Act 2008 - transport, water, waste & waste water projects out to 12nm; energy (within Renewable Energy Zone) out to 200nm (except Scotland); EIA Regulations 2020 - NSIPs

Electricity Act 1989; Energy Act 2008 & 2010; Climate Change Act 2008 - renewable energy; EIA Regulations 2020

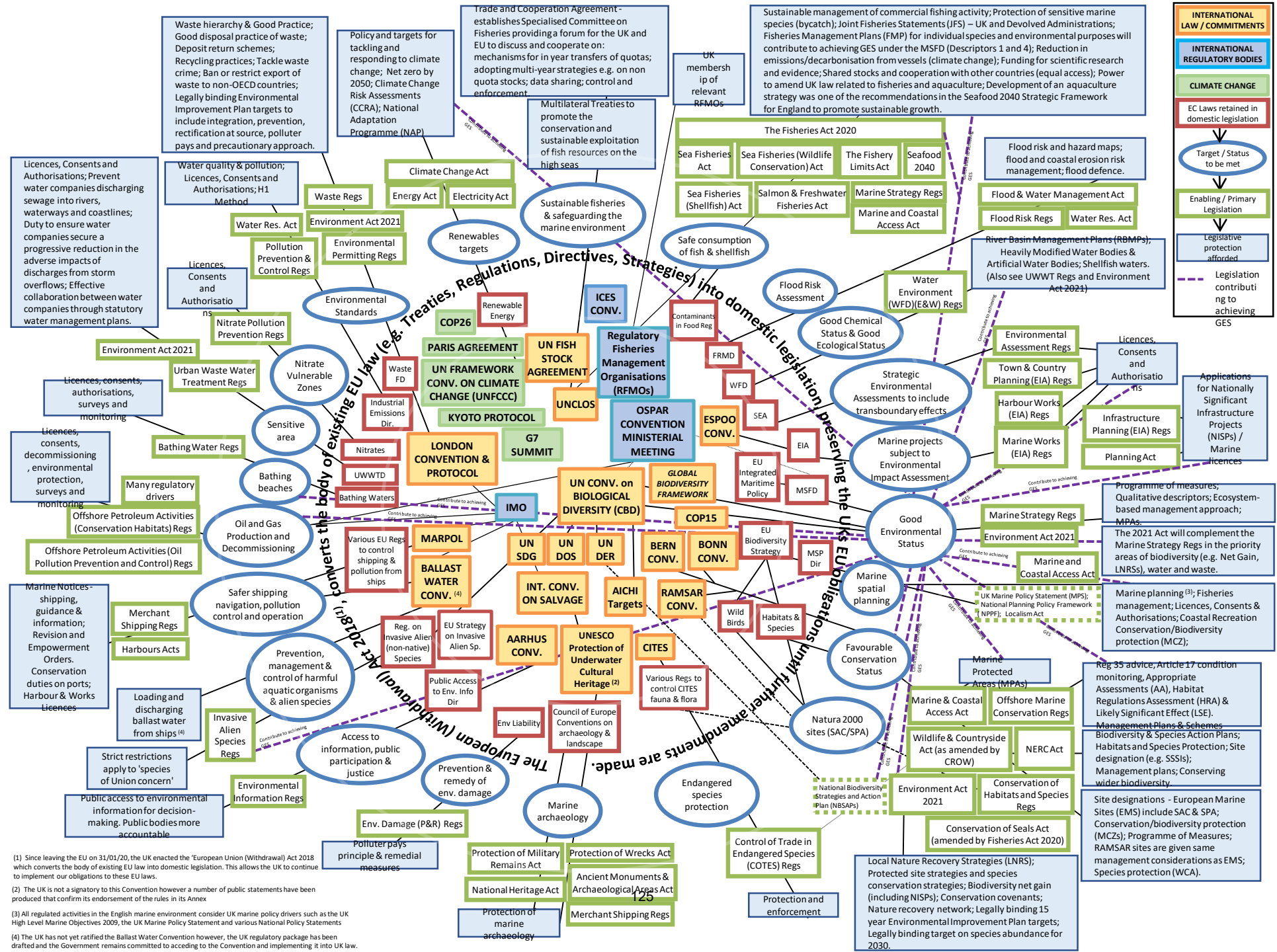
Planning Act 2008 – pipelines; Petroleum Act 1998 - oil and gas licensing

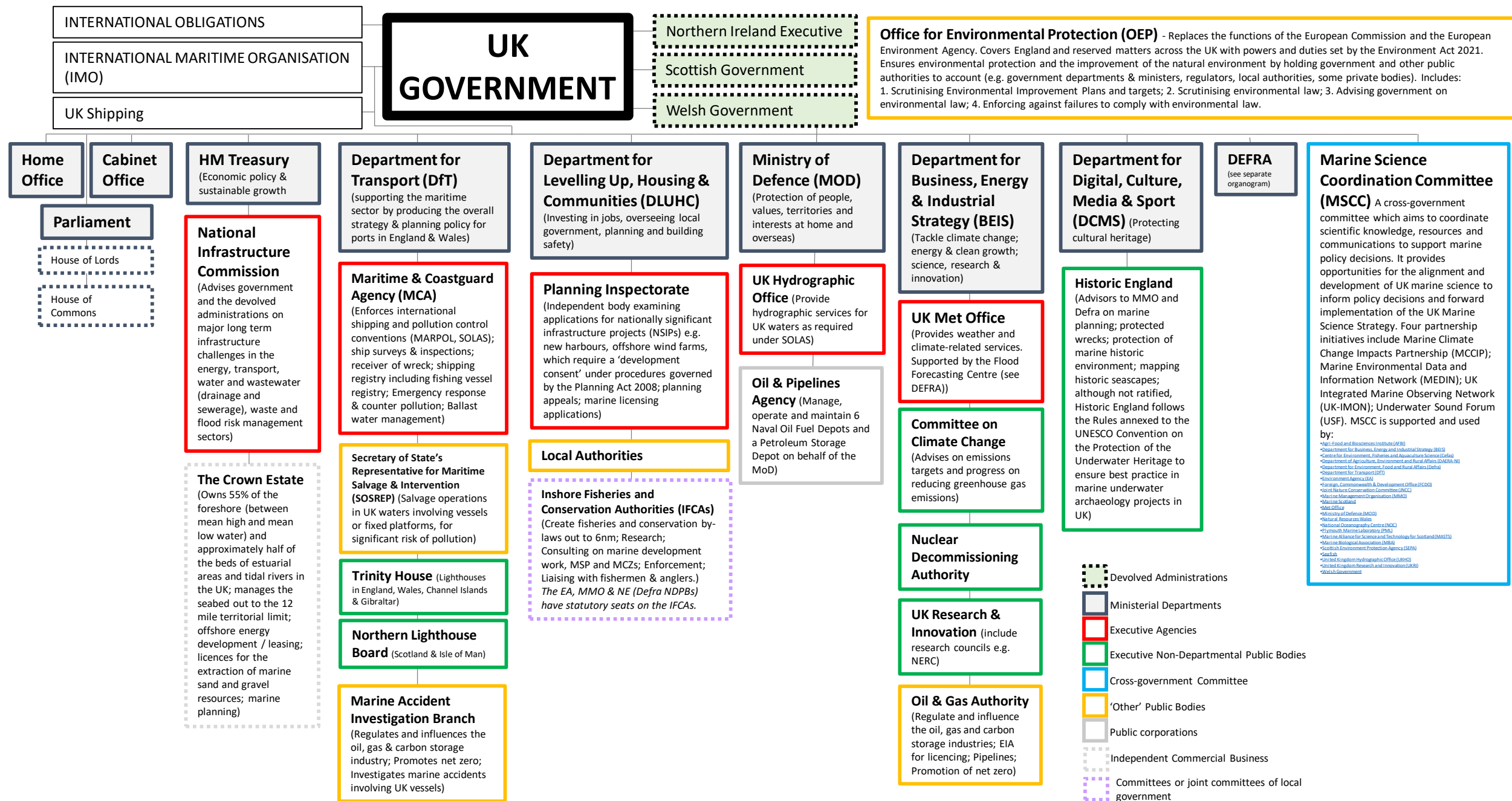
Offshore Petroleum Activities (Conservation of Habitats) Regs 2001

Offshore Petroleum Production & Pipelines (Ass. of Env. Effects) Regs 1999

Environment Act 2021 – Biodiversity, waste, water and air quality; Fisheries Act 2020; The Marine Strategy Regulations 2010 - Defra to ensure UK meets Good Environmental Status (GES)

Transport and Works Act 1992 - large scale projects & navigation









Department
for Environment
Food & Rural Affairs

Daniel Zeichner MP
Minister of State
Seacole Building
2 Marsham Street
London
SW1P 4DF
T: +44 (0) 3459 335577
E: correspondence.section@defra.gov.uk
W: gov.uk/defra

Cllr Philip Thomson
Chair of the Crustacean Deaths Working Group
Redcar & Cleveland Borough Council
Ridley Street, Redcar
Yorkshire, TS10 1TD

Our ref: PO2024/14852/LY

3 October 2024

Dear Cllr Thomson,

Thank you for your letter of 1 August to the Secretary of State regarding the sealife mortality events of 2021 in North-East England and the attached holding statement, which was also received by Cefas. I am replying on behalf of Cefas and the Secretary of State as the Minister responsible for this policy area.

I recognise the complexities and impacts of the mortalities that took place. Having consulted the Department's Chief Scientific Advisor, I agree with his advice that it has been too long since the incident took place in 2021 to seek more information on what caused that mortality and is it unlikely that a public enquiry would provide substantial new insights into the incident.

Defra and its arm's length bodies continued to investigate following the incident. As you will be aware, an independent panel of experts (Crustacean Mortality Expert Panel - CMEP) reviewed all available evidence but could not identify a single clear cause.¹ Additionally, Cefas scientists developed a new, validated method to test for the presence of the chemical pyridine in animal tissue and sediments, which I know several stakeholders remained concerned about. Their report was published, after which crab tissue samples collected during the 2021 incident were re-analysed.² Their findings matched the expert panel's conclusion that pyridine was very unlikely to be the cause of the mass mortality.

Since the 2021 incident, we have been working with the North Eastern Inshore Fisheries and Conservation Authority, Cefas and fishers to better understand the frequency and significance of wash ups in the area. This includes sample collection and analysis at Cefas where this is feasible. To date, where material has been available and suitable for testing, no analyses have revealed a presumptive cause. It is noted that observations of marine mortalities on the shoreline are not uncommon, particularly following storm events. However, we remain committed to improving both our knowledge of coastal health and our responsiveness to unexpected marine mortalities.

A recently initiated, Defra-led project is considering a data and analytical framework which is an early step to design and test a potential coastal monitoring framework to improve how government responds to marine events. Its focus is on marine situations of unknown cause(s) which negatively impact marine life around coastal regions of England.

¹ [CMEP Report](#)

² [Pyridine Test Report](#)

This work includes the development of a multi-agency framework to support a common understanding of processes and responsibilities and to ensure a collaborative and effective response should a similar incident occur in the future.

I understand the pressure the incident put on communities and that is why fishers in the North East were encouraged to access funding provided through suitable grant schemes. While these schemes were not envisaged as direct compensation schemes as they were open and existing schemes, they were seen as the quickest way to get support to those affected. I understand these schemes saw more than £2.6 million invested into the seafood sector in the North-East since April 2021, which helped to support the sustainability and long-term future of the sector, provide assistance for projects that boost the sale of seafood, support more environmentally sustainable practices, and bring economic growth to coastal communities.

To improve the health of the stocks and the needs of the crab and lobster industry we published the crab and lobster Fisheries Management Plan (FMP) in December 2023 following a 12-week public consultation.³ The crab and lobster FMP sets out a framework for identifying and filling evidence gaps, and providing evidence based-management measures to improve crab and lobster stocks.

Defra continues to invest in the monitoring of fish and crustacean stocks as well as the wider ecosystem of the North Sea, including through crab and lobster stock assessments which are produced by Cefas every two to three years to assess the status of the stock. The latest stock assessments are from 2023.⁴

Your concerns have been noted, and I trust that you see from the range of activities set out that we remain vigilant and are working to improve our responses to incidents in the future.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Daniel Zeichner', with a stylized, flowing script.

DANIEL ZEICHNER MP

³ [Crab and Lobster Fisheries Management Plan \(2023\)](#)

⁴ [Crab and Lobster stock assessments 2023 - GOV.UK \(www.gov.uk\)](#)



Redcar & Cleveland Borough Council

Directorate of Corporate Resources
Democratic Services
Civic Centre
Ridley Street
Redcar
Yorkshire
TS10 1TD

Mr Zeichner MP
Minister of State
Seacole Building
2 Marsham Street
London
SW1P 4DF

www.redcar-cleveland.gov.uk

Contact: Councillor Thomson
Ref: Crustacean Deaths Working Group
Email: philip.thomson@redcar-cleveland.gov.uk

15 November 2024

Dear Mr Zeichner,

Thank you very much for writing as per your letter of the 3 October which has just come into my possession yesterday.

I am pleased to learn that the impact of the crustacean die-off in the North East, which was devastating to local communities and that the inability to clearly identify the causation was and remains a cause for concern, is recognised by yourself and your Department.

Despite the early attempts to identify causation, the inability of a combined resource of intellect and administration has so far been impotent in attaining resolution.

The workings of the apolitical local authority group have been thwarted at practically every turn in attempts to consult with and engage in considered discussion of the incident, its implications and the ramifications that result.

The request for a public enquiry has been tabled in an attempt to bring this matter into a more public domain and to focus minds on a variety of factors including identification of causation but also to examine the apparent moribund structure that is tasked with the governance of the maritime and coastal environment.

The rejection of such a public enquiry is regretted and the passage of time argument, whilst understood, is a further reflection of the apparent inertia that seems to be symptomatic of the behemoth structure tasked with management of our maritime estate.

The work that you advise of that is being undertaken is welcomed.

There remains much to be done in terms of cooperative working, sharing of intelligence and aspiring to a more efficient regime focussed on more detailed analysis of environment and mechanisms which will adequately identify all the relevant factors which affect it, how these can be identified, monitored, analysed and a system of evaluation and determination that is open and transparent and be able to be held to account.

Representatives of the working group will be in Whitehall in the near future, and it is hoped that earnest dialogue can be engaged in, to progress this aspiration.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Philip G. Thomson'.

Councillor Philip Thomson

Caroline Leng
Directorate of Corporate Resources
Democratic Services
Redcar & Cleveland Borough Council
Civic Centre
Ridley Street
Yorkshire
TS10 1TD

Our Ref: 23005
Date: 24 September 2024

By email: contactus@redcar-cleveland.gov.uk

Dear Ms Leng,

Crustacean deaths

Thank you for your letter of 5 August 2024 on behalf of the Crustacean Deaths Working Group in Tees Valley and North Yorkshire. I was interested to read about the working group's research, findings and recommendations.

The Environment Agency was part of the Defra led multi-agency response and investigation into the mass crustacean deaths in 2021, and I am aware of the devastation caused by the event, which affected people working and living along the North East coast. An independent Crustacean Mortality Expert Panel (CMEP) was convened in December 2022 to provide an independent scientific assessment of all the possible causes of the mass mortality incident using all relevant available evidence¹. Despite significant efforts, the panel could not identify a clear and convincing single cause for the incident.

I have read each of the recommendations in your letter. Defra is best placed to respond to these specific recommendations. However, I have provided some information below, which may be of interest to the Crustacean Deaths Working Group. This includes information about work to improve the response to future marine incidents.

Validated method to test for pyridine

In response to the 2021 incident, The Centre for Environment, Fisheries and Aquaculture (Cefas) scientists developed a new, validated method to test for the presence of the chemical pyridine in animal tissue and sediments. Their report is published² and the method was used to re-analyse crab tissue samples collected during the 2021 incident. Their results aligned with the findings from the expert panel, and they concluded that it is very unlikely that pyridine was the cause of the mass mortality event.

Coastal health project

¹ [CMEP Report](#)

² [Newly validated test to detect pyridine in animal tissues and sediments - GOV.UK \(www.gov.uk\)](#)

A science led project, 'coastal health', is considering a data and analytical framework for the long-term resilience, sustainability, and growth of coastal regions around England. This project is an early step to designing a monitoring framework to improve how government responds to marine events. Its focus is on marine situations of unknown cause(s) which negatively affect marine life. This work includes the development of a multi-agency framework to ensure a collaborative response should an incident similar to the 2021 event occur in the future.

Protocol following the 2021 mass mortality event

Following the 2021 mass crustacean mortality event, a protocol on how to respond to new reports of wash ups was agreed between relevant organisations. This protocol was enacted to ensure that new intelligence would be consistently and reliably shared between organisations to facilitate the response to new incidents and investigations.

Current situation around Teesside and North Yorkshire coast

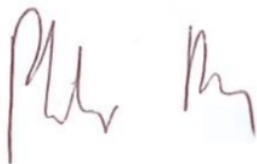
The Environment Agency continues to work with Defra and its partners to respond to any new reports of dead marine life washing up on North East beaches.

Between June 2021 and August 2024, the Environment Agency received 135 reports about dead animals and fish along the North East coast. The last of these reports was on 7 June 2024 when a caller reported dead crabs and thousands of small dead fish on the Teesmouth and Cleveland coast. Due to the reported numbers, a marine officer was deployed to investigate. The marine officer reported that the 'crab body parts' were empty shells, consistent with moults (this is a natural process where the crabs shell must be shed or moulted as they grow).

The Environment Agency continues to report to Defra routinely to inform them of any new reports that it has received.

I hope this information is useful for the Crustacean Deaths Working Group. If the Environment Agency can be of any further assistance or if you would like to discuss this matter further, Sarah Jennings, Area Environment Manager, is happy to talk with you. You can contact Sarah on Sarah.Jennings@environment-agency.gov.uk.

Yours sincerely,



Philip Duffy
Chief Executive
Environment Agency

Redcar & Cleveland Borough Council
Directorate of Corporate Resources
Democratic Services
Civic Centre
Ridley Street
Redar
Yorkshire
TS10 1TD

Ref: L11 -EL
Date: 26/09/24

Subject: Acknowledgment of receipt

Dear Mrs Leng,

Thank you for your letters of 1st August and 9th September regarding the Crustacean Deaths Working Group. I can confirm that these letters were received, and the contents reviewed.

I can advise Cefas have contributed to a coordinated Defra response to the Holding Statement, which you will receive shortly. Thank you for your attention to this matter. If you have any queries, please do not hesitate to contact me.

Yours sincerely,



Neil Hornby
Chief Executive

From:
Sent:
To:
Subject:

You don't often get email from sh.info@marinemanagement.org.uk. [Learn why this is important](#)

WARNING: This email came from outside of the organisation. Do not provide login or password details. Always be cautious opening links and attachments wherever the email appears to come from. If you have any doubts about this email, contact ICT.

Dear Ms Leng,

Thank you for your letters dated 9 and 23 September 2024 addressed to our Chair, Hilary Florek. The latter was received in our office 26 September and unfortunately, we were unable to respond in time for your meeting.

Marine Management Organisation (MMO) are unable to comment on the recommendations that you have made in relation to requests to the Secretary of State, nor are we able to comment on behalf of them.

The Department for Environment, Food and Rural Affairs (Defra) co-ordinated a response to the original incident as multiple ALBs/agencies were involved. MMO's role relates to marine licensable activities and notably dredging/disposal. A further independent panel was formed to review the incident. In January 2023, the independent Crustacean Mortality Expert Panel (CMEP) of experts from academia and industry concluded that:

'it is about as likely as not that a pathogen new to UK waters – a potential disease or parasite – caused the unusual crab mortality'
and that *'it is very unlikely that pyridine or another toxic pollutant caused the crab deaths. The panel considered industries on Teesside and concluded they could not be sources of any significant volume of pyridine during the period of the crab deaths.'*

All applications for the dredge and/or disposal of material in English waters undertake rigorous sampling under our obligations to the Ospar convention. As a responsible regulator MMO meet all of our international obligations for disposing of dredged material to sea and monitor disposal sites to ensure levels of contaminants aren't exceeded.

I am sorry that MMO are unable to provide comment on the areas of concern that you have raised as these are policy decisions made by Defra.

Yours sincerely,

Fern Skeldon
Marine Licensing Senior Case Manager | Project Speed | Marine Management Organisation
☒ Lancaster House | Hampshire Court | Newcastle upon Tyne | NE4 7YH

Our MMO Values: Together we are **Accountable, Innovative, Engaging** and **Inclusive**

[Website](#) [Blog](#) [Twitter](#) [Facebook](#) [LinkedIn](#) [YouTube](#)

I'm a PCS Union member. Join here to help improve and defend our pay, conditions and benefits: <https://www.pcs.org.uk/get-involved/why-join-pcs>

I am taking a blended approach to working. I will be working from Lancaster House 2 days a week and work the remainder of the week from home





PD Ports Limited
17-27 Queen's Square,
Middlesbrough, TS2 1AH
+44 (0) 1642 877000

4th October 2024

Caroline Leng
Democratic Services & Scrutiny Officer
Redcar & Cleveland Borough Council
Directorate of Corporate Resources
Democratic Services
Civic Centre
Ridley Street
Redcar
TS10 1TD

Dear Caroline

Crustacean Deaths Working Group – Holding Statement

This is to confirm that we are in receipt of your Holding Statement regarding the research, findings and recommendations from the Crustacean Deaths Working Group dated 01 August 2024.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Frans Caljé', written over a horizontal line.

Frans Caljé
Chief Executive Officer

www.pdports.co.uk

Recommendations / Actions

	Action	Referred To
1	<p>Further research does require to be undertaken in the fields of marine and river ecology and of its management.</p> <p>Defra and Cefas have initiated further research and it is imperative that relevant work be expedited to establish a greater understanding of the coastal environment, the pressures that bear upon it and the management structures that are best fitted to monitor and manage.</p> <p>Reports should be peer reviewed and placed in the public domain in a timely manner.</p> <p>All research that is being undertaken by Government agencies, scientific institutions, companies and sponsored individuals should be acknowledged and accessible for reference.</p> <p>The complexity of relationships needs to be simplified so that any future events of a similar nature can be more readily addressed.</p>	Defra Group
2.	<p>The Working Group commends the efforts of the lobster hatchery approach to improve stocks.</p> <p>The work being conducted at hatcheries in Whitby and Bridlington is to be commended and encouraged.</p> <p>Further hatcheries require to be evaluated to ensure that the restocking of lobsters is maintained to support a sustainable future for the inshore fishing industry.</p>	<p>Whitby Lobster Hatchery</p> <p>Defra Group</p>

	Similar efforts to restore the population of crabs should also be explored.	
3.	<p>Evidence received from academics, NEIFCA and the fishing community suggests that there are broad ecological implications from the incident.</p> <p>The Working Group to write formally to government agencies requesting that that the general ocean environment in the region be monitored to assess recovery.</p> <p>It is also recommended that scientific sampling work that is being undertaken in inland waterways in Yorkshire be extended to the RiverTees water way catchment area.</p>	<p>Defra Group</p> <p>NEIFCA</p> <p>MMO</p>
4.	The Working Group to request monitoring of progress made towards the Defra commissioned investigations. In particular, the key line of enquiry relating to preparedness for future incidents.	Defra Group / Crustacean Deaths Working Group
5.	<p>Given that the MMO advises 'relevant restrictions may be attached in the form of conditions to marine licenses granted by the MMO following consultation with bodies including the EA.', it is requested that the MMO be required to review current standards to ensure robustness, especially in areas affected by legacy contaminants.</p> <p>Levels of testing related to dredging licensing were advised as being in line with international standards and agreements.</p> <p>The frequency of testing and the periods during which they might be conducted did not appear to be stringent enough in environments where historic contamination had been identified.</p>	MMO

	<p>The deposition sites for dredged materials vary for maintenance and capital dredging. Both permitted distances should be reevaluated where historic levels of pollution have been highlighted and where current bed core sampling suggests potential pollutants, either in singular form or potential interactive form.</p> <p>Strong consideration should be given to ensuring land deposition be prioritised for capital dredging.</p>	
6.	<p>The current governance arrangements are incredibly complex. The Working Group recommends that efforts are made to improve collaboration, and a process instigated to ensure that local authorities can productively engage with appropriate stakeholders.</p> <p>The current areas of responsibility for the maritime coastal area surrounding the British mainland do need to be reviewed. The number of organisations would appear to be too great. The interaction between such organisations does not appear to be effective.</p> <p>The perceived lack of synergy experienced during the Group's explorations was not conducive to confidence building or ease of communication and understanding.</p> <p>A restructuring of the overall maritime management to reduce organisation numbers, better clarify remits, welcome public scrutiny and operate in a robust and timely manner is a requirement in need of prompt action.</p>	All relevant stakeholders

7.	<p>The Working Group noted that there were occasionally errors in process administration and some confusion in relation to dredging activity.</p> <p>The Group recommends that attention be given to ensuring robust administrative processes are in place and ready independent audit</p>	All relevant stakeholders
8.	<p>Sampling is only required on a 4-yearly basis, and consideration should be given to increasing the rate in the Tees, especially in view of the industrial legacy of the area.</p> <p>Risk assessments did not take into account the local sites of special scientific interest, which should not be omitted in future assessments.</p> <p>Waterways are dynamic environments that require further understanding, and there is a need to continue to explore water quality. Further engagement needs to be made with all companies responsible for water management.</p>	<p>MMO</p> <p>Statutory Harbour Authority</p>
9.	<p>The Working Group will not be continuing under its existing remit.</p> <p>Although no firm findings have been revealed to confirm the reasons for the Crustacean Die Off the deliberations of the Working Group have identified a real requirement for local authorities to be better advised of maritime matters where land boundaries border coastal or river environments.</p>	<p>Defra Group</p> <p>Coastal local authorities</p> <p>Local Coastal SIG</p>

	<p>Elected members would benefit from greater awareness of maritime legislation, organisational structure, and effective lines of communication and respective authorities should facilitate.</p> <p>There is a perceived need to continue to engage with government agencies. This could be achieved through existing frameworks, but these do need to be robust.</p> <p>The reinstatement of the Annual Coastal Forum should be considered, with a appropriate remit.</p> <p>A review of how local authorities are involved with and relate to relevant maritime organisations, either through Elected Member or Officer representation.</p> <p>Communications with members of the public require improvement. All government agencies and all relevant local authorities should be conscious of that responsibility and seek to be better informed and communicative om matters maritime and environmental.</p>	
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AUDIT AND GOVERNANCE COMMITTEE

24 June 2025



Report of: Director of Legal, Governance and Human Resources

Subject: REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – QUARTER 1 UPDATE

1. PURPOSE OF REPORT

- 1.1 To provide members with a quarterly update on activities relating to surveillance by the Council and policies under the Regulation of Investigatory Powers Act 2011.

2. BACKGROUND

- 2.1 Hartlepool Borough Council has powers under the Regulation of Investigatory Powers Act 2000 (RIPA) to conduct authorised covert surveillance.
- 2.2 This report is submitted to members as a result of the requirement to report to members under paragraph 4.47 of the Covert Surveillance and Property Interference Revised Code of Practice (August 2018) which states that:

Elected members of a local authority should review the authority's use of the 1997 Act and the 2000 Act and set the policy at least once a year. They should also consider internal reports on use of the 1997 Act and the 2000 Act on a regular basis to ensure that it is being used consistently with the local authority's policy and that the policy remains fit for purpose.

- 2.3 As from 1 November 2012 Local Authorities may only use their powers under the Regulation of Investigatory Powers Act 2000 to prevent or detect criminal offences punishable by a minimum term of 6 months in prison (or if related to underage sale of alcohol and tobacco – not relevant to this Council). The amendment to the 2000 Act came into force on 1 November 2012.
- 2.4 Examples of where authorisations could be sought are serious criminal damage, dangerous waste dumping and serious or serial benefit fraud. The

surveillance must also be necessary and proportionate. The 2012 changes mean that authorisations cannot be granted for directed surveillance for e.g. littering, dog control, fly posting.

- 2.5 As from 1 November 2012 any RIPA surveillance which the Council wishes to authorise must be approved by an authorising officer at the council and also be approved by a Magistrate; where a Local Authority wishes to seek to carry out a directed surveillance or make use of a human intelligence source the Council must apply to a single Justice of the Peace.

3. RIPA AUTHORISATIONS

- 3.1 In the quarter to the date of this meeting:

Communications Data	Nil
CHIS	Nil
Directed Surveillance	One

4. RECOMMENDATION

- 4.1 That the quarterly report be noted.

5. REASONS FOR RECOMMENDATIONS

- 5.1 To enable the Council to monitor the RIPA system effectively and as required by law and guidance.

6. CONTACT OFFICERS

- 6.1 Hayley Martin
Director of Legal, Governance and Human Resources and Senior
Responsible Officer for RIPA
Hayley.Martin@hartlepool.gov.uk
01429 523003

Tees Valley Joint Health Scrutiny Committee

MINUTES AND DECISION RECORD

13 March 2025

The meeting commenced at 10am in the Civic Centre, Hartlepool.

Present:

Responsible Authority Members:

Darlington Borough Council -

Hartlepool Borough Council - Cllr Boddy (CH), Cllr Roy

Middlesbrough Council - Cllr Cooper

Redcar and Cleveland Borough Council – Cllr Cawley (VC), Cllr Kay,

Stockton Borough Council - Cllr Besford, Cllr Coulson (substitute for Cllr Miller), Cllr Hall

Also Present:

Mark Cotton, Assistant Director of Communications and Engagement, North East Ambulance Service (NEAS)

Rachael Lucas, Assistant Director of Quality & Safety, NEAS

Beverley Murphy, Chief Nurse, Tees Esk and Wear Valleys NHS Foundation Trust (TEWV)

Shaun McKenna, General Manager, Adult Mental Health – Urgent Care, TEWV

Officers:

Caroline Breheny (R&CBC)

Gemma Jones, (HBC)

Susan Lightwing (MBC)

Caroline Leng (R&CBC)

Joan Stevens (HBC)

Gary Woods (SBC)

32. Apologies for Absence

Cllr Crane, Cllr Holroyd, Cllr Layton, Cllr Moore, Cllr Morrish, Cllr Miller, Cllr Scott and Hannah Miller.

33. Declarations of Interest

None

34. Minutes of the meeting held on 9th January 2024

Confirmed.

35. North East Ambulance Service (NEAS) NHS Foundation Trust Quality Account for 2024/25 – Assistant Director of Quality and Safety, NEAS

Representatives from NEAS were in attendance to present to the Committee their current position and performance and to provide an update on the 2024/25 quality priorities.

Data was provided to Members in relation to Patient Safety Incidents. It was noted that 3,327 patient safety incidents had occurred in the period April 2024 to January 2025. This equated to 2.7% per 1000 calls answered. There were 18 patient safety incident investigations with 2 meetings taking place per month focussing on incident reporting.

In relation to patient experience/feedback, 418 complaints had been received with 1294 appreciations also recorded. Work is undertaken to investigate how to improve practice after complaints are received. Appreciation stories are also fed back to the board.

The Committee was informed that, of the 11 Ambulance Service Trusts in England, NEAS were first in relation to ambulance response times, although it was recognised there was still room for improvement. In terms of Friends and Family satisfaction the 111 service gained a satisfaction score of 78.4%.

An update on the 2024/25 quality priorities was provided and focussed on patient safety, clinical effectiveness and patient experience. With regards to patient safety, learning from deaths and the prevention of future deaths reports were discussed. It was noted that policies and procedures had been reviewed to improve learning, alongside bringing teams together to share learning outcomes from Coroners. Improved engagement with bereaved families and carers, Coroners and medical examiners was also highlighted. Future work included making the Learning from Deaths process more efficient so that resources could be focused on areas that lead to change.

The second element of patient safety discussed was infection and prevention control. Achievements had included the reviewing of governance arrangements, audit tools, reporting and training. An application software based audit process had been introduced as well as the development of a local action plan. NEAS will continue to review policies and procedures to ensure they comply with national standards.

In terms of Clinical Effectiveness the Committee was informed that work undertaken had focussed on –

- reviewing the process for identifying a deteriorating patient
- introduction of a critical care desk
- further training provided to Specialist Paramedics in Critical Care (SPCC)
- deploying 2 specialist care rapid response vehicles
- improving the learning from the clinical audit of incidents
- improving the use of pre-hospital alerts

The final priority discussed related to patient experience with NEAS working to improve how the Trust triangulates and shares learning from incidents, complaints and lived experience. This included working with voluntary organisations to gather public feedback to help inform the new clinical strategy. Other achievements were improving colleagues' awareness of processes relating to complaints, claims and 'learning from events' meetings. Future work will focus on introducing the learning from claims into forums such as multi-disciplinary meetings.

In the questions that followed Members gained the following information –

- Mechanisms regarding how Coroner information is fed back to staff were explained.
- Emphasis is placed on systemic learning and how the organisation can learn to prevent future deaths. This is achieved via an executive bulletin that is circulated monthly and is also available on the internal website. Elements of this are also fed back into training sessions.
- All staff have mandatory training and different teams feed into this.
- In respect of vehicle cleaning methods, an audit tool is used to understand the 'hot spots' and how these methods can be improved.
- The percentage of Paramedics with advanced training was not available to the Committee but would be shared at a later date.
- 2 rapid response vehicles are based in 2 separate units across the North East, one of which is based in Hartlepool. Concerns were expressed that this was quite far north for the people of Redar. It was noted that use of these vehicles is monitored and that specialist paramedics are also situated in emergency departments.
- Some complaints focused on response times to incidents, this was being considered as an area for improvement.
- In relation to response times, NEAS are the only Ambulance Service that achieves the cat 1 response target.

- NEAS were also the fastest for category 2 response times, with 90% responding within 40mins. Whilst the NHS England target is 30min, NEAS are aiming for 18 mins, it was acknowledged that this may take some years to achieve this.
- It was highlighted that there was still room for improvement in terms of response times.
- In response to Friends and Family satisfaction, there was high appreciation for crew attitude however, this was also the subject of some complaints and this was monitored.
- The way calls are prioritised was explained.
- Call categories can change depending on the situation.
- A vast amount of work has gone into hospital turn around times.
- Work has also taken place to support patients that do not require hospital care and can be treated at home.

Representatives from NEAS were thanked for their presentation.

Decision

- (i) The Committee considered and commented on the update on performance in 2024-2025 and the priorities for quality improvement in 2025-2026
- (ii) That a statement of assurance will be prepared and submitted to the Trust, with final approval delegated to the Committee Chair and Vice-Chair
- (iii) That data will be shared in relation to the number of Paramedics with advanced training.

36. **Tees Esk and Wear Valleys (TEWV) NHS Foundation Trust Quality Account priorities update 2024/25 – Chief Nurse, TEWV**

The Chief Nurse was in attendance to provide the Committee with the Quality Account priorities update for 2024/25. Priorities were co-created with people using the service and led by people with lived experience. Priorities included –

- Patient experience: Promoting education using lived experience
- Patient Safety: Relapse prevention
- Clinical effectiveness: Improving personalisation in urgent care.

Work undertaken has focussed on the promotion of education using lived experience. This has meant an increase in peer support workers and work undertaken to reduce the number of children graduating into adult mental health services by making sure their needs are being met.

Relapse prevention involves looking at a patients relapse indicators and in advance care planning, taking a more personalised approach.

Clinical effectiveness includes working to improve personalisation in urgent care with a view of reducing the need for patients to tell their story more than once. 85% staff will have undertaken the online training module in personalised care planning. The impact of this training will be assessed by evaluating the quality of patient experience feedback. Work will continue with services users to identify the priorities ahead building on the elements discussed, ensuring that the focus is having an impact on the people in their care.

Members were given an overview of the Niche assurance review which was commissioned by NHS England. This assessed to what extent the care TEWV provide is compliant with current standards and expectations, with a focus on the experiences of young people in their care. The report found that the quality of child and adolescent services had improved significantly. This had provided the Trust with assurance that young people would receive care in line with good practice and mandatory practice. In terms of the Child Adolescent Mental Health Service (CAMHS) the Trust now provides support via intensive home treatment teams and intensive positive behaviour support multidisciplinary teams.

Referring to the latest CQC well led inspection, data was provided in terms of the findings of each service as detailed on the presentation. An update was provided regarding the improvement plan with only 1 action now overdue.

Referencing the recent CQC crisis report publication published in February 2025, Members were informed a rating of 'good' had been achieved. Representatives explained the report had demonstrated the Trusts continuous improvement and positive impact on peoples experience of the Trust. This was against a national backdrop of increased demand for services. It was acknowledged there was more work to be done including improving the reporting of mandatory and statutory training and line supervision.

In the discussion that followed a Member asked if more people are being treated at home as this was the cheaper option. The Representative explained that for some admission into hospital is appropriate to allow them to be kept safe. However, being admitted to hospital was problematic for a person as this could impact on their caring responsibilities and the loss of control over their life. Ensuring hospital admission was the correct option for a person was key.

A Member asked for more information about how young people decide on their own care. It was explained that evidence suggests that involving young people in the decisions relating to their care can help them develop and manage their own life with a sense of choice. Clear assessments are in place but choice is given where possible, alongside working with the young person's family and support network. The mechanism of how people share their stories was also explained including how information is shared and reported on the electronic systems.

Attention was also drawn to the fact that supporting patients is not done in isolation and TEWV work with partners to help address a patients issues. Work takes place with Local Authorities and the Voluntary Sector regarding areas such as employment options and taking part in meaningful activities. TEWV have also established a voluntary and peer support programme.

Members were pleased that the crisis service had received a rating of good but commented there was no breakdown of how this had been achieved. Concerns were also expressed about the waiting list for CAMHS. Representatives explained that improvements will focus on making sure staff are well trained and properly supervised. The quality of risk assessment and care plans had greatly improved in this area.

In terms of recruitment there are currently no vacancies in secure inpatient services. However, the Trust were mindful that a drop in student nurses was anticipated and were looking at what they could do to fill the gap. The Trust were also looking at new ways of capturing clinical supervision recording.

A discussion was held in relation to waiting lists across CAMHS in particular those waiting for assessments for neuro diverse disorders. Representatives commented that this was a national problem and ways to manage this were being explored.

In terms of the CQC well led inspection, the 1 recommendation overdue related to 2 policies being reviewed in line with best practice. In part this was due to the Trust being able to demonstrate that the training is being embedded which will take some months.

A Member referred to tables detailed in the presentation which related to the CQC well led inspection and asked if clinical supervision was happening on wards. Reassurances was provided that supervision is happening but previously there was not a systematic way of reporting this but this was now being reviewed.

Representatives from TEWV were thanked for their presentation.

Decision

- (i) The Committee considered and commented on the update on performance in 2024-2025 and the priorities for quality improvement in 2025-2026.
- (ii) That a statement of assurance will be prepared and submitted to the Trust, with final approval delegated to the Committee Chair and Vice-Chair.

37. Crisis Screening, Triage and Assessment Overview - Durham and Tees Valley – General Manager, Adult Mental Health – Urgent Care, TEWV

Information was provided to the Committee regarding crisis screening, triage and assessment in Durham and Tees Valley. Specifically, the implementation of the new digital telephony system launched in March 2024. Originally a 12-hour day shift service this was now 24/7 and could be accessed via NHS 111 (option 2). This was now a single source of access and with all calls being screened by the Durham and Tees Valley screening service. The use of screening tools has meant that patients are directed to the most appropriate source of support. This has allowed crisis team clinicians to focus their time on those that need it the most.

Since the implementation of the screening team the service has seen a reduction in call volume and repeat callers. Any patients waiting over 7 minutes are offered a call back. It was noted that only 3% of calls were abandoned by patients, with call answer rates remaining positive. However, despite being better than that national average it was acknowledged that there was still room for improvement. Further information on call times was detailed in the presentation.

The service, based at West Park Hospital, answers calls from Durham and the Tees Valley and calls are then passed to local teams. There has been a significant improvement to triage call answer rates. The child and adolescent mental health service has sustained a call answer rate of 95%. There had also been a significant volume of calls to the professional line. Data was provided in relation to the service for the month of December 2024.

The next steps for the service were outlined and the Committee were advised that in terms of workforce pressures, the service currently had no vacancies. There had been some technical issues which were expected to be resolved in April 2025. In terms of future improvements, 2 safe havens were to be opened across the Tees Valley and the service had begun to work closely with the voluntary sector and neighbourhood based services. This was with a view of supporting patients and preventing them from needing crisis care.

In the discussion that followed a query was raised in terms of multiple ambulances attending for one patient. It was explained that some situations, when assessed for safety, may generate that level of response however, learning from those types of situations was ongoing.

Members asked if the Samaritans number was still being shared with patients. Representatives explained that the majority of patients were being referred to the TEWV listening service and work was taking place around the publicity for accessing the 111 service for mental health.

Further information was provided in relation to the abandoned calls and the 7 minute call back function, this was being closely monitored.

Members were pleased to see that patients were being signposted to different sources of support and thanked Representatives for their detailed presentation.

Decision

- (i) Members noted the content of the adult mental health service urgent care presentation.

38. Work Programme for 2024/2025

The Work programme was noted. The Chair explained that future items for the work programme would be discussed at the first meeting of the municipal year

The Chair expressed thanks to Members for their attendance and contributions during 2024/25 as this was the final meeting scheduled for the current municipal year. As per the established rotational arrangements, support of the Committee would pass onto Redcar and Cleveland Borough Council for the 2025-2026 municipal year, with the first meeting being held on the 8th May 2025.

The meeting concluded at 12pm.

CHAIR

SAFER HARTLEPOOL PARTNERSHIP

MINUTES AND DECISION RECORD

6 December 2024

The meeting commenced at 5.00pm in the Civic Centre, Hartlepool.

Present:

Councillors Oliver and Harrison, Elected Members, Hartlepool Borough Council

Tony Hanson, Executive Director of Developments, Neighbourhoods and Regulatory Services, Hartlepool Borough Council (Chair)

Karen Hawkins, Director of Place, North East and North Cumbria Integrated Care Board (NENC ICB)

Officers:

Chris Hogben, Independent Chair of the Domestic Homicide Review Panel

Joan Stevens, Democratic Services and Statutory Scrutiny Manager

18. Apologies for Absence

Jonathan Brash, MP for Hartlepool

Denise McGuckin, Managing Director, Hartlepool Borough Council

Sylvia Pinkney, Assistant Director, Regulatory Services, Hartlepool Borough Council

Detective Chief Inspector Alan O'Donoghue, Cleveland Police

Jo Heaney, Chair of Youth Offending Board

Ann Powell, Head of Stockton and Hartlepool Probation Delivery Unit

Carl Pattinson, Cleveland Fire Authority

19. Appointment of Chair

It the absence of an appointed Chair it was agreed that Tony Hanson, Executive Director of Developments, Neighbourhoods and Regulatory Services, Hartlepool Borough Council.

20. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of

the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 21 – Domestic Homicide Review – *Executive Director of Development, Neighbourhoods and Regulatory Services* (Para 2) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 2) Information which is likely to reveal the identity of an individual.

- 21. Domestic Homicide Review** (*Executive Director of Development, Neighbourhoods and Regulatory Services*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 2) Information which is likely to reveal the identity of an individual.

Purpose of report

To consider the report into a recent death as part of the Safer Hartlepool Partnerships Statutory duty to commission Domestic Homicide Reviews under Section 9 of the Domestic Violence, Crime and Victims Act (2004).

Issue(s) for consideration

Under section 9 of the Domestic Violence, Crime and Victims Act (2004) Community Safety Partnerships have a statutory duty to undertake Domestic Homicide Reviews and a detailed report was considered by the Partnership, details of which are set out in the exempt section of the minutes.

Decision

The Safer Hartlepool Partnership Executive considered the Domestic Homicide Review Report and agreed that the final report be sent to the Home Office to be quality assessed.

- 22. Any Other Items which the Chairman Considers are Urgent**

None

The meeting concluded at 6.00pm.

CHAIR

SAFER HARTLEPOOL PARTNERSHIP

MINUTES AND DECISION RECORD

31 January 2025

The meeting commenced at 2.00pm in the Civic Centre, Hartlepool.

Present:

Jonathan Brash, MP for Hartlepool (C)
Councillor Harrison, Elected Member, Hartlepool Borough Council
Councillor Oliver, Elected Member, Hartlepool Borough Council
Sylvia Pinkney, Assistant Director, Regulatory Services, Hartlepool Borough Council
Detective Chief Inspector Alan O'Donoghue, Cleveland Police (VC)
Karen Hawkins, Director of Place, Northeast and North Cumbria Integrated Care Board (NENC ICB)
Sean Smith, Cleveland Fire Authority
Anna Waddington, Office of the Police and Crime Commissioner
Councillor Jorgeson, Representative of Audit and Governance Committee, Hartlepool Borough Council
Joan Stevens, Democratic Services and Statutory Scrutiny Manager

23. Apologies for Absence

Denise McGuckin, Managing Director, Hartlepool Borough Council
Tony Hanson, Executive Director of Development, Neighbourhoods and Regulatory Services, Hartlepool Borough Council
Jo Heaney, Chair of Youth Offending Board
Ann Powell, Head of Stockton and Hartlepool Probation Delivery Unit
Craig Blundred, Director of Public Health, Hartlepool Borough Council
Matt Storey, Office of Police and Crime Commissioner for Cleveland
Michelle Hill, Hartlepool Voluntary and Community Sector Representative, Safer Communities
Angela Corner, Head of Community Resilience, Thirteen Group
Sally Robinson, Executive Director of Children's and Joint Commissioning Services, Hartlepool Borough Council
Jill Harrison, Executive Director of Adult and Community Based Services, Hartlepool Borough Council

24. Declarations of Interest

None.

25. Minutes of the meeting held on 6th December 2024

Confirmed

26. Community Safety Plan 2024 – 2027 - Executive Director of Development, Neighbourhoods and Regulatory Services

Purpose of report

To present and seek approval from the Safer Hartlepool Partnership for the final draft of the Community Safety Plan 2024-27.

Issue(s) for consideration

The Community Safety Partnerships (CSPs) has a statutory requirement, under the Crime and Disorder Act 1998 and Crime and Disorder Regulations 2007, to develop and implement a Community Safety Strategy.

The Assistant Director (Regulatory Services) presented the Community Safety Plan 2024-27 to the partnership, outlining the process for its development and its content in relation to:

- Recent activities to improve community safety in Hartlepool;
- Key findings from the Partnership's Strategic Assessment;
- Proposed strategic objective (To make Hartlepool a safe, prosperous and enjoyable place to live, work and visit); and
- Priorities (Anti-social Behaviour, Drugs and Alcohol, Domestic Violence and Abuse and Serious Violence).

Attention was drawn to the findings of the consultation undertaken in relation to the first draft of the plan, with reference to:

- Reducing crime and reoffending. Concern was expressed regarding the issue of hyper prolific offenders and the importance of the provision of support outside the provision of custodial sentences to prevent reoffending.
- Provide greater visible police and warden presence. Details were provided of changes to arrangements for police officers / PCSO cover across Wards (including shift patterns), that will see an increased police presence. The Partnership welcomed the assurance that there would be a police presence in each Ward, each day, and highlighted the need to promote this effectively to residents.
- Challenge behaviours that make women and girls feel unsafe. The Partnership reiterated its concern regarding this behaviour, and it was recommended that further work be undertaken as a local authority to explore how (including consultations and work with community groups) and that the information obtained be utilised to develop a mechanism to challenge this behaviour.

It was also acknowledged that:

- The 2015 IMD data contained within the plan is the most up to date data available.
- It is important to develop / implement a robust action plan in response to the priorities contained within the Community Safety Plan. The action plan to include a response to the ramp action plan also developed by the partnership and be presented to the partnership in March.
- The role out locally of the national Police Guarantee Scheme needed to be progressed.

Decision

- i) That the Community Safety Plan 2024/27 be approved.
- ii) That work be undertaken as a local authority to explore how a mechanism can be developed to challenge behaviours that make women and girls feel unsafe.
- iii) That a workshop be held with partners to discuss the work that is already being carried out in relation to domestic violence, and challenging behaviours that make women and girls feel unsafe, and action plans developed.
- iv) That the process for approval of strategies and plans via the Councils budget and policy framework be reviewed in order to simplify / shorten the process.

27. Any Other Items which the Chairman Considers are Urgent

None

The meeting concluded at 2.30pm.

CHAIR