

Friday, 13 October 2023

CRUSTACEAN DEATHS COLLABORATIVE WORKING GROUP

A meeting of the Crustacean Deaths Collaborative Working Group was held on Friday, 13 October 2023 at the Redcar and Cleveland Civic Centre.

PRESENT Councillors C Cawley, Chance, U Earl, Eglington, Gavigan, Les and P Thomson.

OFFICIALS H Clear-Hill, S Connolly, E Grunert, R Saunders-Thompson and J Stevens.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bastiman, Feeney and M Ovens.

37 **TO CONFIRM THE MINUTES OF THE MEETING HELD ON 1 SEPTEMBER 2023**

RESOLVED that the minutes of the Crustacean Deaths Collaborative Working Group held on 1 September 2023 be confirmed and signed by the Chair as a true record.

38 **MATTERS ARISING**

- A request for outstanding information to be made to MMO under Environmental Information Regulations
- CEFAS and the Environment Agency be contacted to request further information relating to how they are utilising data collected by NEIFCA.

39 **DECLARATIONS OF INTEREST**

None recorded.

40 **DISCUSSION WITH INVITEES - PD PORTS**

The Executive Chairman and Harbour Master, PD Ports, provided a presentation on PD Teesport Dredging, and the following points were noted:

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- Statutory Harbour Authorities (SHA) have a statutory duty to conserve and facilitate the safe use of the harbour.
- The port has a long history dating back to the 19th C, and the 1966 Tees and Hartlepool Port Authority Act established the Tees and Hartlepool Port Authority as the SHA.
- PD Teesport is the port of the company entitled PD Ports, and is the 6th largest in the UK, handling 28m tonnes of cargo annually.
- Around 1500 people are employed by the company, which contributes 15% of GVA in the Tees Valley and is the largest private sector employer.
- The SHA must conserve the port for the benefit of users, and maintain conditions for passage of ships. The 1966 act confers the power to dredge to maintain safety of navigation. Any dredging not undertaken by PD Ports as the SHA can only be done on provision of a license provided by PD Ports.
- Dredging is not the only activity undertaken – PD Ports are also responsible for maintenance of navigational aids, towage, berthing and mooring.
- The Harbour Master retains separate legal duties in relation to matters of marine conservancy.
- PD Ports are not the only port operator on the River Tees but are the only SHA.
- A license issued by the MMO is required to dispose of dredged material at sea, and a 10-year license was issued in 2015. Only naturally accreting material is deposited at sea – foreign bodies (shopping trolleys and car fenders are recent examples) are removed before disposal. Sampling is undertaken to a plan approved by the MMO and PD Ports are guided by internationally agreed levels of contaminant before disposal.
- CEFAS routinely monitor the condition and impact of spoil grounds, potentially on a yearly basis.
- As a result of the 2018 'Beast from the East' storms and lost dredging capability a backlog of material had accumulated. In September to October 2021, an independent dredging company was employed to clear the backlog over a 10-day period at the entrance to South Gare.
- The Group were asked to note that the length and beam of the UKD Orca was approximately the same as vessels normally used. Whilst the hopper capacity was greater, the Orca was unable to carry more weight of material. Methodology used was the same as PD Ports existing dredgers and 5% of volume taken out.
- 3 incidents of capital dredging were undertaken between 2013 and 2020, with a contractor being engaged to undertake the work.

The following questions and comments from the Group were noted:

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- A Member asked about requirements for frequency of notification when undertaking dredging activities. The Group was advised that methods used are defined in the baseline dredging protocol, with a notice period required for external dredgers doing supplementary work.
- Members asked what safeguards are in place to ensure that limits of pollutants aren't breached and queried whether the 3-yearly cycle of testing should be increased to once a year. The Group were advised that sampling is undertaken on a tri-annual basis in compliance with international regulations (OSPR Convention), and a change of law would be required to increase frequency of sampling. Advice from environmental scientists and the MMO/CEFAS is that the sampling regime is adequate.
- A Member asked why dredged material wasn't routinely tested? Members were advised that removed material is generally tidal and can include foreign bodies (see above). Possible sources of pollution might include 'run off' from the rivers, which are monitored by the Environment Agency.
- A Member asked what sampling had taken place since the start of the die-offs, and Members were advised that routine sampling had taken place in 2021.
- A Member asked what conclusion the SHA had reached regarding the cause of the die-offs. The group was advised of the difficulties PD Ports had encountered trying to manage conservancy duties with a difficult socio-economic situation and attempting to maintain a functioning port. The situation had been frustrating, with no definitive scientific conclusion.
- A Member noted that PD Ports claim that nothing changed in the period leading up to the die-offs was incorrect, given the use of the Orca over a more intensive time period. The Executive Chairman advised that dredging by the Orca did not remove more material or go to a greater depth than previously and was undertaken in an area out to sea.
- The group noted that, on 13 October 2021, samples were taken for testing from every area maintained by PD Ports, including the area dredged by Orca. The MMO holds a public register of test results, which, it was **AGREED**, would be shared with the Working Group.
- A Member enquired as to whether PD Ports are responsible for regulating capital dredges. The Group were advised that the role of PD Ports is to maintain operability of the port, which includes granting of licences for capital dredging.
- A Member suggested the inclusion of pyridine in the suite of materials sampled for.

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41 **INDIVIDUAL AUTHORITY UPDATES**

To be reported at a future meeting.

42 **DATES OF FUTURE MEETINGS**

Meetings scheduled as follows:

- 3 November 2023 – Dr G Caldwell, University of Newcastle
Professor D Roberts, University of Durham
- 1 December 2023 - TBA
- 12 January 2024 - TBA