

# NWIFCA Quarterly Meeting

6 December 2013: 11.00 a.m.

AGENDA  
ITEM NO.  
13

## HEAD OF ENFORCEMENT REPORT ON THE FISHERIES FOR THE PERIOD 1<sup>ST</sup> AUGUST TO THE 31<sup>ST</sup> OCTOBER 2013.

### GENERAL

The quarter saw the transition from the summer fisheries into the autumnal activity across the District. The quarter saw:

- The end of the Foulnaze cockle fishery
- The issuing of an authorisation for the removal of seed mussel from the Seasalter Oyster farm area
- The start of the autumn mussel fishery at Foulney
- The end of the Heysham seed mussel fishery
- The winding down of the summer potting and netting fisheries

The fishing effort of the more full time Byelaw 3 permit holders shifted during the quarter between cockling at Foulnaze, the seed mussel fishery at Heysham and then onto size mussel at Foulney.

Multi-agency cooperation continued during the quarter, particularly in the north of the District with the Environment Agency (EA) assisting with netting patrols. The multi-agency approach continued at the Foulnaze fishery.

### ENFORCEMENT

Compliance across the District was generally good during the quarter. Enforcement action was required however in the following fisheries:

- Breaches of permit conditions at the Foulnaze cockle fishery
- Enforcement of mussel dredge fishery on South America
- Seizure of unmarked fishing gear in Cumbria
- Breaches of the Minimum Landing Size (MLS) for mussels at Foulney and surrounding area
- Breaches of permit conditions at the Heysham seed fishery
- Breaches of Cockle closure at Leasowe

### WEATHER

Weather was moderate across the District early in the quarter and then unsurprisingly deteriorated as the year marched on. Poorer weather began to hamper the cockle fishery at Foulnaze as well as netting and potting across the District.

### MUSSELS

The continuation of the Heysham seed mussel fishery saw the attendance decline over the weeks with a fluctuation occurring as the Cockle fishery at Foulnaze was periodically opened. That gatherers in some cases remained at Heysham while Foulnaze was opened was an unusual development and reflects the large demand and price structures of the Cockle and Mussel trades at present.

During the quarter the contentious issue of the removal of seed mussel from the Seasalter Ltd Oyster farm area in proximity to the Foulney mussel bed arose. Initial positivity regarding a

Byelaw 3 derogation to allow the removal of the seed commencing on the 14<sup>th</sup> October was diminished due to unforeseen events.

In essence the NWIFCA position is that the mussels on the sea bed are a public fishery and those on the Oyster trestles are the property of Seasalter Ltd. It was hoped that the authorisation would see the removal of what is effectively a pest from the farm which could be utilised by Byelaw 3 permit holders as a resource and allow the Seasalter to continue their operations.

The unforeseen circumstances was the discrimination against Byelaw 3 permit holders access to a public resource, this situation was viewed as unacceptable by NWIFCA.

September saw the commencement of the size mussel fishery at Foulney in synchrony with the Seasalter authorisation. This presented a very significant enforcement challenge to the IFCOs. Having large numbers of gatherers dispersed over a large area with a legitimate reason to be in possession of undersized mussels made proving the locus of an offence problematic. It was also vital that IFCOs ensured they did not act *ultra vires*. Although not within the reporting period it is important to note that the authorisation was revoked at the Technical, Science and Byelaws (TSB) meeting on the 1<sup>st</sup> November.

The size mussel fishery on Foulney started at a low level with gatherers acting independently and fulfilling their own orders – a new and positive development in the industry in general. The breaches of MLS on Foulney were driven by the opportunity to incorporate the Mussel in with that coming from the Seasalter Ltd area.

The size mussel fisheries at West Kirby and the Ribble continued through the quarter at the normal levels and the local IFCOs monitored the fishery as per normal.

The dredge fishery on South America operated during the quarter with compliance monitored remotely using the NWIFCA radar van and Automatic Information System (AIS) and visual reference from IFCOs tasked ashore. One warning letter was sent for a breach detected.

## **COCKLES**

The quarter saw the completion of the 2013 Foulnaze cockle fishery with the fishery dropping to low levels of attendance before closure. A full report on the fishery in its entirety is attached at Annex A. An investigative cockle survey was conducted with the science team at Roosebeck during the quarter. This found a very small patch of stock not suitable for opening.

## **TRAWLING**

Trawling was at a low level across the district.

## **SHRIMPING**

Shrimping was concentrated in north Morecambe bay during the quarter.

## **POTTING**

Potting decreased as the weather deteriorated during the quarter with both hobby and the commercial fleets bringing in their gear ashore. Protector Gamma was conducted patrols

## **NETTING**

Netting was mainly targeted at Bass during the quarter and as effort decreased as the weather deteriorated.

## **ANGLING**

Angling effort during the quarter was concentrated on targeting Bass. Regular patrols at Heysham to police Byelaw 5 were conducted with two verbal warnings issued. Signage at the site has been greatly improved to add enforcement. A successful stakeholder meeting with the angling community was held in Morecambe during the quarter.

**Head of Enforcement**  
**22 November 2013**

## FOULNAZE COCKLE FISHERY – FINAL REPORT

### History and Context of the Fishery

1. A team of 6 NWIFCA officers conducted a stock assessment of the Foulnaze bed on the 26<sup>th</sup> June. This stock assessment was conducted on a grid pattern of 250m spaced sample sites. At each site a 1m<sup>2</sup> quadrat was used with the total number of cockles and the relevant year classes recorded.
2. The result of the stock assessment found an estimated total of 550t of large (average size 40mm) cockles from the 2010 year class. The stock was mapped to show its distribution. The stock was very uniform in size and age with very little immature cockle or spat in the bed. The distribution of the stock was highly concentrated on a specific area of the bed. The stock in the bed represented the remnants of the cockle left over from the 2012 Foulnaze fishery.

### Habitats Regulations Assessment

3. Following the stock assessment NWIFCA took the view that an opening of the fishery was appropriate. Due to the position of the Foulnaze cockle bed in the Ribble and Alt Estuary Special Protection Area (SPA) NWIFCA was required to conduct a Habitats Regulations Assessment (HRA) with advice from Natural England (NE) to ensure that:
  - That there is no likely significant effect (LSE) on the conservation features of the SPA from the fishing activities. If a conclusion of no LSE cannot be drawn that mitigation measures are implemented and an Appropriate Assessment carried out.
4. The HRA made two findings:
  - The presence of only large mature cockle that had already spawned and had likely reached the end of its life negated the need to leave stock in the bed as broodstock.
  - The size of the cockle meant that it was too large to be utilised for bird food.
5. On the grounds of the two findings above it was agreed with NE that the stock in the bed could be removed in its entirety. The stock would have no function as a spawning stock biomass or bird food resource and no Total Allowable Catch (TAC) was set.

### Planning the Fishery

6. The fishery on the Foulnaze bed has an established history of being managed using a multi-agency approach. Planning meetings were held in the run up to the fishery being opened with NWIFCA and the following agencies being present:
  - Fylde Council (who held jurisdiction).
  - Maritime Coast Guard Agency (MCA).
  - Gangmaster Licensing Authority (GLA).
  - Relevant Environmental Health Authorities.
  - Lancashire police.
7. The multi-agency approach has worked well during previous fisheries and this approach was maintained during the planning of the fishery. The primary focus of the multi-agency group was safety – particularly with the legacy of the 2011 safety problems with the Foulnaze fishery.
8. The plan agreed by the multi-agency group was to operate the fishery utilising the tried and tested approach used in 2012.

9. The primary focus of the restrictions applied in 2012 was for the safety of the fishery, but it should be acknowledged that this impacts upon the industry and how it operates. The safety requirements prevent small operators fulfilling small orders and bringing them ashore independently, unless a transport arrangement can be made with a transport boat operator.

### Legislative Framework

10. The fishery operation falls within the bounds of a number of areas of legislation including
- Fisheries legislation
  - Beach access legislation
  - Food hygiene legislation
  - Gang Master legislation
  - Maritime safety legislation

### Fisheries Legislation

11. Gatherers fishing at Foulnaze were required to have a Byelaw 3 (Cockle and mussel) permit. Due to the access to the fishery being by small boat gatherers were required to have their permit endorsed for boat use by having four safety certificates: sea survival, first aid, firefighting and health and safety awareness which are laid out in paragraph 28 of Byelaw 3. It was therefore a requirement of the byelaw to restrict access to the fishery to those that held a boat endorsed permit.
12. The fishery was opened within the closed seasonal period (1<sup>st</sup> May – 31<sup>st</sup> August) laid out in NWIFCA Byelaw 3. Due to this the fishery was opened under a derogation issued under paragraph 10 of the same Byelaw. This derogation attached specific requirements and restrictions on how the fishery was to operate and came in the form of a notice to fishermen:
- The fishery would only be open on designated tides (one per day) with the selection based on the amount of daylight available.
  - Access to the fishery would be restricted to boat from Seafield slip, Lytham or Preston Marina.
  - All cockles would have to be brought to Preston marina by transport vessel or registered fishing vessel.

### Beach Access Legislation

13. Access across the Seafield slip at Lytham required each vehicle to have a permit which proved the vehicle had insurance for access to the foreshore. This permit is issued by Fylde council and is enforced by the local beach ranger.

### Shellfish Hygiene Legislation

14. The movement of shellfish is tightly controlled using registration documentation that must accompany shellfish when it is transported. This documentation establishes a system of traceability and records the “classification” of the shellfish. Classification (A to C) is based on results of biological testing and sampling procedures and defines what treatment (if any) shellfish must be subjected to before entering the food chain. In the case of the cockle from Foulnaze this was classification B which meant the following treatments of the cockle must be carried out prior to human consumption:
- Treated in an approved purification centre.
  - Relayed in waters approved for relaying.
  - Subjected to EC heat treatment process (cooked).

15. The registration documentation could be either completed by an individual who operated as a “food business operator” or by an “appropriate agent” (generally the gangmaster). Appropriate agents were permitted to complete registration documents for individual gatherers under an “express agreement” entered into by both parties. Registration documentation accompanying shellfish that has been gathered by multiple gatherers must identify all the gatherers on it.

#### Gangmaster Legislation

16. Any person acting as gangmaster within the definitions of the Gangmaster Licensing Act 2004 should be licensed by the GLA. Licensed Gangmasters are bound by licensing conditions.

#### Maritime Safety Legislation

17. Vessels engaged in the fishery are subject to MCA small vessel “coding requirements” set out in Marine Guidance Notes (MGN280). The personal safety certification requirements in NWIFCA Byelaw 3 (28) are a direct incorporation of the MGN280 requirements into the Byelaw.

#### Fishing Effort

18. The Foulnaze fishery was initially opened on the 22<sup>nd</sup> July and was then opened in blocks of spring tides beginning on the

- 22<sup>nd</sup> – 26<sup>th</sup> July
- 5<sup>th</sup> – 9<sup>th</sup> August
- 19<sup>th</sup> – 22<sup>nd</sup> August
- 3<sup>rd</sup> – 6<sup>th</sup> Sept
- 14<sup>th</sup> – 17<sup>th</sup> October

19. Initial attendance of fishermen was around 100 per day, from a potential total of 260 Byelaw 3 permit holders. This initial lower attendance is a reflection of the fact that the industry was aware that catches would be minimal and the fishery would not be a “cockle rush”. Attendance actually peaked during the second block of tides at 124 on the 7<sup>th</sup> August. As the fishery progressed and the cockle in the bed was dispersed by fishing effort the number of gatherers attending dropped as decent returns became harder to obtain. Attendance dropped to very low levels by the last set of tides with 14 attending on the 6<sup>th</sup> September.

20. Initial catches were around 200kg per man per day and remained stable for the first two blocks of tides. As the bed was fished the stock became increasingly patchy which required fishermen to increasingly move around the bed reducing fishing time and therefore catches. Catches were very poor by the conclusion of the fishery.

21. A full record of effort and attendance on each tide is given in annex A. Total fishing effort over the 22 open tides constituted of

- A total of 1518 fishermen attendance days the fishery.
- A total of 284.9t of cockle was removed during the fishery.

#### Enforcement of the Fishery

22. Enforcement of the fishery was based on ensuring compliance with:

- That only legitimate Byelaw 3 permit holders utilised the fishery.
- That fishing only occurs on specific tides.

- The requirements of the permit conditions and the Byelaw 3 derogation were complied with.

23. To ensure compliance with the above, enforcement was based on tasking officers as follows:

<b>Tasking</b>	<b>Aims</b>
Check point at Seafield slip, Lytham.	Enforcement of the restrictions on permitted access via Seafield slip, Lytham: <ul style="list-style-type: none"> <li>• Gatherers were in possession of a boat endorsed permit which was checked on arrival.</li> <li>• Vehicles were searched as appropriate in case non-permitted gatherers were concealed.</li> </ul>
IFCO presence on the Foulnaze bed.	Continuation of above and follow up enforcement action if required. Access to the bed was either by 'Protector Gamma' or 'Zodiac Bravo' dependent on manning levels.
IFCOs patrolling north and south during open tides.	To enforce access via Seafield slip and counter non-permitted access to the fishery from the Fylde and Sefton sides of the Ribble.
Patrolling of the closed tides.	To enforce designated tides and non-permitted access to the fishery: <ul style="list-style-type: none"> <li>• Based on a risk assessment using size of tidal ebb and cover of darkness.</li> </ul>
Preston marina	Checking of Cockles being landed and obtaining weights for each day.

24. Tasking of IFCOs was based on the expected timings of the fishery for each day as follows:

- Departure from Seafield slip 4hrs before Low water (LW).
- Expected 2-2.5hrs of fishing activity.
- Time of return to Seafield slip 2hrs after LW.

25. Compliance during the fishery was good with 29 offences and alleged offences being detected and the following sanctions being taken.

<b>Sanction</b>	<b>Number</b>
Cautions	8
Written Warnings	5
Verbal Warnings	16

26. All the offences (and alleged offences) took place at either Seafield slip or on the Foulnaze bed its self. In all but two of the cases the offences related to breaches of permit conditions as opposed to unpermitted gathering.

- No attempt to access the bed on any closed tide was detected.
- No attempts to access the bed from any unpermitted access point on an open tide were detected.

#### Conclusion of the fishery

27. The mutli-agency group agreed that the fishery would either run to its natural conclusion with the buyers ceasing to supply the transport vessels or the clocks going back to GMT on the 27<sup>th</sup> October when reduced daylight and additional MCA coding requirements would apply.

28. Despite catches reducing to very low and apparently unsustainable levels towards the end of the fishery the single buyer left continued to operate. There were unfortunate reports of the buyer selectively buying from certain gatherers to the exclusion of others. While NWIFCA officers sympathise with the results of this there was no action that could be taken with regards to this.
29. By virtue of the above the fishery stopped on the 17<sup>th</sup> October prior to the clocks going back.
30. On completion of the fishery 284.9t of cockle had been removed from the estimated 550t in the bed. Given the very low catches towards the end of the fishery the 265.1t estimated to remain is likely to be an overestimate and pose less of an enforcement risk than may be apparent.

Date	Tonnage Removed	Daily Attendance
22 <sup>nd</sup> July p.m. tide	22.5	113
23 <sup>rd</sup> July p.m. tide	N/A	101
24 <sup>th</sup> July p.m. tide	47 (for 23 <sup>rd</sup> and 24 <sup>th</sup> )	101
25 <sup>th</sup> July p.m. tide	22.7	103
26 <sup>th</sup> July p.m. tide	21.8	106
<b>Total</b>	<b>114</b>	<b>524</b>
5 <sup>th</sup> August p.m. tide	17.2	119
6 <sup>th</sup> August p.m. tide	21	121
7 <sup>th</sup> August p.m. tide	22.2	124
8 <sup>th</sup> August p.m. tide	23.2	79
9 <sup>th</sup> August a.m. tide	28.4	116
<b>Total</b>	<b>112</b>	<b>559</b>
19 <sup>th</sup> August p.m. tide	11.5	88
20 <sup>th</sup> August p.m. tide	16.8	94
21 <sup>st</sup> August p.m. tide	N/A	102
22 <sup>nd</sup> August a.m. tide	16.6 (for 21 <sup>st</sup> and 22 <sup>nd</sup> )	38
<b>Total</b>	<b>44.9</b>	<b>322</b>
3 <sup>rd</sup> Sept p.m. tide	4.6	37
4 <sup>th</sup> Sept p.m. tide	4.4	35
5 <sup>th</sup> Sept p.m. tide	3.3	27
6 <sup>th</sup> Sept p.m. tide	1.7	14
<b>Total</b>		
14 <sup>th</sup> Oct p.m. tide	2.3	23
15 <sup>th</sup> Oct p.m. tide	5	46
16 <sup>th</sup> Oct p.m. tide		20
17 <sup>th</sup> Oct p.m. tide	4.4 (16 <sup>th</sup> and 17 <sup>th</sup> )	18
<b>Total</b>	<b>12</b>	<b>113</b>
<b>Totals</b>	<b>284.9</b>	<b>1518</b>

**Master of the “Solway Protector” – H. Thinnesen**

**“SOLWAY PROTECTOR”**

Apart from the engine repairs to rectify the most recent breakdown at the beginning of the reporting period, on the whole the “Solway Protector” has given good service for the remainder of the quarter, with only minor repairs to report on.

- As previously reported at the end of the last quarter, the patrol boat had engine problems, with the vessel spending 5 weeks alongside the repair berth. Once the repairs were complete, sea trials were carried out. During the sea trials a heavy violent vibration was running through the vessel with reduced forward propulsion. We immediately returned the vessel back to harbour. Once back alongside, an investigation was carried out. We had suspected a heavy marine growth was causing the problem as we had found evidence of this on the bottom of the vessel’s fenders, which had been submerged in the water. Using our own underwater equipment to inspect the hull, it was revealed that the propellers and shaft were indeed coated in a very heavy marine growth, known as tube worm (*Ficopomatus enigmaticus*). Arrangements were made for the vessel to be slipped at Maryport on the 23<sup>rd</sup> September 2013, when the “Solway Protector” was taken out of the water in order to remove the growth. Shafts, propellers and water intakes were cleared of all of the marine growth. The vessel’s hull was then coated with antifoul paint prior to going back in to the water on the 30<sup>th</sup> September.
- Electrical output was lost on the vessel’s main generating set. On inspection it was found that the stator windings had burnt out. Replacement parts were ordered and fitted by patrol boat crew.
- Problems were encountered while using our hydraulic deck machinery. Movement on both the deck crane and the hydraulic winch was very slow and sluggish and the fault was traced back to the main hydraulic pump, where it was found that the housing was worn, allowing too much oil to pass through. A new pump was ordered and fitted by patrol boat crew.

All oil and planned maintenance schedules are up to date.

**“PROTECTOR BRAVO” – 7 metre Osprey Viper - RIB**

“Protector Bravo” to my disappointment still remains offline. As reported, the vessel was transported to the Wigan based firm North West RIBs some months ago for re-tubbing and MCA coding work. North West RIBs inform me that they have had problems with their suppliers letting them down. I have made our disappointment very clear to the managing director of the company and we do hope to have the vessel back shortly.

**“PROTECTOR GAMMA” – 6.3 metre Humber RIB**

Repairs were carried out on the vessel’s stainless steel ‘A’ frame where cracks had appeared around the radar stand. New support arms were installed and welded in place along with some other minor strengthening. This work was carried out by McGrady’s Engineering of Whitehaven.

**PATROLS, BOARDINGS AND INSPECTIONS**

Crew’s annual and sick leave, poor weather conditions, repairs and an unexpected natural marine growth has had a major impact on fisheries patrols this quarter.

A total number of 11 patrols carried out using the “Solway Protector” along with some joint working with the local Environment Agency vessel and staff. Compliance on the whole has been good,

with only a small amount of unmarked fishing gear being seized, and one verbal warning being issued. Sightings from the “Solway Protector” totalled 29 all of which were local vessels. No sightings were recorded from “Protector Bravo” as the vessel still remains offline.

Details of patrols and sightings can as usual be found in appendices ‘A’ and ‘B’.

## **WEATHER**

The weather on the whole has been poor this quarter, with the wind direction mainly south east through to west. Local vessels have spent some long periods alongside, only making to sea on the odd day.

## **POTTING & OFFSHORE NETTING**

As usual for this time of the year, most of the lobster pots have been brought ashore for the winter, with only the full time fishermen continuing to work their pots.

Netting overall seems to have increased this year, and have seen some moderate to good catches being reported.

When undertaking a joint patrol with the Environment Agency, we seized a large net off Parton beach which contravened the old CSFC byelaw number 10(3) – Deep Water Fishing.

## **SAMPLING**

We have continued with the usual quarterly cockle sample collection from Cardurnock Flats, with one sample being obtained in September for CEFAS/EA, and delivered to the Preston Lab for analysis. The next sample is due to be collected on the 20<sup>th</sup> November.

## **SHORE PATROLS AND ENFORCEMENT**

Whilst the Senior IFCO covering the Cumbria district remains on long term sick leave, the patrol boat crew, along with officers from the south of the district, have maintained a skeleton coverage of the beaches and foreshores from Haverigg Point, to Burghmarsh Point, when able to do so. Below follows a brief account of the findings of the shore based enforcement carried out.

**Beach netting** – No sightings were made of nets set on any of the beaches throughout the district during the quarter. We were alerted to possible infringements being made by nets set illegally at certain hot spots throughout the area, however acting on this information, no illegal nets were found.

**Angling** – Angling activity was again consistent, where anglers were seen and inspected throughout the district. Again Whitehaven has seen most of the activity from the piers with up to a couple of hundred anglers at times throughout the quarter. Good catches of cod have been reported from anglers fishing the beaches from Parton, north to Maryport. Anglers in the south of the Cumbrian sector of the district have reported decent landings of bass being made.

**Bait digging** – Unfortunately during the quarter we have not monitored the bait digging activity to any great extent, but did occasionally see the odd bait digger on the beaches throughout the district.

## **H THINNESEN**

Master “Solway Protector” & Deputy Enforcement Director/IFCO (Whitehaven)  
Manager of sea going operations

**" Solway Protector "**  
**DURATION OF PATROLS AND SIGHTINGS**

Date	Area Patrolled	Sightings	Sea time	
			Hrs.	Mins.
06/09/2013	North of Workington	0	2	0
09/09/2013	Prawn Pitch	1	2	30
25/09/2013	Transit to Maryport	6	2	30
30/09/2013	Transit back to Whitehaven	0	1	30
01/10/2013	Parton/Workington	6	3	20
04/10/2013	St Bees/North of Workington/Maryport	5	3	10
16/10/2013	Parton/Saltom Bay	0	5	10
21/10/2013	North St Bees Head/Workington	3	5	0
24/10/2013	Workington/Maryport/Silloth	8	4	30

**" Solway Protector "**  
**PATROL STATISTICS**

	<b>1/8/2013 - 31/10/2013</b>		<b>1/5/2013 - 31/7/2013</b>	
Number of patrols and passages	9	patrols	0	patrols
Seatime	29 hrs	40 mins	139 hrs	25 mins
Average length of patrol	3 hrs	18 mins	6 hrs	58 mins
Total distance covered	174	miles	1150	miles
Average distance per patrol	19	miles	57	miles
Fuel used	880	gallons	2676	gallons
Average fuel used per patrol	98	gallons	134	gallons
<b><u>Total identified sightings:</u></b>	29	vessels	181	vessels
Local	29	vessels	99	vessels
Visiting	0	vessels	82	vessels
<b><u>Types of fishing vessels sighted:</u></b>	<b><u>&lt; 45'</u></b>	<b><u>&gt; 45'</u></b>	<b><u>&lt; 45'</u></b>	<b><u>&gt; 45'</u></b>
Trawlers	0	0	53	10
Beam Trawlers	0	0	0	0
Twin Rig Trawlers	0	0	0	59
Pair Trawlers	0	0	0	0
Anchor Seiners	0	0	0	0
Fly Draggers	0	0	0	0
Gill Netters	0	0	0	0
Shrimpers	1	0	0	0
Twin Beam Shrimpers	0	0	0	0
Whelk Potters	0	0	0	0
Potting Boats	15	0	18	0
Scallop Dredgers	0	0	0	0
Mussel Dredgers	0	0	0	0
Cockle Dredgers	0	0	0	0
Netters	2	0	0	0
Anglers	11	0	41	0
<b><u>Total:</u></b>	29	0	112	69

**TRAWLING**

During the last quarter I have not observed or had any reports of commercial trawling activity. I have observed 2 small boat's trawling in Walney channel targeting Plaice and shrimps, on an infrequent hobby basis, I have not heard any catch reports.

**SHRIMPING**

Shrimping activity in the North Morecambe Bay area saw efforts increase after the warm spell of weather had passed, with as many as 9 tractors and tra-la-la units observed, although usually it was 7 or less that were observed frequently. Catch reports suggested the fishing was moderate at best with some describing it as poor. Most of the effort was concentrated on the Kent channel side of the bay with 2 operators favouring the Leven side, 2 operators were working from Baycliff and Newbiggin with mixed results. Complaints were reported that the presence of the mussel dredgers on South America made conditions unfavourable in the mussel hollow area near Foulney, meaning shrimpers had to work less favourable areas.

**COCKLES**

I have observed no cockling activity during the last quarter, neither have I had any reports of cockling on North Morecambe Bay. I had a report of one person cockling at Sheep Island in Walney channel however I did not observe this to verify claims.

I assisted the science team in surveying the cockle beds from Roosebeck to Aldingham.

I continue to take Food Hygiene samples from Flookburgh, Leven Island, Newbiggin and Aldingham for South Lakeland District Council, however there is no noticeable increase in adult stock levels in this area, there has been a moderate spatfall this summer but time will tell if it remains.

**MUSSELS**

Mussel gathering continued on spring tides during late September and October on Foulney mussel bed, once gatherers had finished working on the Foulnaze cockle fishery or the seed mussel fishery at Heysham. Mixed sizes of mussels continued to cause problems for some gatherers, with three being caught tonning up a large percentage of undersize mussels which they were made to relay back where they gathered them from, and they were cautioned and reported. One gatherer was reported for Byelaw 3 permit offences. During October an authorisation was issued to enable seed mussel to be gathered from the Oyster farm area operated by Seasalter Shellfish, however 4 gatherers were caught taking seed mussel from Foulney, which they were made to relay and were cautioned and reported for.

I have also assisted with enforcement and export checks for CEFAS on the seed mussel fishery at Heysham while the area officer was on leave. On one occasion two gatherers were cautioned for Byelaw 3 offences and the mussels were seized.

The seed mussel dredge fishery on South America began operating in August with 7 dredgers being authorised. However effort soon reduced and most of the Irish based boats began working on a seed mussel fishery in Ireland. One operator received a written warning for breaching the conditions of their authorisation.

I continue to take mussel samples from Foulney for Barrow Borough Council.

## **NETTING**

Drift netting effort increased during the early part of the quarter mainly by boats launching at Walney and netting in Morecambe Bay, the target species was Bass and I have heard mixed reports concerning the results of the netting. I have yet to hear of any large hauls of Bass, and landing checks made have only seen moderate landings, although the average size of the Bass does seem to be better than last year. The most success seemed to be from boats who were fishing on the Morecambe side of the bay. Four licensed vessels were observed netting while conditions were favourable and several unlicensed/hobby netting vessels were seen. At the end of the quarter efforts changed to pursuing Cod but no reports have been heard as yet, fishermen tend to favour an area north of my patch when targeting cod.

Several beach set nets have been observed and checked regularly during late September and October in the Newbiggin area, with up to 20 good sized Bass and several good Plaice being caught on some tides. Beach nets have also been observed in the Leven Estuary at Priory Point which were targeting Flounders for pot bait. Two of these nets were issued with a warning tag due to not being correctly marked showing a Byelaw 26/27 permit number however this was soon rectified within several days of the original offence being reported. Also one of these nets was tagged for being too close to another net. Several nets were observed on the Flookburgh side of the estuary with no problems reported, although catch reports were moderate at best.

Reports were received that the shrimp fishermen were landing up to a box of good sized Plaice on some shrimping outings.

## **POTTING**

One potting boat from Barrow continued to work up to 200 pots for Lobster mainly in the Irish sea in front of Walney with moderate success, lobster average size was reported to be smaller than in recent years. The crew of this boat received a verbal warning for retaining an undersize lobster on board when it was boarded during a RIB patrol, the undersize lobster was returned to the sea. Several of the boats pots were tagged with an enforcement notice requesting them to be correctly marked with the boat's PLN, this was complied with within a week of issue.

One other large potting boat from the north of my area continues to work several strings of pots as far south as the edge of Lune deep, checks made while on RIB patrols revealed complete compliance with IFCA byelaws.

Many of the hobby pot fishermen from Barrow have decreased effort and brought in their pots as the year progressed. Compliance with IFCA byelaws has been good this quarter after several issues with unmarked gear earlier in the year.

## **ANGLING**

Angling continues to be popular around the Furness coastline, especially from Walney and the coast road at Newbiggin and Priory point. Most beach anglers are targeting flounder, plaice and Bass, some success with good sized Bass was reported from anglers off the west side of Walney. Inspections revealed good compliance with IFCA byelaws and minimum landing size leaflets were handed out when on patrols.

Angling from boats continued to be popular during August and September with boats being observed on a daily basis targeting Bass in the Foulney and central Morecambe bay area. Landing checks and RIB patrol checks revealed compliance with minimum landing sizes. Some boats checked had over 20 Bass on a single trip with reports were heard of up to 40 Bass landed on a trip.

Long lines were been observed in the Duddon estuary where the best reports were of up to 20 Bass caught on a night tide. Long lines have also been checked in the Roosebeck and Newbiggin area.

## **GENERAL**

During this quarter I have assisted Officers from other areas on the cockle fishery at Lytham, and in enforcing the beach net closed season from Silecroft northwards.

I have undertaken export checks on behalf of CEFAS for mussel exports from Barrow and Heysham and for Oyster exports from the Oyster Hatchery on Walney.

I have also noticed an increase of gathering of clams in the Duddon estuary by oriental gatherers from as far away as Blackburn and Wigan, taking up to 70 clams and some winkles on day trips, these were said to be for personal consumption.

## **SOUTH MORECAMBE BAY**

## **ARNSIDE TO KNOTT END**

**Senior IFCO, S. J. Waite**

## **TRAWLING**

This fishery continues to be extremely low key. I have observed no improvement in activity taking place either on a commercial or hobby basis since my last report. This fishery continues to prove very disappointing and, as reported in previous reports, I expect no improvement in the foreseeable future.

## **SHRIMPS**

Effort in the inshore fishery improved slightly during this last quarter although the majority of effort remains with just two full time inshore shrimp boats. Fishermen associated with this fishery reported reasonable landing from grounds on the south side of Morecambe Bay with better landings being reported from grounds on the northern side. I have observed only a slight improvement in effort from fishermen working on a hobby basis working small inshore shrimp boats.

During this last quarter I have continued to observe no activity by fishermen working tractor and tra la la units due to the continuation of the poor ground as reported in my last quarter. Similarly, I have observed no activity from fishermen using push nets.

## **COCKLES**

This last quarter I have checked cockle beds on an occasional basis. I received no further reports of cockles being removed by either commercial gatherers or from members of the public removing cockles for private consumption.

All recognised cockle beds in my area have seen no improvement in stocks of either mature or immature cockles with stock levels proving very poor. I see no improvement in this fishery in the foreseeable future and all beds in my area remain closed.

## **MUSSELS**

During this last quarter I received one report of mature mussels being gathered from Heysham Old Skear over one tide. I have observed, nor received reports of, any other activity regarding the removal of mature mussels from Skears throughout the south side of Morecambe Bay.

This last quarter saw the removal of seed mussel from the Heysham Flat Skear with around 25 gatherers working during the first few weeks. Effort in this fishery fell away throughout the open period resulting in only 6 gatherers removing seed mussel on a regular basis. Effort in this fishery came to a close during mid-October.

During this last quarter I have continued to collect shellfish for Wyre District Council.

### **DRIFT STAKE AND SET NETS**

Effort in the inshore drift net fishery remains low key although landings have proved well above average compared to previous years. October saw all drift net boats removed from their seasonal moorings. Unfortunately, as mentioned in my last quarter, this fishery's future is mainly moving towards a part time basis as fishermen reach retirement or look to other ways of making a more stable income.

Stake and set nets have again been fished although effort remains low key. During this last quarter nets have been fished towards the top of Morecambe Bay, Heysham and Pilling Sands. I have checked and had reported reasonable landings of Bass with occasional Mullet, Whiting and Codling being caught. Fishermen working nets towards the top of Morecambe Bay have seen excellent landings of Plaice throughout the quarter.

During this last quarter I have observed little activity from anglers setting lines. Anglers have reported poor landings of Bass, Plaice, Whiting and Codling. Towards the end of this quarter, with landings declining further, most anglers have now removed their lines from the shore.

### **DINGHY AND SHORE ANGLING**

Throughout this last quarter effort from dinghy anglers has remained low key. I have checked and had reported good landings of Bass with Plaice being targeted towards the top of Morecambe Bay.

During this last quarter shore anglers have continued to fish over high and low water tides at the top end of Morecambe Bay, the Stone Jetty at Morecambe, Heysham and Knott End. Good landings of Plaice have been reported and checked over high and low water periods towards the top of Morecambe Bay although towards the end of the quarter landings fell away dramatically.

### **CENTRAL AREA**

### **RIVER WYRE TO RIVER ALT**

**Senior IFCO, S. Brown**

#### **GENERAL**

Most of the reporting period has been spent monitoring the open and closed periods of the Foulnaze cockle fishery. The summer weather has allowed the fishermen not involved in the cockle fishery opportunity to pursue the other seasonal fisheries with little hindrance. After the equinox more seasonal weather prevailed.

#### **TRAWLING**

Two inshore trawlers have worked from Fleetwood concentrating on the area below Shell Wharf and Shell Flat Bank. One larger trawler has also worked from the port.

Catches have consisted mostly of small Plaice a few Thornback Ray and Flounder. Catches of Sole have been a noted improvement on previous years but were still poor.

The trawl fishery is in serious decline in this part of the District, loss of fishing opportunity to wind farms, limited markets for local species and high operating costs are all serving to deter future investment in this sector of the industry.

#### **SHRIMPING**

The increasing shortage of skilled shrimp pickers is seriously curtailing the fishery for this famed local product. At present market demand is clearly outstripping supply.

The Southport and Marshside shrimpers have worked regularly but siltation is clearly restricting the fishing grounds available. The Penfold Channel is filling in rapidly and the more open Sefton Coast flattening out. Modest landings have been made throughout the autumn season.

Most Lytham fishermen have turned their hands to the cockle harvest and the Bass fishery; very few sightings have been made of vessels shrimping in the Ribble.

Along the Fylde Coast push netters have enjoyed mixed fortunes, offshore winds not being favourable for this fishery. Catches have been sufficient for local domestic needs but little else. Only one boat has been seen shrimping in the R. Wyre with any regularity.

### **COCKLES AND MUSSELS**

The Authority's system of opening and closing the Foulnaze cockle fishery has allowed this high profile fishery to work safely and keep disruption to a minimum. Needless to say we have not kept everybody happy all of the time but the genuine fishermen that have worked this fishery have made a satisfactory return for their efforts.

Little spat has been observed on any of the Ribble cockle beds and the few remaining mature cockles are starting to die off justifying the decision to clear the Foulnaze bed to prevent unnecessary loss of valuable stock. Significant areas of the Ribble sands are now lying fallow ready for the next spatfall whenever it occurs.

The Ribble Walls mussel fishery continues to supply sufficient stock for limited local markets. Much of the stock is old stunted and of mixed size but thanks to sensible low level gathering the quality of mussels has greatly improved on some parts of the bed.

Modest levels of seed mussel have settled on the N. Wharf beds off Fleetwood but they are mostly in exposed positions, commercial quantities are not expected to survive the winter.

### **NETS AND POTS**

Significant landings of Bass have been made throughout the quarter. Three full time netting boats have worked from Fleetwood making some very respectable landings from Lancaster Sound, Ulverston Channel and the Neckings. Modest landings have been made from Whelk and Lobster pots set along Rossall Pipe and on the South Boulders.

When not pursuing the cockle fishery the Lytham fishermen have made some very respectable landings of Bass taken from the South Gut and out past the Wall End.

One beach launched boat has worked nets and pots from Tailors Bank (Formby) the fisherman suffering significant losses to seal predation.

Beach nets have been worked sporadically along the Sefton Coast from the Penfold Channel to Formby. The intertidal net fishery has certainly not been as good as the boat fishery the fish seeming to be a little further off this year. Most shore based netsmen have encountered problems with fouling of nets by algae or weed at some time during the summer months.

### **ANGLING**

Despite not inconsiderable effort catches by shore anglers at both high and low water marks have been disappointing consisting predominantly of seed Whiting, a few Bass and flatfish.

Beach launched and charter boats have fished regularly enjoying slightly better fortunes particularly when fishing for Bass which as previously stated seem to have been a little further offshore this year.

While it is easy to concentrate on high profile species such as Bass the humble Flounder has given significant sport to an increasing number of anglers fishing the Ribble and Wyre estuaries on high water marks well sheltered from any excess the weather may throw them.

## **ENFORCEMENT**

During the reporting period I have been part of the team covering the Foulnaze cockle fishery. In addition to this enforcement duty I have carried out 51 inspections with 5 minor offences detected. The ATV has covered 114.2 nautical miles in 20.8 hours running time carrying out patrol and sample gathering work on intertidal areas. I have also worked with IFCO's Dixon and Waite at sea on Protector Gamma and Zodiac Bravo. Shore based radar patrols to evaluate the practicality of the mobile radar unit for surveillance of the Foulney mussel dredge fishery have been carried out.

## **SOUTHERN AREA**

## **MERSEY, WIRRAL AND DEE**

**Fishery Officer, A. Brownrigg**

## **GENERAL**

During this quarter both IFC Officer Capper and I have continued to undertake activities such as enforcement, sampling and survey work throughout our area and the NWIFCA district.

## **SPECIFIC**

### **COCKLING**

Assistance in the collection of samples from the Ribble Cockle beds for West Lancashire Borough Council and Mersey Port Health Authority (MPHA) will continue throughout the forthcoming months. In the meantime, Wirral North cockle bed remains closed, and will continue to do so during the rest of 2013 and into 2014 in order to allow the bed to settle.

### **MUSSEL**

Activity on West Kirby mussel bed has been continuous during this quarter with on average six to ten gatherers working two to three tides per week; this was dependent on weather and tidal conditions. The participants are holders of permits issued on the basis of traditional activity in the area of the Dee Estuary and therefore do not fall under the authority of the NWIFCA District wide permit scheme. When not engaged on harvesting Mussels some of the participants have been observed to be working the Dee Cockle beds under the authority of the E.A and NRW. In addition to observation of activity levels IFCO Capper has carried out landing and permit checks at Greenfield dock on the Welsh side of the river, in total 14 tons of Mussels have been checked and found to be in good order with regard to the minimum size.

### **RAZOR CLAM**

As expected a sharp drop in the numbers of oriental gatherers harvesting Razor Clam during this quarter was noted. Cold temperatures and poor light conditions have contributed to this and this will continue to until April/May 2014.

### **SHORE ANGLING**

Recreational Angling continues to take place throughout the area. The North Wirral Coastline, Otterspool Promenade and New Brighton (Perch Rock and Kings Parade) again are proving to be very popular areas. Routine patrols continue to observe areas at Crosby Promenade, the River Alt, the 'Wall' in the Port of Liverpool and Albert and Kings Dock, again all these areas have had very little or no activity observed during this last quarter.

## **BOAT ANGLING**

Daily sightings observe registered and un-registered fishing vessels continuing to fish in the River Mersey and Liverpool Bay areas. Weekends or times of competitions remain to be the most popular times for boat angling. Once the introduction of 'Bay Protector' comes into fruition, I will be able to gather a more accurate account to what is being caught.

## **BAIT DIGGERS**

Bait diggers, roughly 1 - 3 in number, can be seen daily along the North Wirral coastline, with New Brighton, Mockbeggar Wharf and the area of beach off Leasowe Common being identified as the most popular.

## **BAIT COLLECTION**

A recent patrol at low water in the River Mersey (New Brighton to Rock Ferry) has shown there to be activity with regard to bait collection utilising Crab tiles/pipes which are located on the lower foreshore.

This type of activity has been highlighted as an "activity of interest" and will therefore be monitored in the future

## **NETS**

Presently, four set nets remain in the area off Leasowe Common. All nets identified are owned by one local fisherman all of which are correctly marked in accordance with NWIFCA byelaws.

## **COMMERCIAL BOAT ANGLING**

Commercial fishing boats, known to be from Liverpool Marina, can often be observed moored off New Brighton and Liverpool Bay. During the last quarter, there has been very little activity from any fishing boats based moored at Meols. Regular repair work is being carried out but most craft remain unused for long periods. No regular fishing pattern is being carried out.

## **ENFORCEMENT**

Verbal warnings were issued to four oriental and one Asian gatherer who were trying to take cockles from Wirral North cockle bed which is situated on Leasowe/Moreton beach. Two joint patrols have been carried out with officers from the Welsh sea fisheries on their patrol boat with the intention of providing a unified approach to enforcement in the river Dee which is under both organisations authority.

It is envisaged that this cooperation will prove mutually beneficial especially with the imminent arrival of the new inshore patrol boat for the southern area.

## **REPLACEMENT VESSEL**

'Bay Protector', the area's new patrol boat (a 7.5 metre Rigid Inflatable Boat) is due to be completed by late November. Once delivered to Liverpool Marina a further period of familiarisation and testing will take place with the intention of low level waterborne patrols taking place throughout the River Mersey before the Christmas period. Outstanding equipment issues such as radio, life raft, and ancillary equipment have been resolved and a method of fuelling has been investigated using a bowser system. A detailed report will be given in the next quarterly report.

## **OTHER ACTIVITIES**

Daily shore patrols along the River Mersey, north Wirral coastline and Dee Estuary remain on going and officer support has been offered to other areas in the form of Shore/ATV patrols and survey work. Quarterly meetings with Sefton Beach Management Forum have taken place, as

have meetings with Dee Cockle Liaison group. Both officers attended the Maritime Intelligence meeting at the Port of Liverpool Police conference room. This meeting was attended by Seaport Officers as well as staff from the Border Force, Immigration and other Law enforcement departments. Finally, assistance to the GLA, MPHA, NRW and Merseyside Police has remained on going, and will continue to do so.

### **IFCO, J. Moulton**

Throughout the past quarter I have continued to provide enforcement support across the District where required and requested. I have also taken over the role of Communications Officer from Alasdair Lindop who left in August.

#### **Foulnaze Cockle Fishery**

I have continued to support the operation of the Foulnaze Cockle fishery through enforcement at the check point and out on the bed itself. In September I issued a caution on the bed for breaches of permit conditions. On the last day of the fishery in October I prevented a group of gatherers from breaching the 'notice of regulations to fishermen' by taking a dinghy on to the bed with the intention of bringing a quad bike back.

#### **Heysham Bass Nursery Area**

Since the ratification of Byelaw 5 on the 11<sup>th</sup> of June, IFCOs Matthew Burdekin, Andrew Deary and I have maintained a strong presence at the new closed area. This has included foot patrols along the breakwater covering both access points and joint patrols with Heysham Ports Maritime Police Unit. In September only two anglers were encountered fishing from the harbour roundhead, both were issued verbal warnings. At the end of September I organised in conjunction with the power station for several permanent notices of the byelaw to be installed.

#### **Heysham Seed Mussel Fishery**

Whilst IFCO Waite was on leave I maintained a presence at the seed mussel fishery operated from the Battery car park in Morecambe. This involved checking the permits of registered gatherers; a single foot patrol was conducted on to the bed with only a minor infringement detected.

Throughout the last quarter I have also conducted

- Quad patrols, sample collections and a RIB patrol with IFCO Ian Dixon;
- Operated the Radar Van with IFCO Steve Brown;
- Conducted a cockle survey with the science team;
- Joint patrol checking nets on the River Ribble with the Environment Agency;
- Morecambe Shore Patrols

#### **Communications**

As Communications Officer I have taken on communicating to fishermen the openings of fisheries and attended relevant meetings, this has included using the text messaging service and updating the website. I have also organised an angling stakeholder meeting in Morecambe and a meeting concerning the Foulney Mussel Fishery. The angling meeting was attended by 12 anglers who had expressed concerns over enforcement of Byelaw 5, which were on the whole resolved. The Foulney meeting was also received well with gatherers suggesting ideas to how the size mussel fishery could be effectively managed in the future.

# NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

## ENFORCEMENT SUMMARY

1<sup>ST</sup> AUGUST TO 31<sup>ST</sup> OCTOBER 2013

### 1. ENFORCEMENT BURDEN

1.1 Length of District coastline 878.5 n.m.

### 2. RESOURCES

2.1 Number of patrol vessels 1 + 4 RIBs + 1 Zodiac  
2.2 Number of patrol ATVs (intertidal) 8  
2.3 Number of Fishery Officers 7 f/t, 1 p/t + 3 warranted officers  
with other duties

### 3. ENFORCEMENT AT SEA

3.1 Number of patrol hours at sea 28  
3.2 Number of patrols at sea 11  
3.3 Number of nautical miles of patrol 164  
3.4 Number of closings 7  
3.5 Number of inspections 13  
3.6 Number of boardings 11  
3.7 Number of infringements detected 0  
3.8 Number of:-  
3.8.1 Prosecutions 0  
3.8.2 Home Office Cautions 0  
3.8.3 Prosecutions pending 1  
3.8.4 Cautions issued 0  
3.8.5 Written warnings 6  
3.8.6 Verbal warnings 0

### 4. ENFORCEMENT ON LAND

4.1 Number of inspections 445  
4.2 Number of ATV patrols 30  
4.3 Number of hours ATV patrols 48.8  
4.4 ATV miles covered 354  
4.5 Number of infringements detected 31

4.6	Number of:-	
4.6.1	Prosecutions	0
4.6.2	Home Office Cautions	0
4.6.3	Prosecutions pending	0
4.6.4	Cautions issued	10
4.6.5	Written warnings	0
4.6.6	Verbal warnings	22

N.B. Prosecutions pending – are only counted as such after approval is given to take the case forward by the Authority. People under caution who are likely to be prosecuted may therefore not be included in this figure.