

NWIFCA Authority Meeting

10th December 2020; 10.00 a.m.

**AGENDA
ITEM NO.
10**

HEAD OF ENFORCEMENT QUARTERLY REPORT – 1ST AUGUST – 31ST OCTOBER 2020

Purpose: For information.

Recommendations:

1. That the report is received

Introduction

Patch Summaries for the quarter are given in the table below:

Patch	Summary Points
Haverigg Point – Burgh Marsh Point – IFCO Thinnesen	<p><u>Haverigg Point-Burgh marsh Point - 1st August – 31st October 2020</u> <u>Senior IFCO - E Thinnesen</u></p> <p><u>TRAWLING</u></p> <p>Throughout the quarter, very little activity was seen from vessels out of local ports. When vessels did get to sea, some were targeted a mixed fishery of fish and prawns to keep the home markets supplied. Catch reports were from as little as a couple of boxes of mixed fish to 20+ boxes of thornback rays, plaice, turbot, sole, codlings, and nephrops where anything from single stones to 40+ stones caught in a day.</p> <p>Three local vessels have taken the government’s advice in selling their catch straight to the public, throughout the quarter. Large queues were seen by officers in Maryport, of people buying fish and prawns directly from the vessels.</p> <p><u>POTTING</u></p> <p>Sightings of vessels from the shore seen one local lobster vessel fishing areas along the south coast line, from St Bees to southwest of Walney fishing brown crab and lobsters.</p> <p>Other vessels from north of St Bees Head to Maryport were seen at intervals. Reports that lobsters are fading off at the end of August, and by September most of the inshore fleet were bringing their pots ashore. Reports on catches were from 20kgs to 20 bins of brown crab depending on the size of vessel. Lobster landings were from single lobsters to 40kgs. Reports are that lobsters were fluctuating in price from £8-10 per kilo.</p> <p><u>ANGLING</u></p> <p>316 anglers have been seen and inspected on the piers around the district, with reports of dogs, and good sized thornback ray and plaice being caught. Mackerel was still being caught on piers throughout the quarter, mainly at Whitehaven, and surrounding areas, by angling vessels fishing between Whitehaven and St Bees Head. Anglers mostly using feathers, reported by anglers, with sightings and inspections by officers seeing more than 3 on a line</p>

	<p>at once.</p> <p>Eleven anglers have been seen on vessels in the area from Eskmeals to Maryport, with reports on the odd bass and codling being caught. Bass ranging in size from 2lb to 13lb being caught.</p> <p>On shore 10 anglers were inspected mostly at Seascale, Caulderton, Allonby to Dubmill point areas. On a few occasions inspections seen 2 bass being kept by anglers, mostly over 3 lb in weight. No infringements on the bass regulations were seen.</p> <p><u>OTHER DUTIES</u></p> <p>On 11 occasions I assisted other officers at Flookburgh with the cockle fishery, also sea fishery patrols on board "North Western Protector".</p>
<p>Haverigg Point – Arnside – IFCO Dixon</p>	<p><u>Cockling</u></p> <p>Up to 72 gatherers have been present at the Flookburgh cockle fishery, although an average of 45 would be probable for September, landings of 200kg or less per person were the average for most of the time the bed has been open, with landings of 100kg lately, the high price through the season so far has kept plenty of gatherers interested. Low levels of activity have been recorded at Newbiggin. Aldingham had been sampled to achieve classification but due to poor results has been classed as prohibited.</p> <p><u>Mussels</u></p> <p>Normal activity levels of up to 12 gatherers have been observed fishing the Foulney mussel bed on spring tides with occasional activity for small orders being seen on neap tides.</p> <p><u>Potting</u></p> <p>No activity has been observed within this area of the district during this quarter. Two vessels from Barrow continue to operate occasionally outside the 6 mile limit.</p> <p><u>Netting</u></p> <p>Occasional good hauls of Bass reported from licenced, authorised vessels from Barrow, with sightings noted around the Foulney and Western Morecambe bay. Vessels were also targeting Sole and pot bait as well. Very few beach nets were observed.</p> <p><u>Angling</u></p> <p>Greenodd, Ulverston area, Coast road sea wall, Foulney and Walney Island were all popular with anglers due to high numbers of Bass providing good sport, Reports of good catches of Bass from anglers on Sandgate marsh and Kents Bank were recorded, which is uncommon from recent years.</p> <p><u>Shrimping</u></p> <p>Only one shrimp tractor was observed in the Leven estuary, with catches moderate to poor, but enough to be economic.</p>

<p>Arnside – Lytham IFCOs Waltho</p>	<p><u>Cockles</u></p> <p>Pilling cockle fishery opened on 1st September. There was very little activity during most of September. Since the start of October, there has been a consistent level of between 4 and 7 gatherers present on a regular basis. Each gatherer has been averaging between 150-200kg per tide. During this period, Pilling Sands cockle bed was under a seasonal class C classification.</p> <p>Regular low water patrols were also carried out, monitoring the closure of all other cockle beds in the area</p> <p>Pilling cockle samples have been gathered monthly, with one additional sample being gathered before the seasonal classification change from a class C bed to a class B bed that would normally happen from the 1st November. A class C result at the end of October resulted in a delay to this classification change.</p> <p><u>Mussels</u></p> <p>There has been no activity at Heysham Flat Seed Mussel fishery. Sampling:</p> <p>During August, an inspection of Knott Spit and Sea Centre RMPs, at Knott End, was carried out which resulted in mussel sampling at these sites continuing from September, and being collected monthly. Lytham Ribble Training Walls mussel sampling has continued on a monthly basis.</p> <p><u>Angling</u></p> <p>Joint working was undertaken with the Marine Management Organisation in the Heysham Bass Nursery Area by Heysham Powerstation. High numbers of anglers sighted throughout the district with hotspots being Blackpool Gynn Wall, Fleetwood Beach and Morecambe central</p> <p><u>Intelligence & Accreditation</u></p> <p>Intelligence reports have continued to be processed, recorded and disseminated in a timely manner to ensure tasking reflects the latest intelligence. Work has continued with the Officer Accreditation scheme.</p> <p><u>Assistance</u></p> <p>Assistance has been provided during Scientific surveys and on patrols across the district.</p>
<p>Dee- – Southport IFCO Brownrigg, Taylor and Capper</p>	<p><u>GENERAL</u></p> <p>Following on from the last quarterly report NWIFCA officers and support officers from Red Snapper have continued to provide a presence during lock down in support of Op Wistful. The steep decline in the collection of bivalve mollusc along the coastline has made way for a sharp rise in netting within the area. Throughout this quarter officers have continued to provide a 6-day presence, and over two tides where high-risk tides have been identified. Beach closure notices to the gathering of shellfish still remain in place along the coastline and will continue to until further notice.</p>

OP WISTFUL

Throughout August officers continued to see a rise in shellfish gathering activity along the coastline. In August alone, officers carried out a further 394 inspections of persons actively trying to gather bivalve mollusc, in particular, cockles. A further 112 inspections were carried out during September, again all targeting cockles. Offence Detection Reports have continued to be recorded and passed on to the HoE for review. The reduction in day light hours and the seasonal drop in temperature from October have led to a steady decline in numbers during this quarter. Op Wistful will look to go on temporary hold from the middle of December. In the meantime, officers will continue to observe and monitor this issue throughout the next quarter.

NETTING

With the decline in shellfish gathering officers noted a steady increase in netting activity. Observations suggest that on some tides numbers anywhere up to 19 persons have been identified netting over both the low water tides. During the numerous inspections along the beach officers have recorded anywhere from one net per person to one net between six persons. Set nets and purse sein, along with push nets remain the primary methods. Modest catches have been noted with: flounder, plaice, mackerel, herring, turbot and bass being recorded. To date, some 190 net inspections have been carried out during this quarter. I am pleased to say that during inspections both mesh size and minimum landing sizes (MLS) were all found to be in accordance with NWIFCA bylaws. Netters were keen to engage with NWIFCA and have been in regular contact with both area officers and the Head Office in Carnforth.

RECREATIONAL ANGLING

SHORE

When not fixed to the north Wirral coastline officers have mounted both vehicle and foot patrols within the area offering advice and guidance during their routine inspections. Kings parade, New Brighton, Seacombe and Otterspool promenades being the main areas of noted. Some 174 inspections have been undertaken with no MLS issues observed.

BOAT

Despite lock down limited numbers of small recreational craft have been observed in the river Mersey and Liverpool Bay areas. Launching and recovering from the beach area at New Brighton slip way and from Liverpool Marina. Two inspections were carried out with no MLS issues observed. To date, no charter boats have been active within the area.

BAIT DIGGING

Bait digging has continued to take place along the coastline with pumping being noted as the main method of collection. Derby pool to gunsight car parks being the most popular area of beach fished. 168 inspections have been carried out during this quarter

ENFORCEMENT AND OTHER ACTIVITIES

As mentioned in the last quarterly report officers have been targeted to enforcement duties along the north Wirral coastline. Bay Protector has again been unable to be deployed due to this and other various issues. She will look to be lifted out to have her bi-annual wash down before the Christmas break. It is

hoped to have her active during the Cod season next term.

Due to Covid lock down no premise's inspections have been carried out.

Assistance to the Gangmasters and Labour Abuse Authority, Mersey Port Health Authority, Wirral and Wyre Council remain ongoing.

Finally, officers within the Southern area would like to express their sincere thanks and gratitude to the three Red Snapper officers for their hard work and effort. Their flexibility, patience and professionalism in what has been a prolonged operation has been paramount to its success.

General Update

- Continuing development of joint working with Lancashire Constabulary and MMO
- Multiagency work has again continued in the development of operational plans for cockle fisheries.
- Two new IFCO's have been appointed in the Whitehaven area. Training and work inductions have commenced.
- HoE has progressed with the MCRS byelaw which is today presented to the Authority.

COVID 19

During this quarter Fishery Officers have settled into working under the extensive guidelines put in place, the purpose to firstly maintain safe working practices but also crucially to continue statutory functions and duties.

The pandemic has been a learning process and as an organisation, NWIFCA continues to develop through adaptive risk assessments and working procedures. In this reporting period it has been very important to proactively produce working to allow the at sea function of the Authority to continue.

To date there have been no incidences of the virus amongst staff. Management has continued to be flexible in the approach to allowing staff to manage the delicate balance between work and home such as where periods of isolation have been needed.

EU Exit

As the 1st of January draws closer, plans are being developed for the new UK-EU relationship and preparations still being made. Negotiations are still on-going and the current outcome of discussions could change since the time of writing. Currently the biggest issue which officers have communicated with other relevant agencies and stakeholders is the ability, or lack of to move class B & C shellfish to the EU markets. There is currently still no mechanism for this certainly before the 1st of April. For several years IFCA officers have reiterated this to fishers and other agencies.

Officers are working through National coordination groups (JMOCC and NIMEG) and MMO planning to feed in information to strategic and operation planning for January. NWIFCA patrol vessels will be available for patrols based on previous day one readiness plans, with officers ready to contribute towards the switch from one system of regulation to another.

The Fisheries Bill

The bill is continuing to progress through Parliament and enter the final stages to become an act. The Bill sets out the key approaches for future UK fisheries policy from 2021 onwards.

Prosecutions

There have been two successful prosecutions during this period and a number of case management court dates.

On 14th October at Liverpool Magistrates, Mr Lee Harmes of Birchridge, Flint and Mr Hayden Russell of Maxwell Close, Buckley were found guilty in absence of going equipped to gather cockles without a permit.

The offences related to the 25th September 2019 when Inshore Fishery and Conservation officers stopped Mr Harmes and Mr Russell in an all-terrain vehicle at the Flookburgh cockle fishery, approximately two miles from shore. They were found to be in possession of equipment for commercial cockle picking without a permit in contravention of NWIFCA Byelaw 3. Upon questioning by officers Mr Harmes provided officers with a false name and address.

Mr Harmes was fined £5,000 for the breach of NWIFCA Byelaw 3 and £500 for providing false details. Mr Russell was fined £5,000 for breach of NWIFCA Byelaw 3. Both were ordered to pay costs of £1,050 and a victim surcharge of £181.

Officers attended Lancaster Magistrates court on the 16th November for the Trial of Mr Kevin Tippet of Askam in Furness. Mr Tippet had plead guilty in March earlier this year to the offence of landing 51 undersize bass in the Duddon Estuary which he attempted to do via illicitly transporting them off the beach by hiding them on another fisherman's tractor. He was unsuccessful in eluding IFCOs who detected the offence and confiscated the fish.

Upon trial and presentation of the evidence the bench found the defendant guilty and issued a fine of £500, costs of £500 and victim surcharge of £50. The also issued confiscation of the 51 undersize fish. The bench commended the IFCOs who gave evidence on their clarity and professionalism with which they gave evidence during the trial.

Byelaw 3 reporting

During this period several cockle beds were opened at the end of the closed season. Unfortunately due to staff availability the Byelaw 3 returns data has not been digitised as yet. Below are the reported inspections data recorded by IFCOs.

Most of the cockle industry was focused around the Flookburgh area, hence why there has been excellent coverage by fishery officers. Tasking of IFCO resources continues to be on focused priorities and intelligence led operational needs.

Cockles			Mussels
Activity	Flookburgh/Leven	Pilling	North Morecambe Bay Incl Foulney Mussel Beds
No. inspected fishing	September: 633 October: 155	September: 4 October: 16	September: 5 October: 10
No. MLS inspections	September: 552 October: 67	September: 6 October: 15	September: 0 October: 10
Days covered by IFCO's	September: 17 October: 7	September: 3 October: 7	September: 1 October: 1

North Western Protector

Patrols this quarter are once again, not at normal levels due to Covid 19 restrictions, along with other factors. Patrol boat crew when not at sea, have again this quarter assisted with shore patrols and other shore related duties. Again I am pleased to report that the patrol boat has performed well throughout the quarter.

North Western Protector was dried out locally during the quarter in order to change over the sacrificial anodes on the jet drive units, and to replace some worn parts which was successfully carried out over 2 tides by the patrol boat crew.

Once again fishing activity in the district amongst the local fleet and visiting vessels has been low key, with moderate to light landings of nephrops (Prawns) and thornback rays being landed into local ports and mainly being sold to the general public on the quay side.

The whelk vessels which fish in the eastern Irish Sea continue to make regular landings into Whitehaven, with reports from officers who have spoken to the whelk fishermen that recent landings have been more moderate.

The lobster and brown crab fishermen have started to bring most of their gear ashore with the onset of poor weather and catches starting to drop off.

Boat angling as can be expected for this time of year, has been popular throughout the district with reports of some decent fish being caught on most days, with thornback ray being the most popular fish being caught.

Shore angling has again been very popular throughout the District.

Priorities/patrols/ boardings/inspections statistics:

- Patrol district for large vessel infringement of byelaws
- Record data of nets and pots in district
- Inspect lobster/brown crab pots and carry out checks on potting vessels
- Inspect gill nets for compliance with EU legislation
- Input enforcement information and vessel activities into MCSS (Monitor and control surveillance system)
- Record data of nets
- Inspect nets for compliance with Byelaw 10 (3)
- Inspect vessels for compliance with EU fishing gear legislation
- Record all vessel sightings data
- Maintain service and repair patrol boats
- Inspect and carry out checks with hobby fishermen/ vessels byelaw 26
- Patrol throughout district for detection of fishery limit line offences

Fishing activities have been monitored throughout the district in both North Western Protector and Protector Charlie and also using VMS (vessel monitoring system). The weather conditions this quarter have at times been poor.

Boarding's and inspections of vessels at sea are still suspended in line with Covid 19 restrictions.

Static gear inspections using both North Western Protector, Protector Charlie, and Protector Bravo totalled 350. Compliance with byelaws and other EU legislation has on the whole been good. However at the time of writing this report a number of offences have been detected against CSFC byelaws 25 and 4 in the Northern part of the NWIFCA district and are still ongoing.

All vessel maintenance and service schedules are up to date.

Patrol boat Master
Hugh Thinnesen

Sanctions, Infringements and Court Activity

A total of 64 sanctions were applied during the quarter. A number of investigations are on-going. The table below summarises these;

Sanctions	Comments
Verbal	None
Advisory Letters	None
Official warning letters	64 official warning letter issued for Emergency byelaw breaches (specifically within the reporting period)
Home office Cautions	None
FAPs	None
Permit suspension	None
Prosecutions	None
Prosecutions Pending	7 case files have been submitted to the prosecutor for summons to be issued.

Shore Based Activity Report

Number of:	Haverigg Point – Burgh Marsh Point	Haverigg Point – Arnside	Arnside – Knott End	River Wyre – River Alt	Mersey, and Dee	Wirral
Shore patrols by all NWIFCA officers*	65	59	43		127	
ATV patrols	1	25	15		13	
ATV patrol hrs	1	28.07	17		33.25	
ATV kms covered	12	256	170		318	
Inspections under taken	216	1363	113		858	

*undertaken either by vehicle or on foot without using ATV

Annex A

Vessel	No of patrols	Patrol time (hrs)	Distance patrolled (nm)	Boarding's	Closings	Sightings	Inspections (inc. gear inspections)
North Western Protector	9	75.04	307	Boardings suspended under Covid restrictions	0	43	2 (plus 350 inspections of static gear during the quarter)
Protector Bravo/ Charlie	1	5.5	Accompanied NWP–40 nm		0	0	0
Totals for the quarter	10	80.54	347		0	43	2 + 350

Annex B

Patrol Vessel	Patrol Date	Patrol Time	Distance (nm)	Area Covered	Risk/ Purpose	Sectors Covered	No. Boarding	No. Closings	No. Sightings	No. Inspections
NWP & Protector Bravo	0/09/20	10.17 & 5.5	40 & 40	Maryport	Potting, netting, trawling & angling activity	Solway Firth SPA	0	0	4	2
North Western Protector	14/09/20	10.17	10	Maryport	Potting, netting & angling activity	Solway Firth SPA	0	0	0	0
North Western Protector	15/09/20	12.50	25	Harrington, Workington, Maryport	Potting, netting, angling activity and bass fishing	Solway Firth SPA	0	0	12	0
North Western Protector	16/09/20	7.50	30	Harrington, Workington, Maryport	Potting, netting, angling activity and bass fishing	Solway Firth SPA	0	0	2	0
North Western Protector	17/09/20	6.33	35	Harrington, Workington, Maryport	Potting, netting, angling activity	Solway Firth SPA	0	0	21	0
North Western Protector	23/09/20	9.50	30	West of Flimby	Potting, netting, angling activity and bass fishing		0	0	0	0
North Western	29/09/20	10.67	45	Flimby,	Potting activity	Solway Firth SPA	0	0	0	0

Protector				Maryport						
North Western Protector	08/10/20	4.67	45	Workington, Flimby Maryport	Potting activity	Solway Firth SPA	0	0	4	0
North Western Protector	16/10/20	3.53	47	Maryport	Potting activity		0	0	0	0
										350 static gear inspections throughout the quarter
Total	10	80.54	347				0	0	43	2 + 350