

**NWIFCA Quarterly Meeting**  
**18<sup>th</sup> March 2021: 10.00 a.m.**

**AGENDA**  
**ITEM NO.**  
**7**

**HEAD OF ENFORCEMENT QUARTERLY REPORT –**  
**1<sup>ST</sup> NOVEMBER 2020 – 31<sup>ST</sup> JANUARY 2021**

**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>Due to health reasons and lockdown restrictions, most of the activity reports for the quarter are from VMS and three shore patrols undertaken.</p> <p><b><u>Trawling</u></b> - Some activity from trawlers targeting fish and prawns (Nephrops), reported that up to 20 stones of Nephrops were caught on any given day, but only 3 trips were monitored on VMS, the amount caught is through word of mouth only.</p> <p>Some under VMS size were at sea from Whitehaven, with 6-12 boxes of thornback rays caught.</p> <p>One of the more modern vessels from Whitehaven has been sold from the port, with no replacement, taking the full time fleet to 3 – 4 actual trawling vessels still fishing.</p> <p><b><u>Potting</u></b> - Activity on VMS over the quarter showed whelking vessels out of Whitehaven, Fleetwood, and Maryport, were frequent with around 60 sightings of vessels engaged in whelk potting outside of the district. When weather permitted, vessels from Whitehaven were fishing in an area known locally as the “Three Corners”, where the medium lines from Isle Of Man, Scotland and England meet.</p> <p>Vessels from Fleetwood were mostly fishing North of the Welsh coast, 6 – 10 miles off the shore, vessels from Maryport were concentrating mostly just outside of NWIFCA district, 10 nautical miles West of Whitehaven.</p> <p><b><u>Angling</u></b> - Throughout the quarter, only 58 anglers were seen on piers, 30 were seen on beaches, 1 angling vessel observed. No interactions were carried out due to Covid-19 risk assessment measures and restrictions in place. No reports available on catches by anglers.</p> <p><b><u>Other duties</u></b> - Other duties throughout the quarter were VMS satellite surveillance work, while shielding.</p>
Haverigg Point – Arnside – IFCO Dixon	<p><b><u>Cockling</u></b> – Regular activity at Flookburgh in November with over 40 gatherers present some days, and up to 9 working at Newbiggin occasionally. Activity dropped during December to up to 15 occasionally at Flookburgh, and 2 at</p>

	<p>Newbiggin. Following Brexit activity almost ceased, with only 4 gatherers seen very occasionally at Flookburgh, and 4 at Newbiggin when small depuration orders were available.</p> <p><b><u>Musselling</u></b> – Nov/Dec – Up to 12 gatherers on spring tides working on Foulney, with 2 gatherers working roughly 3 weeks per month on Foulney. In January activity dropped noticeably, with only small groups of 2 -3 gatherers seen a couple of times, sending samples to try and generate orders within the UK.</p> <p><b><u>Shrimping</u></b> – November – 1 tractor observed regularly fishing in the Leven channel, although catches were fairly poor. No activity observed in December and January. No activity observed from Flookburgh apart from 1 fisherman prospecting but no commercial fishing took place.</p> <p><b><u>Potting</u></b> – No activity observed within the district during the quarter.</p> <p><b><u>Netting</u></b> - No activity observed during the quarter.</p> <p><b><u>Angling</u></b> – Usual level of activity at this time of year once lockdown restrictions permitted angling. Greenodd/Walney were popular areas.</p>
Arnside – Lytham	<p><b><u>Cockles</u></b> - 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 low 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. Activity dropped off significantly in January.</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><b><u>Mussels</u></b> - There has been no activity at Heysham Flat Seed Mussel fishery.</p> <p>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><b><u>Angling</u></b> - Joint working was undertaken with the Marine Management Organisation in the Heysham Bass Nursery Area by Heysham Power Station.</p> <p><b><u>Assistance</u></b> Assistance has been provided during Scientific surveys and on patrols across the district.</p>
Dee-Southport – IFCO Brownrigg, Taylor and Capper	<p><b><u>General</u></b> - Despite lockdown and covid restrictions, officers within the southern area have continued to provide effective enforcement as and where required. With the predicted decline in numbers actively trying to gather bi valve mollusc along the north Wirral coastline, enforcement requirements in support of Op Wistful were greatly reduced. NWIFCA officers have continued to monitor this issue as part of their normal daily enforcement patrols. To date, the north Wirral</p>

coastline remains closed to the gathering of all bi valve mollusc, and NWIFCA signage remains in place highlighting this.

Due to the large amount of hours occurred in support of Op Wistful officers have had to split their time into carrying out their NWIFCA duties while attempting to reduce any outstanding annual leave and TOIL hours incurred over what was a busy summer and autumnal period.

This quarter has also seen the area go through a period of annual routine maintenance: PPE, enforcement vehicles, ATV trailers and other associated equipment have all been inspected and replaced where required. Bay Protector, the area's patrol vessel, has also had her annual coding inspection.

### **SPECIFIC**

#### **RECREATIONAL NETTING**

Netting activity, particularly along the north Wirral coastline remained constant throughout the first part of the quarter with 75 net inspections being carried out in November alone. Modest catches have been noted with: mackerel, plaice, sole, thornback ray, whiting and dogfish all being recorded.

The only other netting activity observed in the area was at Taylor's Bank, Formby. Just prior to the Christmas break officers observed and inspected 4 x nets set out along the beach. No other nets were observed throughout this quarter.

#### **RECREATIONAL ANGLING**

##### **SHORE**

Rod angling has continued to take place within the area. Covid compliant, officers have carried out in the region of 134 inspections. Kings parade, New Brighton. The promenades along Wallasey front, in particular, Seacombe and Magazine promenades, and along Otterspool promenade have been found to be the most popular. I am pleased to say that during our inspections officers found no minimum landing size issues.

#### **BAIT DIGGING**

Bait digging has continued to take place along the coastline with pumping remaining as the most popular method of collection. Mockbeggar Wharf and the beach area adjacent to derby pool and gunsight car parks were found to be the most popular area of beach fished. A 118 inspections have been carried out during this quarter.

#### **RECREATIONAL SHRIMPING**

During December officers noted 2 x shrimp tractors active over low water off Southport. Officers carried out two routine inspections and found no catch was

recorded. 1 x push netter was also observed and inspected in the channels off Leasowe road slipway. On inspection no catch was recorded.

### **ENFORCEMENT AND OTHER ACTIVITIES**

Issues with the lock gates in Albert Dock, (in particular Liverpool marina) have led to the gates being closed for repair. This action has prevented access and egress to the River Mersey for all craft. The canal and river trust are presently overseeing this issue; it is anticipated that the gates are likely to remain closed until late March 21.

Due to Covid restrictions no premise's inspections have been carried out during this quarter.

Assistance to the Gangmasters and Labour Abuse Authority, Merseyside Police, Mersey Port Health Authority, Natural Resources Wales, Wirral and Wyre Council remain ongoing.

### **General Update**

- Consultation on MCRS and Leasowe Bivalve Byelaws were progressed through consultation.
- EU Exit patrols requested by the MMO were conducted in the New Year using North Western protector.
- A number of prosecutions were successful relating to bass offences at Heysham Bass Nursery Area.
- Several staffing changes have taken place, IFCO Waltho joined the science team, Mr Graham has become an IFCO. IFCO Thompson has taken over role of Intel Officer.
- Bass Legislation, regulations in place during 2020 have been rolled over into this year.

### **COVID 19**

With the implementation of tier three restrictions and third National lockdown during this quarter Fishery Officers have continued working under the extensive guidelines put in place, whilst allowing the statutory functions of the Authority to be furthered.

Reflective of a more severe incidence of coronavirus in the North West during this period there have been several officers required to isolate. There have been limited effects upon operational capabilities.

### **EU Exit**

In late December 2020 the UK Government agreed the "EU-UK Trade and Cooperation Agreement (TCA)" which was ratified by Parliament on the 30th December. Thus the UK has left the common Fisheries Policy and the Fisheries Act 2020 is now enacted. The TCA sets out how the UK-EU relationship will work for the next 5 ½ years, meaning a huge number of small issues need to be sorted before the impacts on NWIFCA stakeholders will be known.

The deal agreed in December covers fishing arrangements for the next 5 ½ years known as the adjustment period and set out in the TCA is that total allowable catch of species will be negotiated in December each year where quota for stocks will be allocated based on ICES advice as it is now. At the end of the adjustment period in June 2026 talks will take place to agree UK-EU boat

access agreements. The picture of what this could look like is unknown, if EU fishing rights are withdrawn then tariffs could be applied to export products which are not currently in place under the TCA.

Under the TCA the UK and EU have agreed to grant access of waters to vessels in exclusive economic zone, 12-200NM (EEZ) and vessels with a track record of fishing in the 6-12NM zone can continue to fish there. Another key feature of the TCA is that 25% of the EU fleets fishing rights in UK waters will be transferred to the UK fleet over the 5 ½ year period.

Since the 1st of January there have been a number of immediate impacts of EU Exit on fishing activities in the NWIFCA District. Most notable has been the impact upon Byelaw 3 permit holders with dramatically reduced fishing effort at mussel and cockle fisheries across the district. This is because both species are classified as either B or C under environmental health legislation. Class C shellfish requires cooking and there is a limited market, Class B previously could be exported and depurated at destination under European legislation. However as the UK is now a third party state this no longer applies and the EU will only receive shellfish which has been depurated prior to export.

This has led to a number of difficulties as there is a limited capacity to depurate shellfish and also because this reduces the shelf life of the product which is not desirable for the recipients at destination. There are also issues around exporting due to increased time of transit due to checks required.

Other sectors have been similarly affected such as crab/lobster exporters leading to reduced effort by potting operators. The whelk fleet was initially unaffected but more recently prices have been impacted making it unviable for some to continue fishing.

NWIFCA officers have been feeding back information to DEFRA and the MMO from the coast as to how this process is working and making sure any issues are feed to decision makers.

## **Training**

With the successful recruitment of a National Training Lead by the Association of IFCA there will shortly be the resumption of the IFCO accreditation scheme which many staff have been progressing through over the past 12 months. The annual Torquay training course was unable to take place in January due to Covid restrictions and it is expected the advanced officer course will also be delayed. However the training usually undertaken at Torquay will be rolled out virtually over the summer.

In addition the IFCOs who have recently been appointed have been quick to move through the new induction programme which is in place. The scheme is due to take 12 months however with increased home working and periods of isolation staff are making quicker progress.

Under a National agreement by IFCA's all new enforcement staff and current staff are now being placed through Baseline Personnel Security Standard checks. This is now a standard for many public authorities ensuring that staff have the "honesty, integrity and values" required for government related work

## **Prosecutions**

There have been a number successful prosecutions during this period all for offences relating to breaches of NWIFCA Byelaw 5- Heysham Bass Nursery Area and a number of case management court dates.

On the 21<sup>st</sup> December 2020 several cases were put before the bench at Lancaster Magistrates. Four individuals were prosecuted for breaching NWIFCA Byelaw 5;

- Logan Feasey pled guilty and was fined £120, costs of £500 awarded, and victim surcharge of £34 totalling £654.
- Declan Westby pled guilty and was fined £400, costs £500, victim surcharge £40, total £940.
- Jordan Miller pled guilty and was fined £500 for two offences, costs £500, victim surcharge £50, totalling £1050.
- Jamie Thornborough did not attend court and was found guilty in absence. He was fined £1320 for both charges, £500 costs, victim surcharge of £132 payable in 28 days.

On the 4<sup>th</sup> of January at Lancaster Magistrates the case of Mr Danny Bell was heard by a lay bench of magistrates. Mr Bell failed to attend and was found guilty in absence on all four charges, three for breaching NWIFCA Byelaw 5 and one of failure to comply. The court clerk was able to confirm he was in receipt of benefits impacting the level of the fines which could be imposed. However he was fined £300 for an offence on 14 November 2019, £300 for offence on 26 November 2019 and £200 for 9 January. No separate fine was imposed for the offence of “failure to comply with a lawful request of an officer due to his means to pay having been reached. The bench did make a point of saying *“We see this as a serious matter, especially the threat to the officer”*.

NWIFCA were awarded costs of £1850 and victim surcharge of £80

NWIFCA continue to seriously prosecute all offences made against officers such as obstruction and failure to comply

Several lengthy investigations are continuing and sentencing of a two year case for scallop dredging in the district is due on the 18<sup>th</sup> of March.

### Byelaw 3 reporting

The cockle industry was operating as normal in November and December with the majority of effort being focused on the Flookburgh/Leven Cockle beds

	<b>Cockles</b>			<b>Mussels</b>
<b>Activity</b>	<b>Flookburgh/Leven</b>	<b>Newbiggin</b>	<b>Pilling</b>	<b>North Morecambe Bay Incl Foulney Mussel Beds</b>
<b>Amount Removed (kg)</b>	Nov: 67,173 Dec: 25,889 Jan: 697	Nov: 1,943 Dec: 1,345 Jan: Attendance too low*	Nov: 12,018 Dec: 8,136 Jan: 680	Nov: 29,307 Dec: 15,986 Jan: 13,516
<b>Attendance</b>	Nov: 556 Dec: 234 Jan: 16	Nov: 10 Dec: 10 Jan: 1	Nov: 63 Dec: 44 Jan: 5	Nov: 51 Dec: 27 Jan:23
<b>Hours</b>	Nov: 2,272 Dec: 945 Jan: 43	Nov: 52 Dec: 51 Jan: Attendance too low*	Nov: 321 Dec: 187 Jan: 18	Nov: 149 Dec: 89 Jan: 75
<b>No. inspected fishing</b>	Nov: 204 Dec: 3 Jan: 0	Nov: 17 Dec: 3 Jan: 0	Nov: 4 Dec: 0 Jan: 0	Nov: 0 Dec: 3 Jan: 0
<b>No. MLS inspections</b>	Nov: 101 Dec: 0 Jan: 0	Nov: 8 Dec: 6 Jan: 0	Nov: 24 Dec: 0 Jan: 0	Nov: 0 Dec: 6 Jan: 0
<b>Days covered by IFCO's</b>	Nov: 8 Dec: 1 Jan: 0	Nov: 3 Dec: 2 Jan: 0	Nov: 6 Dec: 0 Jan: 0	Nov: 0 Dec: 2 Jan: 0

Where attendance has been made by one individual the data cannot be reported as it may be possible to match the information to the individual.

## **North Western Protector**

North Western Protector has again performed well throughout the quarter with no mechanical faults to report on.

Once again Covid 19 has had a large impact on fishing throughout the district amongst the local fleet and visiting vessels. Activity has been low key, with almost no landings of nephrops (Prawns) and thornback into Whitehaven.

Whelk vessels which fish the Eastern Irish Sea continue to make regular landings into Whitehaven. However prices for whelks have plummeted with reports of prices being just over a pound per kilo.

Three Maryport vessels have continued to fish throughout the reporting period, with some good catches of nephrops being reported. Again these vessels continue to sell their catch to the general public from the quay side.

Lobster and crab vessels have continued fishing throughout the quarter. Prices back to the vessels has been quite good, as expected this time of year mainly due to the fact that there is less lobster and crab on the ground and the lead up to the Easter holidays.

Boat angling as can be expected for this time of year is quiet throughout the district due to weather conditions being very poor, social distancing, and other factors. Boat anglers continue to report large amounts of thornback ray in the northern part of the district.

Patrol boat crew have continued to assist with shore patrols during the quarter.

### **Priorities/patrols/boardings and 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
- 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 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
- Byelaw 20 compliance

Fishing activities have been monitored throughout the district in both North western Protector and Protector Charlie. The weather conditions throughout this quarter have been very poor at times, and along with Covid 19 restrictions, has resulted in a lot of patrol days at sea being lost.

Patrols, boardings and inspections of vessels at sea along with static gear inspections using both North Western Protector and Protector Charlie totalled 220.

Compliance with byelaws and other legislation and compliance this quarter has on the whole been good.

All vessel maintenance and service schedules are up to date.

Kind Regards  
Patrol Boat Master  
Hugh Thinnesen



## Shore Based Activity Report

<b>Number of:</b>	<b>Haverigg Point – Burgh Marsh Point</b>	<b>Haverigg Point – Arnside</b>	<b>Arnside – Knott End</b>	<b>River Wyre – River Alt</b>	<b>Mersey, Wirral and Dee</b>
Shore patrols by all NWIFCA officers*	61	56		19	88
ATV patrols	7	16		4	8
ATV patrol hrs	18.5	22.84		3	17
ATV kms covered	141.5	242.5		35	292
Inspections under taken	87	410		28	257

\*undertaken either by vehicle or on foot without using ATV

## **Annex A**

<b>Vessel</b>	<b>No of patrols</b>	<b>Patrol time (hrs)</b>	<b>Distance patrolled (nm)</b>	<b>Boarding's</b>	<b>Closings</b>	<b>Sightings</b>	<b>Inspections (inc. gear inspections)</b>
North Western Protector	8	40.17	500	Boardings suspended under Covid restrictions	4	19	145 (inspections of static gear)
Protector Bravo/Charlie	5	10.25	75		6	6	75 (inspections of static gear)
<b>Totals for the quarter</b>	<b>13</b>	<b>50.42</b>	<b>575</b>		<b>10</b>	<b>25</b>	<b>220</b>

## Annex B

Patrol Vessel	Patrol Date	Patrol Time	Distance (nm)	Area Covered	Risk/ Purpose	Sectors Covered	No. Boarding	No. Closings	No. Sightings	No. Inspections
North Western Protector	05/11/20	4.75	60	Harrington, Workington, Maryport, St Bees & Sellafield	Potting, netting, trawling & angling activity	Cumbria Coast MCZ	0	0	2	20
North Western Protector	01/12/20	3.67	50	West of Sellafield, north west corner	Potting, netting & angling activity	Solway Firth SPA	0	0	4	1
North Western Protector	03/12/20	6.17	70	N W corner, W of Sellafield, Maryport, Workington, Harrington	Potting, netting, angling activity and bass fishing	Solway Firth SPA Cumbria Coast MCZ	0	0	4	33
North Western Protector	11/12/20	8.50	85	W of Sellafield, W of Walney	Potting, netting, angling activity and bass fishing	Drigg SAC W of Walney MCZ	0	1	6	47
North Western Protector	03/01/21	4.75	60	(MMO) 12 nm limit line	Foreign vessels fishing inside		0	0	0	0
North Western Protector	04/01/21	5.25	70	(MMO) 12 nm limit line, King William Buoy, Parton, Harrington, Workington	Foreign vessels fishing inside Potting, netting, angling activity and bass fishing	Cumbria Coast MCZ	0	2	2	34
North Western Protector	05/01/21	4.58	75	(MMO) 12 nm limit line, King William Buoy, south	Foreign vessels fishing inside Potting, netting, angling activity		0	1	1	10
North Western Protector	28/01/21	2.50	30	West of Whitehaven	Potting activity		0	0	0	0
<b>Total</b>	<b>8</b>	<b>40.17</b>	<b>500</b>				<b>0</b>	<b>4</b>	<b>19</b>	<b>145</b>

Patrol Vessel	Patrol Date	Patrol Time	Distance (nm)	Area Covered	Risk/ Purpose	Sectors Covered	No. Boarding	No. Closings	No. Sightings	No. Inspections
Protector Bravo	05/11/20	1.92	15	W of Whitehaven	RIB training		0	0	0	0
Protector Bravo/ Charlie (x2)	25/11/20	3.00	30	Whitehaven, Workington, Maryport	Potting, netting, trawling & angling activity	Solway Firth SPA	0	0	0	50
Protector Bravo/ Charlie (x2)	27/11/20	5.33	30	Whitehaven, Sellafield, Ravenglass	Potting, netting, angling activity and bass fishing	Cumbria Coast MCZ Drigg SAC	0	6	6	25
<b>Total</b>	<b>5</b>	<b>10.25</b>	<b>75</b>				<b>0</b>	<b>6</b>	<b>6</b>	<b>75</b>



