

NWIFCA Quarterly Meeting

21st March 2014: 11.00 a.m.

AGENDA

ITEM NO.

9

HEAD OF ENFORCEMENT REPORT ON THE FISHERIES FOR THE PERIOD 1ST NOVEMBER TO 31ST JANUARY 2014

GENERAL

The quarter was dominated by three factors:

- Constant inclement weather
- The Seasalter authorisation being rescinded on the 1st November
- Enforcement of Foulney size mussel fisheries

The quarter saw significant improvements to the IFCAs marine assets with:

- The final stages and sea trials of the new southern patrol vessel 'Bay Protector'
- The return of 'Protector Bravo' to being fully operational

Unfortunately 'Solway Protector', while operational, was tied up due to a combination of staff sickness absence and inclement weather. The impact of this is likely to be minimal due to the whole fleet being equally hampered by the weather.

IFCOs attended a session with Seafish during the quarter to assist in a potential new inter-tidal training course the organisation is designing.

ENFORCEMENT

Compliance across most fisheries sectors was good during the quarter with only some minor infringements being detected.

Unfortunately it is necessary to report that compliance with the changing situation in the Foulney/Seasalter area was at times unacceptably poor and generated a large enforcement burden for IFCOs to deal with. Full report on the issue including enforcement statistics is below.

The quarter did see the successful prosecution of Mr Michael Witusinski and Mr Michael Włodarczyk at Liverpool Magistrate's Court on the 9th January. Both individuals pled guilty to charges of gathering mussels without a Byelaw 3 permit on the 25th May 2013. They were ordered to pay:

- A fine of £200
- Costs of £300
- A victim surcharge of £20
- The court also ordered the forfeiture of £341 of mussels that were seized at the time

WEATHER

The Quarter saw some unprecedentedly poor weather across the District which had a profound effect upon all fisheries sectors. This took the form of:

- General inhibition of fishing opportunities
- Significant changes to dynamic inter-tidal features
- Structural damage to Whitehaven harbour

MUSSELS

The species dominated the lives of some IFCOs for the duration of the quarter. A full report on the Foulney/Seasalter issues is below and is intended to bring members fully up to date with the enforcement aspects of the issue.

Operating alongside the Foulney/Seasalter Ltd fisheries was a very compliant size mussel fishery on Foulney itself. Gatherers engaged in this fishery utilised graders to great effect to comply with the MLS. This effort to comply with Byelaw 3 should be recognised in contrast to the levels of compliance outlined in the Seasalter Ltd/Foulney report below. These fishermen are fulfilling orders independently of larger gang masters or buyers and is a recent development that has moved forward substantially during the quarter.

The low level effort on the West Kirby mussel bed was halted as the bed fell victim to the weather. Other mussel beds across the District were also scoured clean by the weather. The Ribble walls escaped this and continue to sustain low levels of effort.

COCKLES

All cockle beds remained closed during the quarter following the completion of the Foulnaze fishery in the autumn. Stocks across the District are extremely low, including the Foulnaze bed which was inspected during the reporting period and is virtually empty of cockles.

There are minimal amounts of spat at both Leasowe and Aldingham and these will be monitored but the likelihood of them generating commercial levels of stock are low.

The District saw three instances of prospecting during the quarter which indicates that demand for cockles is substantial, particularly due to reports of low stocks and fishing effort in Scotland and Wales. Intelligence indicating cockling in the Leasowe area led to increased patrols but no offences were detected.

TRAWLING

Opportunities for trawling were virtually non-existent during the quarter due to the inclement weather.

SHRIMPING

Shrimping saw the normal seasonal end to activity which was to be expected this quarter.

POTTING

Another sector seriously hampered by the weather with most boats bringing their gear ashore as an alternative to losing it.

NETTING

Again the risk weather and debris posed to fishermen's gear saw most of them move it ashore.

ANGLING

Only the hardiest of the breed chose to stand on harbour walls during the quarter. Those that did in the central part of the district were rewarded with reasonable landings of codlings, inspections saw good compliance with MLS.

Head of Enforcement
24 February 2014

SEASALTER/FOULNEY REPORT

Context

1. The report below is intended to update members on the enforcement aspects of the Seasalter/Foulney mussel fisheries and bring them up to date out with quarterly reporting.
2. The reporting period runs from the initial issue of the Sea Salter Ltd authorisation on the 14th October to the 8th January 2014 when the last movement documentation for movement of seed mussel was applied for.
3. The report is written with particular attention paid to concerns over enforcement raised by members at TSB and full committee meetings. The scope of the report is restricted to front line enforcement and does not deal with wider legal issues beyond that. It is a chronological account of the enforcement activities of NWIFCA officers as a dynamic situation evolved over time. The report specifically intends to inform members of the following:
 - The levels of enforcement expressed in percentage coverage of tides
 - The enforcement brief to which the IFCOs worked
 - The nature of the enforcement challenge posed
 - A broad outline of the nature and number of offences detected
 - An outline of the sanctions taken

Pre-authorisation

1. Prior to the authorisation being given on the 14th October 2013 the enforcement team estimated, based on the knowledge of IFCOs and general information from the industry, that fishing effort would be based on the following cycle of fishing effort:

Size Ebb	Likely Fishing Effort
3.5-2.3m ebb	No activity due to unsuitability of the tides
2.3 to 1.4m ebb	All fishing effort would be concentrated on the removal of seed mussel from the Seasalter Ltd area
1.4 and lower	All fishing effort would shift to the size mussel fishery on Foulney due to the higher prices obtained for size mussel

2. It was estimated that the fishing effort within the Seasalter area following the authorisation would start in the vicinity of the Oyster frames and work out towards the edges of the box. Therefore it was calculated that initial enforcement of the authorised Seasalter box would be minimal and would require surveillance only until effort approached the edge of the box.
3. Using the predicted tidal cycle of fishing activity the reporting period from the 14th October to the 8th January consisted of:
 - 87 days
 - 174 tides
 - 98 of which were greater than the 2.3m threshold that would require enforcement presence

Enforcement Tasking

1. Tasking prioritisation was based on the following:

Size of Tide	Tasking
3.5-2.3m ebb	Minimal surveillance by the local IFCO
2.3 to 1.4m ebb	IFCOs specifically tasked to the tide
1.4 and lower	IFCOs specifically tasked to the tide

- In addition to using tides to predict fishing effort Cefas movement documentation was also used. Cefas officers proved invaluable in alerting NWIFCA that movement documentation had been applied for and allowed tasking to be intensified in response to likely increased fishing activity, i.e. tasking three rather than two IFCOs.
- The initial tasking for the area had to be balanced with the need to maintain enforcement at the final block of tides at the Cockle fishery on Foulnaze (14th – 17th October), which was of particular concern due to the need to enforce the renewal of permits from the 31st September Byelaw 3 transition. Following this tasking was done in 1 week blocks.

Enforcement Brief

- The enforcement brief issued to IFCOs altered as the situation in the area changed with the authorisation being given and then rescinded. A summary of the brief was as follows:

With the authorisation in place	<ul style="list-style-type: none"> Routine enforcement of the MLS on Foulney as normal Enforcement of the “area 1” box in the authorisation. Undersized mussels could be removed from the area by Byelaw 3 permit holders only That mussel attached to any Oyster frames were the property of Seasalter Ltd and IFCOs had no enforcement jurisdiction. Anybody removing mussels from the frames was the concern of Seasalter Ltd
With no authorisation in place	<ul style="list-style-type: none"> Routine enforcement of the MLS on Foulney as normal IFCOs should enforce the sea floor as a public fishery and that NWIFCA Byelaws apply and IFCOs have full jurisdiction Enforcement of any activity within “area 1” should ensure that undersized mussel are removed from the Oyster frames only

FISHING ACTIVITY

- A daily breakdown of IFCO coverage is given in Annex A. This outlines the coverage on the a.m. and p.m. tides and brief comments on any activity or the reporting of “Nothing to Report” (NTR). Following the initial issue of the authorisation on the 14th October no fishing effort occurred in the area until the 17th October.
- Activity was concentrated in three blocks over the reporting period:
 - 17th – 22nd Oct
 - 1st – 9th Nov
 - 17th -19th Nov
 - 2nd Dec – 8th Dec
- Activity in the area did roughly follow the 2.3m ebb threshold that was estimated prior to the fishery commencing.

ENFORCEMENT COVERAGE

1. A full summary of enforcement coverage is provided in Annex B below. Based on the 2.3m ebb threshold coverage during the reporting period was:
 - 71% of tides of greater than 2.3m ebb were covered by at least one IFCO (generally two for safety and corroboration)
 - 45% of all tides were covered for the reporting period

ENFORCEMENT ISSUES

1. Below gives the enforcement issues chronologically as the status of the fishery changed.

14th October to 31st October

2. The initial enforcement issues from the authorisation on the 14th October to it being rescinded on the 1st November was the “mixing” of fishing effort between Foulney and the Seasalter area. This mixing of activity took two forms:

Legitimate removal of seed from Seasalter Ltd area to “bulk out” subsequent removal of size mussel from Foulney for orders individuals were fishing to fulfil. This being done transparently with no attempt to conceal it.	Illegal removal of seed from the top of Foulney to “pass off” as that removed from the Seasalter Ltd area. This effectively meant gatherers were allegedly “saving” the seed within the Seasalter Ltd area by removing seed from Foulney and then “passing it off” as that removed from within the Seasalter Ltd area.
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3. This was not predicted by the enforcement team as it was considered that gatherers would legitimately remove seed from the centre of Seasalter area until the tides became suitable for the size mussel fishery on Foulney. The eventuality that gatherers would risk gathering seed illegally from an area rather than gather the same product (of the same value) legally from an area a mere 2kms away was just not foreseen.
4. The distribution of fishing effort that did occur posed significant enforcement problems, due to the following factors:
 - Having a size and seed mussel fishery in proximity with fishing effort transferring between the two both legitimately and illegally
 - Their being a legitimate reason to be in possession of undersized mussels and thus normal enforcement procedures not being applicable
 - In such a scenario the onus is on the IFCOs to establish the origin of undersized mussel
 - Establishing origin when activity is scattered over a 2km distance with cover of darkness was extremely difficult and impossible unless an individual was actually observed committing an alleged offence
 - It is not an offence to be on Foulney under any circumstances
5. This situation, when considering the factors above, was essentially uncontrollable and the function of IFCOs was to reduce the opportunity to commit offences to as greater degree as possible through deterrence. Direct enforcement action during this period was conducted when the opportunity arose on the:
 - 17th October 3 cautions issued for enforcement of MLS on Foulney
 - 21st October 3 cautions issued and 1.5t of mussel relayed

1st November to 7th December

6. Following the rescinding of the authorisation at the TSB meeting on the 1st November the enforcement situation changed significantly. IFCOs then operated to the brief above (removal of undersized mussels from the Oyster frames only) and maintained presence.
7. Enforcement presence from the 1st of November can be seen in Annex A below. There was no initial activity observed, see NTR for 2nd November. The period coincided with a set of tides suitable for the size fishery on Foulney. Inspections for MLS compliance were conducted on the 4th, 6th and 7th of November and were found compliant.
8. The first substantial effort to allegedly breach Byelaw 3 – by virtue of the authorisation having been removed, was made on the 8th November. Initial activity by IFCOs focused on education prior to gatherers going out to the frames, this consisted of a repetition of the IFCO brief that removal from the sea floor was illegal in NWIFCAs view and would invoke enforcement action, removal from the Oyster frames was a matter for Seasalter Ltd.
9. The initial educational approach was vital to:
 - Prevent gatherers committing alleged offences due to them having been advised by industry concerns the activity was legal and therefore having enforcement action taken against them
 - Prevent a large scale alleged breach of Byelaw 3 which could have led to an uncontrollable number of individuals committing alleged offences
10. The vast majority of gatherers on the morning of the 8th November took heed of IFCO advice and did not fish at all.
11. The following actions were taken on the 8th November:
 - Six individuals in total were cautioned for alleged Byelaw 3 offences
12. Following the actions of the 8th November surveillance revealed no activity until the 16th November when fishing effort by removal from the frames only was commenced.
13. Enforcement at this stage took the form of initial education prior fishing as to what was legal activity in NWIFCAs opinion and what would invoke enforcement action from the IFCOs. Activity during this period went ahead with gatherers being monitored by IFCOs to ensure that mussel was removed only from the frames.
14. The enforcement of this scenario remained intensive and not fully controllable as before the authorisation was in place. There was however a reduced opportunity for offences to be committed due to the reduced geographical area where seed could be removed from and hence be in possession of undersized mussels. Initial compliance with the requirement to remove mussels from the frames only was good but began to deteriorate as gatherers realised the amount that could be obtained was minimal.
15. Compliance deteriorated on the 17th November and then significantly on the 19th November when fishing effort again became mixed between the Foulney size fishery and the Seasalter area.
16. Significant enforcement actions were taken on the morning and afternoon of the 19th November with:
 - 4 individuals being cautioned for alleged Byelaw 3 offences
 - 2 instances of serious alleged obstruction were encountered
 - Approx. 1.5t of bagged seed mussel found discarded in Seasalter Ltd area – all relayed

17. No activity was observed until the next set of spring tides on the 1st December when the fisheries restarted in conjunction with the size fishery on Foulney. Enforcement actions on the 2nd, 3rd and 4th December consisted of the following:
- Follow up actions to alleged offences committed on the 19th November
 - 6 individuals being cautioned for alleged Byelaw 3 offences being conducted on the 2nd, 3rd and 4th December
 - The above actions also involved the relaying of 5t of mussel

8th December to Present

18. No further fishing activity occurred within the Seasalter area after the 7th December. IFCOs were mustered on the 4th January following an application for Cefas movement documentation but no activity other than minimal levels on the size Foulney fishery occurred, without any MLS problems.

SANCTIONS SUMMARY

1. Below is a full summary of enforcement sanctions taken from the 14th October to the time of writing:

Sanction	Number
Advice (no offence)	Numerous
Cautions	21
Fixed Admin Penalty	1
Seizure and relay	13.75t

2. In the case of 5 cautions issued case files have been submitted for proceedings. Intended PACE interviews with other individuals cautioned have been hampered due to:
- IFCOs powers being for voluntary attendance only
 - Non-UK nationals being in the country
3. A further verbal update on case file progression will be supplied verbally

Annex A. – Daily Account of Enforcement Activity

Date	a.m. tide	Ebb	p.m. tide	Ebb	Comments
14-Oct	NTR*	2.6		2.8	
15-Oct	NTR	2.2	NTR	2.3	
16-Oct	NTR	1.7		1.9	
17-Oct	X ^a	1.4	X	1.5	Enforcement action taken on MLS Foulney. 1.5t ordered to be relayed.
18-Oct	X	1.2		1.3	Post landing Foulney MLS check – All compliant
19-Oct		1.1		1.2	
20-Oct	X	1.2	X	1.3	Activity in Seasalter Ltd area started
21-Oct	X	1.3	X	1.5	Enforcement action taken Foulney-Seasalter Ltd 1.5t relayed
22-Oct	X	1.6	X	1.8	16-22 gatherers in Seasalter Ltd area – Full compliance
23-Oct		2	NTR	2.2	
24-Oct		2.4	NTR	2.6	Movement docs cancelled
25-Oct		2.8		3	
26-Oct		3.3		3.3	
27-Oct		3.7		3.5	
28-Oct		3.8	NTR		Movement docs cancelled
29-Oct		3.4		3.6	
30-Oct		3		3.1	
31-Oct		2.5		2.6	
1 st Nov		2.0		2.1	TSB rescinded original authorisation
2 nd Nov		1.6	NTR	1.6	Frames failed to clear off
3 rd Nov	NTR	1.3		1.3	
4 th Nov	NTR	1.1	X	1.1	25 on Foulney- none on Seasalter Ltd. No MLS issues
5 th Nov	X	1	X	1.1	No gatherers went out
6 th Nov	X	1.2	NTR	1.2	2 gatherers on Foulney no MLS issues
7 th Nov	X	1.4	NTR	1.4	Foulney MLS checks – compliant
8 th Nov	X	1.8	NTR	1.8	Major Enforcement Actions Taken
9 th Nov	X	2.3		2.1	Cockle prospecting detected
10th Nov	NTR	2.7		2.4	
11th Nov	NTR	2.9			
12th Nov	NTR	2.4		2.8	
13th Nov	NTR	2.2	NTR	2.5	
14th Nov	NTR	2		2.2	
15th Nov	NTR	1.8		1.9	
16th Nov	X	1.6	X	1.7	Compliant effort around the frames
17th Nov		1.6	X	1.6	Seasalter Ltd enforcement. Foulney MLS OK
18th Nov	X	1.6	X	1.6	8 gatherers on Foulney, 8 on frames. Compliant
19th Nov	X	1.7	X	1.7	Major Enforcement Actions Taken
20th Nov	X	1.8	X	1.9	Very low activity
21st Nov	X	2.1	NTR	2.1	
22nd Nov		2.3	NTR	2.4	
23rd Nov		2.6		2.7	
24th Nov		3		2.9	

Date	a.m. tide	Ebb	p.m. tide	Ebb	Comments
25th Nov	NTR	3.3		3.2	
26th Nov	X	3.5		3.2	0.25t of old seed found and relayed on Foulney. Sample run.
27th Nov				3.5	
28th Nov	NTR	3.1		3.3	
29th Nov	NTR	2.7		2.8	
30th Nov	NTR	2.2		2.3	
1 ST Dec		1.8	NTR	1.8	
2 nd Dec	X	1.4	X	1.4	ACTIONS
3 rd Dec	X	1.2	X	1.1	ACTIONS
4 th Dec	X	1	X	0.9	ACTIONS
5 th Dec	X	1.1	NTR	0.9	
6 th Dec		1.2	NTR	1.1	1.5t relayed
7 th Dec	X	1.5	X	1.3	8 gatherers on Foulney. Compliant
8 th Dec		1.9		1.7	
9 th Dec	X	2.3	NTR	2	
10 th Dec	NTR	2.6			
11 th Dec		2.3		2.8	
12 th Dec		2.4		2.7	
13 th Dec		2.4		2.6	
14 th Dec		2.3		2.3	
15 th Dec		2.2		2.1	
16 th Dec		2.1	NTR	1.9	
17 th Dec		2		1.8	
18 th Dec	NTR	1.9		1.8	
19 th Dec	NTR	1.9		1.8	
20 th Dec	NTR	2.0		1.9	
21 st Dec		2.1		2.0	
22 nd Dec		2.2		2.2	
23 rd Dec		2.5		2.5	
24 th Dec		2.8		2.7	
25 th Dec		3.1		2.9	
26 th Dec		3.2		3.0	
27 th Dec				3.3	
28 th Dec		2.9		3.0	
29 th Dec		2.5		2.5	
30 th Dec		2.1		2.0	
31 st Dec		1.6		1.5	
1 ST Jan		1.2		1.0	
2 nd Jan	X	1.0	X	0.7	5 on Foulney each tide
3 rd Jan	NTR	0.8		0.5	
4 th Jan	NTR	0.9		0.6	
5 th Jan		1.1		0.9	
6 th Jan	X	1.5		1.3	4 on Foulney MLS OK. No activity on the frames
7 th Jan	NTR	1.9		1.8	
8 th Jan	NTR	2.4		2.3	

*Denotes nothing to report with IFCO present

^aDenotes at least one IFCO present

Annex B Summary of Enforcement Coverage

	Total No of tides	% Coverage	No of 2.3m ebb tides	% Coverage
October	36	42	14	71
November	60	62	35	100
December	62	31	37	51
January	16	44	12	58
Total	174	45	98	72

Master of the “Solway Protector” - H Thinnesen

“SOLWAY PROTECTOR”

The patrol boat has been tied up throughout the whole of the quarter, due in the main to no available crew as a result of sickness absence. Whilst outside of this reporting period, I can confirm that we are now back to the full complement of patrol boat crew.

At the end of the previous quarter, the vessel was in full working order, and I am pleased to report there have been no mechanical or electrical faults to report on.

All oil and planned maintenance schedules are up to date.

“PROTECTOR BRAVO” – 7 metre Osprey Viper - RIB

I am pleased to report that “Protector Bravo” is now back on line. The vessel has had some extensive work and modifications carried out in order to bring the vessel up to the current MCA Workboat Code. We hope to use the vessel quite extensively during the next couple of months targeting inshore netting activities in the northern part of the district.

PATROLS, BOARDINGS AND INSPECTIONS

Along with poor weather, the Christmas break and no available crew due to sick leave, the patrol boat has been tied up alongside the marina berth at Whitehaven for quite a long extended period of time.

The patrol boat engineer returned back to work on the 3rd February 2014, and we have now resumed normal operating procedures.

WEATHER

On the whole the weather has been poor over the last three months. Local coastlines and some harbours, particularly Whitehaven felt the full force of the elements.

At the start of the quarter, we encountered very strong and prolonged westerly winds. Whilst during the second part of the reporting period the wind backed into a south to south easterly direction, strong to gale-force with the odd settled day when local vessels could put to sea.

At the time of writing this report, another very deep low pressure over the Atlantic was approaching, with 70 mph winds being forecast.

SHRIMPING, POTTING, NETTING & ANGLING

Shrimping and potting activity still remains low key at this present time, with skippers preparing for the forthcoming season.

The last couple of months have also been poor for the netting sector, with only light landings of thornback ray. Large quantities of undersized codling have been detected throughout the district during the quarter.

Shore and boat anglers have reported mixed landings, with the average size of codling retained by fishermen being 2 – 3 lb. in weight, with large quantities being returned back to the sea as undersized.

SAMPLING

The last quarterly cockle sample collection from Cardurnock Flats, was carried out in December for Cefas/EA, and delivered to the Preston Lab for analysis. Unfortunately CEFAS do not wish us to continue the programme this year.

SHORE PATROLS

A number of shore patrols were carried out by patrol boat crew in the northern part of the district. Numerous inspections were undertaken in the following areas:

Maryport	Workington	Harrington	Silloth
Port Carlisle	Siddick	Parton	Whitehaven
St Bees	Coulderton	Nethertown	Braystones
Eskmeals	Drigg	Haverigg Point	

Compliance with the NWIFCAs byelaws and other relevant legislation, on the whole has been good with no infringements to report on.

OTHER ITEMS OF INTEREST

There has been one new addition to the local potting fleet which will be based at Seascale. The vessel is a modern under 10 metre catamaran which will be skippered by the son of a well-known and respected, potting fisherman, and is a welcome addition to their family business.

Another local vessel has changed hands during the quarter FV "Syrinen" WA 2. The new owner is at present refurbishing the vessel and hopes to have it ready for sea during the next month or so.

H THINNESEN

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

NORTH MORECAMBE BAY

HAVERIGG POINT TO ARNSIDE

IFCO, I. DIXON

GENERAL

The majority of this reporting period has been spent monitoring the various mussel fisheries which have been operating on the North Morecambe Bay area, driven by an increase in demand for mussels both size and seed nationally and internationally. This is covered in more detail in the mussels section.

Most of the other fishing activities have been severely curtailed by adverse weather conditions.

TRAWLING

During the last quarter I have not observed or had any reports of commercial trawling activity. I have observed 1 small boat 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 decrease during early November and no activity was observed in late November, December or January. Catches again were poor, and the season as a whole is perceived by many shrimp fishermen to be poor overall this year.

COCKLES

During early November I observed 3 byelaw 3 holders prospecting for cockles in the Newbiggin area, enforcement checks on the vehicle revealed no cockles were retained and the 3 men were warned about disturbing cockle stocks in a closed area. They reported several patches of large cockles but overall there was not much cockle stock in the area. I received reports of potential cockling activity in the Newbiggin area in early January, however subsequent patrols did not discover any activity.

I continue to take Food Hygiene samples from Flookburgh, Leven Island, Newbiggin and Aldingham cockle beds for South Lakeland District Council, however there is no noticeable increase in adult stock levels in these areas, there has been an increase in cockle spat in the Aldingham area but time will tell if it survives to maturity.

MUSSELS

Mussel gathering continued on Foulney during spring tides during the last quarter. Outside of the spring tides several local gatherers worked the mussel beds in Walney Channel for small orders of size mussel to meet an increase in market demand. Following the storms that were experienced over the Christmas period gatherers and IFCA Officers noticed a change in Foulney mussel bed, with the Walney channel side and central Foulney being severely depleted of mussel stocks in large areas and the mussels were deposited by the tide on the eastern edge of Foulney or washed away. Mussel gatherers then began utilising mussel graders to achieve landings of good size clean mussels, this activity was observed by IFCA Officers and the results were encouraging, showing compliance with IFCA byelaws and reducing 'waste' being landed as well.

Enforcement action was taken against several alleged offenders for breaches of IFCA Byelaws following the Oyster farm area seed mussel authorisation being rescinded. Alleged offences also included several gatherers being observed gathering seed mussel from Foulney and attempting to pass it off as seed mussel which had come from the oyster frames, where the only permissible method of removing seed mussel was from the metal frames which the oysters were placed on. During enforcement actions for alleged removal of seed mussel from Foulney a serious incident occurred when an alleged offender threatened IFCA Officers with a knife.

One byelaw 3 permit holder continues to travel to Walney from the North East of England to gather small quantities of large mussels for use as angling bait.

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

NETTING

Drift netting effort decreased during November as the Bass moved off, one report was received where a local boat had been netting for cod and has a surprisingly good catch of Bass late in the season.

Adverse weather conditions for a large part of this quarter have reduced fishing opportunity.

All beach nets were removed early in November, catch reports from the beach nets in the Roosebeck area were pleasing, with good catches of Bass and Plaice recorded.

POTTING

Potting effort greatly reduced this quarter, and the adverse weather conditions did not help. Barrow based boats brought all of their gear in early in the quarter and I have not seen the boats leave their moorings since early November. All hobby potting activity has also ceased.

ANGLING

Anglers switched their effort from Bass to codling during the quarter with the west coast of Walney proving popular; reports of codling being caught suggest an increase from last year. Walney channel and the docks are also being fished regularly. Marks around Greenodd and the Leven Estuary are continuing to produce good sized Flounder late into the season.

Boat angling has been severely hampered by the poor weather. When conditions allowed several boats from Barrow fished black leg rock area for cod, to the north of my area.

OTHER ACTIVITIES

During this quarter I have continued to undertake export checks on behalf of CEFAS for mussel exports from Barrow.

I have conducted patrols from Silecroft to Whitehaven to cover my colleague's absence, during quiet periods on my own area. No illegal activity was observed.

SOUTH MORECAMBE BAY

ARNSIDE TO KNOTT END

Senior IFCO, S. J. Waite

TRAWLING

This fishery continues to be extremely low key. I have continued to see no improvement in activity taking place either on a commercial or hobby basis. This fishery continues to prove very disappointing and, as reported in previous reports, no improvement is expected in the foreseeable future.

SHRIMPS

Effort in the inshore fishery came to a seasonal close during this last quarter with only 1 commercial inshore shrimp boat remaining on her inside moorings at the Stone Jetty. During this last quarter I have observed, on only 1 occasion, effort taking place from 1 fisherman working his inshore shrimp boat on a hobby basis.

During this last quarter, I have continued to observe no activity by fishermen working tractor and tra la la units. Similarly, I have observed no activity from fishermen using push nets.

COCKLES

During this last quarter I have received no reports of cockles being removed by either commercial gatherers or from members of the public removing cockles for private consumption.

During this last quarter, all recognised cockle beds in my area have been checked. I have seen no improvement in stocks of either mature or immature cockles as mentioned in my last report. I see no improvement in this fishery in the foreseeable future. All beds in my area remain closed.

MUSSELS

During this last quarter I have observed and received no reports of mature mussels being gathered from any of the recognised skears in my area. All skears have been checked with mussel stocks proving to be extremely low. All beds are in a poor condition as a result of the storm force winds and spring tides experienced during this last quarter.

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

DRIFT STAKE AND SET NETS

During this last quarter all recognised inshore drift net boats remain away from their seasonal moorings with fishermen having to find work outside of the inshore fishing industry. Unfortunately, during this last period, I have been informed by 2 inshore fishermen that they have decided to sell their inshore boats and other equipment used in the seasonal fisheries due to very poor returns for their investment and the insecurity they feel for the future of the inshore fishing industry. As I have mentioned in previous reports regarding the inshore fishery, both fishermen are looking for a more stable income, possibly returning to this fishery in the future on a hobby basis.

During this quarter all nets have been removed from the fishery. Whitebait nets have been set in the Lune Estuary, fishing selected tides. Although these fishermen have been plagued by fouled nets, their orders have continued to be met and the fishery remains a good source of seasonal income.

During this last quarter I have observed no activity from anglers setting lines with all lines having been removed from the shore.

DINGHY AND SHORE ANGLING

Throughout this last quarter effort from dinghy anglers has proved extremely low key with effort only improving slightly towards the end of the quarter. I expect effort to improve during in the next period due to reports of whiting being landed off the Wyre coast.

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 North Wall, Heysham and Knott End. Landings of Plaice and Flounder have proved low key and have been of poor condition. Landings of Whiting have proved better although very few fish have been of a legal size.

CENTRAL AREA

RIVER WYRE TO RIVER ALT

Senior IFCO, S. Brown

GENERAL

Severe storms with onshore gales and localised flooding have dominated this reporting period. Clearly fishing opportunity has been very limited. In the past similar weather events that have resulted in massive quantities of relatively warm fresh water entering the coastal zone; have we suspect been a significant factor in observed changes of fishing patterns. The storms have also displaced many millions of tons of coastal sediment emphasising the dynamic nature of the coastal environment. Peripheral to the fishery but of note is the very significant amount of estuarine debris deposited along the softer sea defences of the Sefton Coast. Indirectly this natural occurrence may well encourage marsh encroachment in the Ribble and speed up the build-up of sand in that area.

TRAWLING

Fleetwood's remaining trawlers have been weather bound throughout the reporting period. Poor weather, the loss of the traditional seasonal trawling grounds to wind farm development and high running costs have all conspired to reduce this once prosperous fleet to a marginal fishery of limited viability.

SHRIMPING

The onshore winds have dispersed the coastal shrimp stocks that in calmer periods could have been expected to hang on into early December.

The Lytham fishermen have wisely taken their vessels from the open moorings at Seafeld into the "Dock" for safety.

The Southport and Marshside tractor shrimpers have worked occasionally but were plagued with marsh debris in their trawls. Since the poor weather set only occasional fishing effort has been observed.

Similarly the Fylde coast push netters only had a look at opportune moments; no significant catches have been reported.

COCKLES AND MUSSELS

Very low levels of size cockle remain on the South Ribble beds. Officers have been out onto the Foulmaze bed and found that only very low levels of mixed age group cockles remain. A low ridge of sand has been deposited across the western part of the bed leaving the area to the east sheltered and ideal for spat settlement. Ongoing monitoring will clearly be necessary.

As of mid-January a few seed cockle remain on parts of the Penfold North bed. Much of this small area of seed cockle (the only stock known to remain in this part of the District) was lost to the Christmas and New Year storms. At the time of writing there seems little likelihood of any significant amount of this stock surviving the remainder of the winter.

The Ribble mussel fishery continues to support very low levels of gathering by local fishermen. These men have access to a small purification plant and are using a mechanical riddle on the bed to grade the mussel. This fishery would not be viable in any other circumstances, but when worked in this way is providing both income for a small number of fishermen and encouraging the returned mussels to grow on. The mussels on the upper parts of the walls have been badly scoured out in places by the fresh water in the river.

The mussel beds on the North Wharf off Fleetwood have taken a pounding by the winter storms, all the beds are "down to the stone" with no significant stocks remaining.

NETTING AND POTS

The area's one dedicated potting boat has brought his gear ashore for the winter. No hobby potting activity has been reported.

Fleetwood's small fleet of fast netting boats has fared much better making some respectable landings of cod and thornback ray. Most fishing activity has taken place near the Rossall Pipe and around the South Boulders.

Only the occasional set net has been observed along the Sefton Coast. Most fishermen have brought their gear ashore to prevent loss to the storms and coastal debris.

ANGLING

Between the periods of extreme weather shore anglers have enjoyed good sport along the Flyde Coast on both high and low water marks with significant numbers of small whiting and codling being taken and returned. A few better cod have been reported. Better fish have been reported by the angling and charter boats fishing the hard ground from Blackpool to Fleetwood.

Shore anglers have also been observed on the "Bullnose" at Preston, in the R. Wyre and occasionally along the Sefton Coast and South Fylde Coasts.

ENFORCEMENT

Routine patrols both ashore and on intertidal areas have been undertaken. The ATV has covered 226 nautical miles on intertidal patrol and sample gathering work in 32.5 hours running time. 27 inspections have been carried out 2 minor infringements were detected.

SOUTHERN AREA

MERSEY, WIRRAL AND DEE

IFCO, 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. Both officers have had the chance to observe the build and take part in sea trials of 'Bay Protector' the area's new Rigid Inflatable Boat.

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 throughout 2014 in order for the bed to settle. A small level of spat has been observed over the bed this will continue to be monitored during the next quarter.

MUSSELS

Low level mussel gathering on West Kirby mussel bed has continued to take place since my last report; however a survey was carried out in January to determine what levels of stock remains. Early observations indicate from harvesting and from effect of the severe weather recently that very little commercial value remains on the bed; the bed however will remain open and continue to be monitored.

SHORE ANGLING

Very little recreational angling has been observed throughout this reporting period. 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.

BAIT DIGGERS

Bait diggers remain to be seen predominantly along the North Wirral coastline, with New Brighton, Mockbeggar Wharf and the area of beach off Leasowe Common being identified as the most popular. Numbers indicate between 0 – 3 bait diggers have been recorded daily with anywhere between 50 – 200 worms gathered per individual.

BAIT COLLECTION

Recent patrols 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 remains an "activity of interest" and will continue to be monitored.

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 and moored at Meols. The majority of the vessels have been taken off their moorings for maintenance over the winter period. At present no regular fishing pattern has been observed.

ENFORCEMENT

During this quarter three cautions were issued to individuals intending to harvest cockle on a closed bed. Statements have been written and sent to the Head of Enforcement pending further investigation. During the first two weeks of December rumours of illegal cockling activity around the New Brighton area had been heard. Throughout that period early morning patrols before and over low water were carried out, however, no activity was observed.

REPLACEMENT VESSEL

After a year of procurement and build, 'Bay Protector' the area's new 7.5 metre Rigid Inflatable Boat went for sea trials during January. After a two hour examination on the River Humber and a shore side inspection at Humber Boats, 'Bay Protector' was signed off and handed over to NWIFCA. The vessel will shortly be moved to a permanent berth at Liverpool Marina. Once a period of training and familiarisation is completed with both area officers 'Bay Protector' will be ready to offer enforcement and scientific tasks throughout the southern area and NWIFCA district.

OTHER ACTIVITIES

Daily shore patrols along the River Mersey, north Wirral coastline and both sides of the Dee Estuary remain ongoing and officer support has been offered to other areas in the form of Shore/ATV patrols and survey work. Meetings with Seafish have taken place in order to assist in the update of the present Foreshore Gatherer's Safety course. Sarah Temple, the area's new scientific officer, has had a full ground orientation of the area and has had the opportunity to assist in the survey of West Kirby mussel bed. Finally; assistance to the GLA, MPHA, NRW and Merseyside Police has remained ongoing, and will continue to do so.

Throughout the last reporting period I have continued to provide enforcement support to other officers across the district. From the start of November through to December I assisted IFCO Ian Dixon in monitoring the mussel gathering in the vicinity of the Foulney Mussel Bed. This involved quad patrols on to the gathering areas as well as shore activities of checking permits and landings. Whilst conducting enforcement activities in this area it was necessary for me to issue two cautions for breaches of NWIFCA Byelaw 3, both for landing under-size mussels.

In mid-November IFCO Matthew Burdekin and I travelled to Lytham to carry out enforcement for a case of un-permitted shellfish gathering. Officer Burdekin issued a caution to the fisherman and the case was submitted to superior officers.

Prior to the festive period there was also a heavy enforcement burden in the Wirral Area. I assisted IFCO Andrew Brownrigg during this time on all states of tide and both night and day, during which I issued one caution for a breach of NWIFCA Byelaw 3 at Leasowe. This enforcement presence continued up to the holiday period.

During the last period I have continued patrols within the Heysham Bass Nursery Area and have encountered no breaches of the regulations. All signs which were installed in the autumn have remained in place.

I have continued to assist in carrying out cockle samples for hygiene testing from Flookburgh in Morecambe Bay and from Marshside in the Ribble Estuary.

In the New Year I succeeded in achieving my Power Boat level 2 qualification which has been commercially endorsed and completed a First Aid at Sea course. IFCO Brownrigg has recently received the vessel 'Bay Protector' and I have assisted in preparing her to go to sea.

My Communications update can be found within the Science Quarterly Report

NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

ENFORCEMENT SUMMARY

1ST NOVEMBER 2013 TO 31ST JANUARY 2014

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 7
3.2 Number of patrols at sea 3
3.3 Number of nautical miles of patrol 35.2
3.4 Number of closings 0
3.5 Number of inspections 12
3.6 Number of boardings 1
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 0
3.8.4 Cautions issued 0
3.8.5 Written warnings 0
3.8.6 Verbal warnings 0

4. ENFORCEMENT ON LAND

4.1	Number of inspections	343
4.2	Number of ATV patrols	57
4.3	Number of hours ATV patrols	100.75
4.4	ATV km covered	1005.06
4.5	Number of infringements detected	28
4.6	Number of:-	
4.6.1	Prosecutions	2
4.6.2	Home Office Cautions	0
4.6.3	Prosecutions pending	1
4.6.4	Fixed Admin Penalty	1
4.6.4	Cautions issued	17
4.6.5	Written warnings	2
4.6.6	Verbal warnings	6

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.