



**North Western  
Inshore Fisheries and Conservation Authority  
30 September 2011  
Morecambe Town Hall, Marine Road,  
Morecambe: 10.30 a.m.**

## **Agenda Item: 9**

### **CURRENT POLICY ISSUES**

#### **Recommendations:**

1. **Members endorse Officer's proposals and actions.**

#### **Outline of the report**

1. This report covers progress in a number of currently active policy projects:
  - I. Cockle planning and management
  - II. Morecambe Bay Fishery Order
  - III. Marine Conservation Zones
  - IV. Association of IFCA
  - V. Defra proposals for inshore fisheries management
  - VI. NWIFCA Health and safety policy
  - VII. Extension of jurisdiction to 12 miles
  - VIII. Standing Orders

#### **Cockle planning and management**

2. On the local front the summer was dominated by preparations for impending large scale cockle fisheries in the Ribble Estuary. The beds were surveyed in July and August and multi-agency committees convened by Sefton and Fylde Councils met south and north of the estuary to plan access routes, provision of parking and facilities, enforcement of regulations and safety cover. Reports of poaching from Southport and on the Wirral started in early July and additional enforcement was deployed. Many poaching attempts were stopped by fishery officers at all hours of the day and night over the summer period.
3. Byelaw 5 was successfully remade and signed on behalf of the Secretary of State in early August. This released the issuing of new permits for cockle and mussel fishing from 1 September 2011-31 August 2012. To date just over 400 permits have been issued which is more than 70 less than were issued in 2010.
4. At the start of the fishery approximately 300 fishers were active on the beach at Southport on 1 September. Numbers dropped sharply in subsequent days. The NWIFCA deployed a large team of officers on both tides for the first 4 days of the fishery. Over 99% of fishers were found to have permits. The amount of undersize was a significant issue requiring much work to riddle to size. A large quantity of undersize cockles was returned to the shore by Officers. From the 5-12 September, the fishery was almost completely stopped by bad weather.

5. Mersey Port Health Authority led a campaign to bring in a more effective system of registration documents for cockle harvesting and processing. MPH worked with Preston, Fylde, Sefton, Wirral and West Lancashire Environmental Health Services to require every individual cockle fisher on the Ribble and Wirral cockle beds to complete registration documents for each batch of cockles sold onto the market. The effectiveness of this system will be monitored and assessed as the season progresses and a workshop for IFCA and EHS Officers throughout the District to promote common standards is proposed.
6. A large proportion of the cockles from the Ribble were landed through Preston marina by up to 5 vessels operated by shellfish merchants. These boats collected cockles from gatherers on the Foulnaze bed and sailed up river to Preston on the high tide. This system facilitated a rapid turn round for the buyers and additional safety for gatherers on the shore.
7. Concerns remain about the use of small unsuitable vessels for transporting fishers and cockles to and from the Foulnaze bed from Lytham St Annes. Although it does not have powers to restrict fishing for safety reasons, the NWIFCA strongly advises all fishers not to attempt this method of harvesting in adverse weather or at night.

### **Morecambe Bay Fishery Order**

8. The application to Defra for a Hybrid Fishery Order for Morecambe Bay was finally sent to Defra on 9 September. This is the culmination of a great deal of work over 5 years in the science department including a long delay from 2007-10 as changes in Fishery Order policy were made in the Marine Act 2009. We hope that this application will prove the working of a new system for establishing Fishery Orders. The next stage is for Defra to draft an Order which will then be subject to a full public consultation. We hope that widespread support for the order will avoid the need for a public inquiry although this may be unduly optimistic.

### **The Marine Conservation zones**

9. The Irish Sea Conservation Zones (ISCZ) project reached a conclusion over the summer as the final advice to Government from the project team was completed. We now know where MCZ sites are being proposed and we have some indication of the extent of the management measures that will be required to make the sites deliver the purpose for which they are identified. At the TSB meeting in June members raised concerns about the process for site selection operated by the ISCZ team however officers now consider that the further examination of this process would be fruitless. We are promised a further opportunity to raise concerns about the sites in a full Government consultation in 2012.
10. The Chief Officer and Enforcement Director gave advice to the project team on the measures and enforcement challenges that the sites will raise at a meeting on 7 June. Further advice on the scale and estimated costs of enforcement and management of the MCZ sites has been requested to inform the Regulatory Impact Assessments which must be prepared for each site. Defra will then re-examine the evidence and justification for each of the sites in all the four projects in English waters. Sites with sufficient justification will go forward to the public consultation in 2012.
11. Attached to this report is a map showing all the proposed MCZ in the Eastern Irish Sea together with other marine protected areas such as European Marine Sites. The map shows the concentration of potential and actual protected sites within the NWIFCA District and the predominance of coastal and inshore areas designated in some of the areas of the Irish Sea where other human activities including fishing are most concentrated. The map raises a number of questions about the MPA designation process and its possible impacts on activities in the area:

12. Is the right area of the District to be designated and are the most important features protected? It could be argued that with so much of the District under some form of designation, with many different levels and types of protection, some users will be confused about where they can and can't operate. It will be hard for IFCA officers to identify the highest priority areas and features for protection. The result of designating too great an area is that nothing is properly protected as the NWIFCA is forced to spread its enforcement resources very thinly over the entire District.
13. Will the NWIFCA have resources to adequately enforce protection measures on all these sites? Enforcement staff and 'Solway Protector' are already fully committed. Diversion of resources to EMS and MCZ protection would result in less enforcement of fisheries. We do not yet know the level of protection expected on each site so cannot estimate how much enforcement will be required and yet we are asked by the ISCZ project team to estimate a possible enforcement budget.
14. The design and distribution of sites creates further complications for an enforcement body. Reference sites, said to be set up as no take zones or highly protected marine areas (HPMA) will require very high level of protection if they are to achieve their objectives. However some reference areas are so small and remote that effective protection will not be possible without a much more efficient (and costly) vessel monitoring system. Some sites cross the 6 and/or the 12 mile limits and may require different types of enforcement and regulatory measures in each of these 3 zones. The overall regulatory regime has the potential to become highly complex, confusing for users and unenforceable for the NWIFCA.
15. The ISCZ project team has been invited to give a presentation on the final selection of potential MCZ to the TSB at the meeting in October.

#### **Association of IFCA (AIFCA)**

16. In 2011, the Chief Officer was secretary to a Committee of all IFCA in England which is coordinating the establishment of the new Association of IFCA to replace the ASFC. This Committee met on 26 May, 29 June and 14 September. The structure of the AIFCA was planned and a Chief Officer, Dr. Stephen Bolt, was appointed after internal competitive recruitment from the staff and members of all the IFCA. The CEO represented the NWIFCA on the appointment panel on 19 July. The Chief Officer's role as secretary has now been passed on to Dr. Bolt.
17. Following retirement of Peter Winterbottom the archives of the ASFC going back to the start of the Association in the late 19<sup>th</sup> century are being stored in the Carnforth office.
18. The Chief Officer has continued as secretary to the IFCA Chief Officers group which has held meetings on 23 June and 14 September.

#### **Defra Consultation on Inshore Fisheries Management.**

19. Chief Officers held 2 meetings with Defra on 30 June and 3 August to discuss their proposals for management of inshore fisheries. This included ideas for community quotas with a possible role for IFCA in management of local quotas. Between the 2 meetings NWIFCA officers compiled up to date data on the composition of the under and over 10m fleets in the District, noting where each vessel was based, how much it was used and the fisheries targeted.
20. Defra were briefed on the extent to which high and low impact vessels could be affected by changes in policy and they were also informed about the impact which license capping had caused on this and other Districts. There was a common if not unanimous view among

IFCA that there should be a move away from quotas as a means of managing fisheries and that if the IFCA could be liberated from the constraints of the CFP system, each IFCA could implement regional policies and measures to sustainably manage fisheries within their Districts. Unfortunately this is unlikely to happen as Defra are not willing to challenge EU rules as set out in the CFP.

21. The next stages of this process are that Defra will respond to the consultation discussions and are likely to set up some pilot projects to test the idea of setting up community quotas.

#### **NWIFCA Health and Safety policy**

22. A new accident reporting system and documents have been prepared and used for a number of minor incidents. Following incidents, risk assessments are checked and amended as required. Records of accidents are kept by office managers in Whitehaven and Carnforth. Work to amalgamate NWSFC and CSFC risk assessments and H&S policies is continuing.

#### **Extension of IFCA jurisdiction to 12 miles**

23. This question was raised by members at the last TSB meeting and officers were asked to review with Government the decision not to extend IFCA jurisdiction to 12 miles. As part of the meetings concerning inshore fisheries management, the question of extending IFCA jurisdiction to 12 miles was raised with Defra officials. They stated that following consideration of this matter during passage of the Marine Act 2009, there is now no prospect of getting further discussion now. Knowing the support that there is for this change in jurisdiction in other IFCA, fisheries interests, conservation interests and non-government organisations, Officers recommend that the IFCA takes no further action now but awaits a suitable opportunity to promote reconsideration of the issue in collaboration with other bodies.

#### **NWIFCA Standing Orders**

24. With the papers for this meeting, all members are provided with a full copy of the NWIFCA Standing Orders. This follows discussion of the Standing Orders at previous meetings and approval of amendments relating to attendance at TSB meetings. No further comments from members were received. The Chief Officer has added one further addition at paragraph 42 following an incident at another IFCA where a member indicated to other parties that he could speak for the IFCA. Paragraph 42 clarifies that members do not have authority to represent themselves in this way.

**Chief Executive**  
**16 September 2011**