

**NWIFCA Meeting:
24th March 2022: 11:00 a.m.**

**AGENDA
ITEM NO.
7**

**HEAD OF ENFORCEMENT QUARTERLY REPORT –
1ST NOVEMBER 2021 – 31ST JANUARY 2022**

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 – Burghmarsh Point – IFCO Thinnesen & Thompson	<p><u>Matt Thompson</u></p> <p><u>SHORE</u> - Throughout the quarter - only 14 anglers were seen on piers, 14 on beaches, and 0 angling vessels were sighted. Bait pumping/digging was only witnessed on 1 occasion also.</p> <p>During Covid restrictions, only essential inspections were carried out and a breakdown of these are as follows; 16 Angler/Shore net inspections, 0 vessel inspections and 0 premises were inspected. IFCO Powers under MACAA were used for one of these inspections, where there is a requirement for an SF1 report form to be completed. The remaining were light inspections/sightings only (these are generally glancing into open boxes and containers where an officer hasn't needed to use their powers).</p> <p>Only bass were recorded as being present during these inspections.</p> <p>Officers posted bass regulation and CSFC Cockle Byelaw notices around the district to remind fishers of the current regulations that are in force. There were many positive interactions with fishers in person, on the phone and electronically where minimum landing sizes and licencing requirements were discussed at length.</p> <p>In the latter part of the quarter the weather was predominantly very wet and windy with numerous named storms passing through the district. This not only put paid to fishing activities but presented unsafe conditions for IFCOs to patrol on some occasions.</p> <p><u>BEACH NETS</u> – Several nets were set in the Braystones and Nethertown areas in the early part of the quarter during a long settled spell of weather in the run up to Christmas.</p> <p>IFCOs carried out a number of intel-led patrols on foot and in vehicle. Resulting in 1 full inspection and 3 light inspections (this is usually when the net had just been set).</p> <p>Unfortunately, one fisher fell short of the standards required whilst using a fixed shore net on Nethertown beach for which they were cautioned and a case was brought to the HOE. An educational approach was taken to prevent future instances by means of an official warning letter. This individual was in breach of bass regulations.</p> <p>All fishers appeared to be compliant with rules and regulations from byelaw 10-box areas, which came in to force on 1st December.</p> <p><u>OTHER DUTIES</u> -</p> <p>A total of 14 intelligence reports were submitted by officers in this district for various</p>

	<p>suspected fisheries offences. All in all this quarter was even quieter than it usually would be predominantly due to weather.</p> <p>A total of 39 intelligence reports were processed and disseminated by the region's Intel officer who is based in this district.</p> <p>A total of 1 SF1 inspection report forms were completed after inspections were carried out when using powers under MACAA.</p> <p><u>Erik Thinnesen</u></p> <p>Additional to the information given above:</p> <p><u>POTTING & NETTING</u> – sightings and inspections of potting vessels were carried out during the quarter in the northern sector of the district. On the whole this was low level activity.</p> <p><u>ANGLING</u> – activity was seen on harbour walls and beaches during November & December. Anglers were seen on the piers at Workington, Maryport, Silloth and Whitehaven, with up to 10 anglers at a time being inspected. Beach activity was seen at Bowness, Silloth, Silecroft, Selker, Drigg and Eskmeals, as well as Whitehaven, Workington & Maryport. Towards the end of November up to 50 anglers were seen taking part in an angling competition at Maryport, with up to 40 inspections being made. Catches consisted of mainly cod, plaice and flounder.</p> <p><u>NETTING</u> – Gill nets were inspected north of Whitehaven during the quarter. No fish were seen at the time of inspection, although reports from one of the fishermen was that he had caught a bass over 20 cm in length.</p> <p><u>OTHER DUTIES</u> - Other duties throughout the quarter were VMS satellite surveillance work.</p> <p>A total of 2 SF1 inspection report forms were completed after inspections were carried out with fishers.</p> <p>Details of all patrols carried out on shore this quarter can be found in the appendix.</p>
<p>Haverigg Point – Arnside – IFCO Dixon</p>	<p><u>MUSSELS</u> – very low level of activity on Foulney, with up to 5 gatherers gathering mussels occasionally. The area containing the large mussels which the gatherers worked on last year, still contain too many undersize mussel to make gathering possible.</p> <p>The Duddon mussel fishery has seen no commercial gathering since it was classified as a 'C' which made relaying the mussels in approved sites, difficult. One buyer prospected the mussel bed and took a small sample to determine meat yields, with a view to cooking the mussels. Patrols have been carried out extensively over spring tides on the Duddon mussel bed area.</p> <p><u>COCKLES</u> – no activity, other than an authorised person taking samples occasionally.</p> <p><u>SHRIMPING</u> – very low levels of activity, with occasional sightings of 1 tractor working in the Leven channel, catches still fairly poor, similar to recent years.</p> <p><u>ANGLING</u> – usual low levels of activity expected at this time of year, no reports of cod showing up in any numbers.</p> <p><u>POTTING</u> – 2 vessels continue to work outside the district from Barrow occasionally.</p> <p>One new potting vessel to the area arrived in Barrow towards the end of the reporting period.</p> <p>Other potting vessels from Barrow who work inside the district brought their gear in for the winter.</p> <p><u>NETTING</u> – No beach nets reported or observed. Netting vessels were also inactive</p>

	<p>during this period, which is usual for the time of year.</p> <p>BAIT DIGGING – 2 commercial bait diggers observed occasionally, although activity decreased as angling activity decreased.</p>
<p>Arnside – Lytham IFCO Graham & Burdekin</p>	<p>COCKLES - In the area from Lytham St Anne's to Arnside in the last quarter, we have seen continued low effort (around 7) people fishing cockles on Pilling sands.</p> <p>MUSSELS - Following interest in mussels on the Fleetwood side of the Wyre, the Wyre Approaches RMP Classification Zone has been extended to cover these beds in the classification.</p> <p>SAMPLING - Cockle and mussel sampling for councils hygiene inspectors has continued through the period, with a small increase following an oil spill in the Irish Sea, which we have seen no visible effects of personally.</p> <p>PROTECTOR GAMMA - To increase our sea going capacity we have taken over the running of "Protector Gamma". The vessel was in need of service and maintenance works, which we have completed enough to put to sea.</p> <p>IFCO Graham has undertaken his Power boat Level 2 and is now gaining sea going experience on the vessel.</p> <p>Fishers have observed settlement of cockles on the Foulnaze cockle bed and we intend to put the science team on to the bed from "Protector Gamma" in the coming month.</p> <p>ANGLING & BAIT DIGGING - Angling and bait digging has continued throughout the area over the quarter.</p>
<p>Dee- Southport – IFCO Brownrigg, Taylor</p>	<p>GENERAL - With the loss of daylight saving hours during late October, the seasonal drop in temperatures and strong westerly winds, have all been a contributing factor in the reduction of fishing activity within the area throughout this quarter.</p> <p>Officers have continued to provide regular routine shore patrols, inter tidal ATV work (both enforcement and science) and other IFC officer related tasks. In particular, the illegal gathering of shellfish along the north Wirral coastline and the gathering of mussels on the Dee Estuary have all seen no activity since the last area report.</p> <p>The Emergency Byelaw banning the gathering of all bivalve mollusc along the north Wirral coastline, came to a natural close in early December 21. The coastline is now working under Byelaw 13a, as its fishery management plan and this will continue to until further notice.</p> <p>NWIFCA signage by way of beach closure notices is in place along the coastline highlighting this.</p> <p>The Christmas break, and a productive maintenance period, have also played a huge part in what has been a generally quiet winter period for enforcement.</p> <p>SHORE ANGLING - Area officers have carried out some 198 inspection of shore and beach anglers with Kings Parade, New Brighton and the promenades along Wallasey front, in particular, Seacombe and Magazine promenades remaining the most popular. To date, officers have not observed any MLS issues.</p> <p>BOAT ANGLING - The last report highlighted the reduction of the charter fleet within the area. Officers have to report this situation remains unchanged with only two active charter vessels being recorded throughout this period. Officers have continued to observe several small recreational angling vessels operating within the Liverpool Bay and River Mersey areas.</p> <p>BAIT DIGGING - Bait digging both by spade and pump, has continued to take place along the coastline, with the pump method remaining as the most popular form of collection. The Mockbeggar Wharf area of beach continues to be the most popular area of beach, with some 20 inspections being undertaken.</p>

NETTING - The only netting activity recorded was in the first part of the quarter on Taylor's Bank, Formby. Officers observed and inspected 4 x nets set out along the beach, with a catch of sole and plaice being observed. On inspection, no MLS or Byelaw issues.

OTHER DUTIES & COMMENTS - Both officers have now completed, and attained the RYA Coastal and Offshore Master theory qualification, which will further enhance their work on "Bay Protector" the area's patrol vessel.

Officers continue to carry out routine premises inspections at Liverpool Fish Market, where they have found the four independent sellers all to be compliant.

Finally, Assistance to the Gangmasters and Labour Abuse Authority, Merseyside Police, Mersey Port Health Authority, Natural Resources Wales, Wirral and Sefton Councils, remains ongoing.

General Update

Staff update

I am pleased to welcome IFCO Greenop as the Engineer for North Western Protector. Phil has made an excellent start to the role with his experience from his previous role in the Royal Navy.

Becht Family Charitable Trust/ Oceanmind – UK MPA Project

As previously reported this collaborative project is aimed at identifying a range of new monitoring, control and surveillance tools for use in English waters. The partnerships aims to provide deterrent-by-deterrent solutions that are cost effective, high impact and scalable that can be applied across the globe. The project is currently at phase 2 having previously identified five sites suitable including the West of Walney MCZ.

Phase 2 includes;

- To carry out risk assessments of each individual site,
- Assess technology available and suitability for each site,
- To provide a report and recommendation based on the findings.

Possible methods include:

- Electro Optical,
- Synthetic Aperture Radar,
- Aerial Surveillance using manned aeroplanes,
- Unmanned Aerial Vehicles or drones that operate beyond the line of visual sight,
- Other methods including electronic monitoring and radio frequency.

The strengths and limitations of the various methods were scoped for their various merits according to the site. West of Walney has been identified as suitable for vessel tracking on AIS of larger vessels, remote sensing using synthetic aperture radar, electro optical and use of UAVs.

Phase 3 of planning and methodology is progressing through the spring.

I-VMS- Inshore Vessel Monitoring System

Legislation is due to come into force which will make it a legal requirement for all vessels under 12 metres in length to have an inshore vessel monitoring system (I-VMS) installed, and transmitting data to the MMO when they are at sea, in English waters. This is part of the Government's strategy to improve data collection, to support development of more responsive fisheries

management measures and practices, that will enable industry to benefit from leaving the Common Fisheries Policy.

I-VMS is similar to VMS tracking devices fitted to fishing vessels over 12m in length. It provides positional information such as latitude and longitude, course, speed and date and time of each positional report. However, rather than transmitting data via satellite, which can become expensive, it reports its data via mobile phone signal (GPRS). This is a cheaper alternative, and the frequency of reports can be set at a higher level. When the device is located outside GPRS range, the device will continue to store the positional information and submit the data once GPRS coverage next becomes available. This data will be sent to the MMO UK VMS Hub.

Data derived from I-VMS will provide a more complete picture of all fishing in our seas. Combined with data on catch volumes, scientific evidence of stock levels and a range of other significant data, I-VMS will enable more efficient decisions on local and national management measures and policies. It will provide a clearer picture of fishing activity, which will help highlight which vessels are consistently complying with regulations on where and what they can fish, and those that may introduce risk to sustainable sea fisheries. I-VMS will have a higher pin rate than VMS which is important in inshore areas.

When the legislation comes into force (currently expected in late 2022) it will be the fisher's responsibility to ensure that they have a device fitted and that it is transmitting.

Several different suppliers have been identified as type approved which fishers can choose from. Fishers will be able to claim up to £650 per vessel through the MMO grant reclaim process that goes towards purchasing a device and the initial installation costs.

Currently Tranche one and two have started with vessels 10m- 11.99m/ 8- 9.99m needing to have devices fitted by 16th May 2022. Grants must be claimed by 17/06/22.

Replacement of "Protector Bravo"

An update report can be found at Annex 'A'

Bass regulations

Shortly before Christmas the government released the 2022 bass regulations, limiting gear, season and catch limits of this stock which is still recovering from past overexploitation. Bass fishing was restricted to catch and release only to recreational anglers in December and will remain closed until March when a bag limit of 2 per person per day will apply again. For commercial fishers, bass landings have been allowed in the last period, but catches were low due to the time of year. As with previous years, commercial bass fishing in 2022 will be prohibited in February and March to protect spawning individuals. The main change in the legislation is that this year all commercial vessels can land bass caught by demersal trawls and seines and no written authorisation is required. However, trawlers are limited to a bycatch of 5% by weight and landings are capped at a maximum of 380 kg per month. Fishing by hook and line and by fixed gill net is also permitted this year, but only if the vessel has a specific authorisation on their licence issued by MMO. Fishing by drift nets remains illegal, and the minimum size for bass is set at 42cm for both the recreational and commercial sector.

Officers have been working with DEFRA to better understand how to implement the permitting introduced in the National S.I. Chief Executives report has more information.

Byelaw Update

1. **The byelaw working group** has been established reporting to TSB to develop a new byelaw development strategy to address the remaining byelaws inherited by the Authority from predecessor bodies. Further meetings are planned.

2. Update on byelaws in development:

- I. **Byelaw 3** Cockle and Mussel hand fishing permit 2019. Application has been made for Ministerial signature.
- II. **Byelaw 1** Minimum Conservation Reference Sizes. Byelaw within MMO legal, application will be made for Ministerial signature.
- III. **Byelaw 2** North Wirral Foreshore bivalve molluscs. Application has been made for Ministerial signature.
- IV. **Byelaw 4** Potting permit 2020: Application has been made for Ministerial signature.

Netting byelaw: A replacement byelaw to consolidate the Authority's various netting byelaws is being drafted. A verbal report of progress was received by the TSB at the 1 February meeting, Drafting of the byelaw is continuing.

Byelaw 3 reporting

	Activity	Mussels			Cockles
		Foulney	Duddon	Knott End	Pilling
Amount Removed (kg)	Nov-21	3486	0	0	22037
	Dec-21	120	0	180	7849
	Jan-22	5476	0	150	4347
Attendance	Nov-21	9	0	0	197
	Dec-21	1	0	1	85
	Jan-22	16	0	1	66
Hours	Nov-21	18	0	0	916
	Dec-21	4	0	1	381
	Jan-22	35	0	2	274
No. Inspected Fishing	Nov-21	0	0	0	15
	Dec-21	0	0	0	0
	Jan-22	2	3	0	0
No. MLS Inspections	Nov-21	0	0	0	0
	Dec-21	0	0	0	0
	Jan-22	0	1	0	0
Days Covered by IFCO's	Nov-21	0	0	0	1
	Dec-21	0	0	0	0
	Jan-22	1	1	0	0

Sanctions, Infringements and Court Activity

A total of 3 sanctions were applied during the quarter. The table below summarises these;

Sanctions	Comments
Verbal	
Advisory Letters	
Official warning letters	One Official Warning letter for Breach of bass regulations
Home office Cautions	
FAPs	
Permit suspension	
Prosecutions pending	1 Prosecution pending
Prosecutions	1 prosecution for Offences at HBNA

On 7th February 2022 at Lancaster Magistrates, Mr Daniel Bell of Warren Grove, Heysham was found guilty in absence and ordered to pay a combined total of £3,000 for fishing within Heysham Bass Nursery Area. NWIFCA Byelaw 5 prohibits fishing and possession of fishing gear within Heysham Bass Nursery Area and was introduced in 2013 to protect the juvenile stocks of sea bass which gather in the warm waters of the power station outflows.

On the morning of 16th November 2021 Mr Bell was caught fishing by fisheries enforcement officers within the closed area of Heysham Bass Nursery Area. In the afternoon, Mr Bell returned to the area to continue fishing and was intercepted by Inshore Fishery and Conservation Officers attempting to flee the area having discarded his fishing gear. Mr Bell was ordered to pay a fine of £500 for the morning offence and a fine of £500 for the afternoon offence, costs of £1,850 and a victim surcharge of £150.

Shore Based Activity Report

Number of:	Haverigg Point – Burgh Marsh Point	Haverigg Point – Arnside	Arnside – Knott End	River Wyre – River Alt	Mersey, Wirral and Dee
Shore patrols by all NWIFCA officers*	70	70	44	112	
ATV patrols	11	11	9	10	
ATV patrol hrs	14.67	13.16	13.5	23.25	
ATV kms covered	156.5	118	53	286	
Inspections under taken	171	38	80	497	

- Undertaken either by vehicle or on foot without using ATV

REPLACEMENT OF "PROTECTOR BRAVO"

Purpose of Report:

To update members on the replacement process, so far

Recommendations:

- I. The report is received
- II. Officers are instructed to amend the specification to include the option to tender for a vessel with hull construction of either GRP or PVC carbon composite material and hybrid option, accepting that there may be an additional cost to the Authority should a hull other than GRP be chosen
- III. Members are asked to note that after Covid and Brexit, there may also be an increase in the cost of materials with either of the hull composition options
- IV. Officers are instructed to obtain the services of a Marine Surveyor (approved by the YDSA) to oversee the build and trials at various stages

Procurement & Hull Construction Options

- V. During late summer/early autumn, all our funding authorities' Members were contacted to see if they could find out if any of their Councils had any surplus human resources, with expertise in procurement, who could oversee this line of work for the NWIFCA over this next year.
- VI. For various reasons, several Councils did not have the spare capacity to assist, but with the assistance of our Chairman, we were able to secure the collaboration of the procurement team within Cheshire West & Chester Council.
- VII. A meeting was set up with the Procurement Manager (Elaine Roberts-Smith) and the Procurement Category buyer (Stephen Tomassen) in January over Teams, in order for all to understand the project requirements.
- VIII. The meeting went well, and officers are now actively working with Mr Tomassen to get the procurement process underway.
- IX. Mr Tomassen carried out some initial market testing within the normal procurement channels, and a couple of boat builders were identified. We were able to identify others, and meeting requests were sent to suppliers.
- X. Mid February we spoke with two suppliers over two separate Zoom meetings, and both seemed very keen to supply us with a vessel. There were differences in build time from 5 months to up to 12 months. This would depend on their commitments at the time the contract may be awarded.
- XI. The procurement process was explained to all buyers, and none seem to have been phased by the process at all.

Hull Construction & Engine Options

- XII. One particular supplier mentioned during the discussion, the options of engines and also hull build material. The mention of PVC carbon composite material as an option for the hull construction.
- XIII. Discussion continued on this subject and the following points raised/discussed:
 - The build time would be increased.
 - Quiet, fast 4 stroke petrol engines could be installed, which during a mid-life refit could be changed to electric powered engines. This would require the hull construction being such that the fuel tanks could be removed to allow for the batteries to be installed, to power the engines.

- Other discussions ensued around an electric pot and net hauler being fitted, and how this would be powered.
- We were informed, that there are currently discussions being held with coding requirements and the MCA construction standard, to accommodate this type of hull & engines – the builder of this type of hull has indicated that meetings with MCA have been arranged to look into using ISO (International Organisation for Standardisation) equivalence for work boats and fishing boats so that sustainability can be realised.
- Further correspondence with this supplier has indicated the hull will be a composite PVC core utilising Kevlar & Carbon where required. The vessel will be lighter with approximately 25% fuel saving. Fuel tanks will be located aft of the longitudinal centre of gravity so weight will not be affected during the mid-life change over. The change over from fuel to batteries can be done without moving the wheelhouse.
- The composite hull would be built by the supplier, in-house, using a Vinylester resin and repairs are said to be relatively simple, and would be carried out by the supplier.
- A vessel, built of this material (PVC carbon composite) 25 years ago is still working well, but was too expensive for a fishing boat version to be developed, at that time.
- A ball park figure has been suggested, that the cost would increase by approximately £70,000 on the original estimate of £220,000.
- It has also been outlined that the costs of raw materials has increased over the last two years, due in the main to Covid & Brexit, and as well as not being as readily available.

Coding Surveyor

- XIV. During the build process of North Western Protector, there were various staged visits by a surveyor, approved by the Professional Yacht Designers & Surveyors Certifying Authority (YDSA) to ensure the build complied with the coding requirements under the Small Commercial Vessel (SCV) coding for a vessel falling under category 2 vessel of this code.
- XV. It is felt that utilising an approved YDSA surveyor for this build, would also be prudent on this occasion. However, unfortunately Nigel Ling who had acted for us in this capacity for many years, sadly passed away in August after a short illness.
- XVI. The YDSA provided us with several contacts, of whom we have now worked with Steve Roberts (Wirral based) of S R Marine Surveys, and has coded 3 of our RIBs over the last 6 months, and we seem to be building a good working relationship with him.
- XVII. We have made contact with Steve to ask would he be willing to undertake this work for us, for which he has indicated that he will, and to also obtain an estimate of the time and costs involved. This has not been received at the time of writing, but will be available by the meeting date.