

NWIFCA Meeting: 6th July 2021: 10:00 a.m.

**AGENDA
ITEM NO.
9**

HEAD OF ENFORCEMENT QUARTERLY REPORT – 1ST FEBRUARY 2021 – 31ST APRIL 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 – IFCOs Thinnesen & Thompson	<p><u>E Thinnesen</u></p> <p><u>TRAWLING</u> - Some activity from local and visiting trawlers targeting prawns (Nephrops) from grounds, southwest of St Bees 6 to 18 Nautical miles, reports were that 50 - 130 stones of prawns for larger vessels and 20 - 50 stones of prawns for smaller vessels, were caught in any given day, with 111 twin rigged vessels and 66 single rigged vessels monitored on (VMS) Vessel Monitoring System.</p> <p><u>POTTING</u> - Activity on VMS over the quarter showed whelking vessels out of Whitehaven, Fleetwood and Maryport, were frequently seen with around 60 sightings of vessels engaged in whelk potting outside of the district. When weather permitted vessels from Whitehaven were seen fishing in an area known locally as the “three corners”, where the medium lines from the Isle of Man, Scotland and England meet, and west of Lune Deeps. Vessels from Fleetwood were seen mostly fishing north of north Wales, 6 – 10 miles off the coast. Vessels from Maryport concentrated mostly just outside of NW-IFCA district, 10 nautical miles west of Whitehaven.</p> <p><u>ANGLING</u> - Throughout the quarter, only 83 anglers were seen on piers, 4 seen on beaches, and 4 angling vessels seen. After some of the Covid lockdown restrictions were lifted, officers interacted with fishers once again. Inspections saw huss, sea bass, dabs and thorn backed rays being caught. Officers posted bass regulations around the district reminding fishers of 2021 bass Regulations, all were compliant with bass Regulations and fish sizes. Notices were also posted reminding fishers of the CSFC byelaw 9 restrictions on size for thorn backed rays, which remains 45cm from wing tip to wing tip. Some fish size charts and byelaw booklets were handed out to fishers that requested them.</p> <p><u>BEACH NETS</u> - Some nets were seen around the district throughout the quarter, most activity from fishers were in areas from Caulderton to Seascale covering Nethertown and Braystones also. Verbal warnings were given to a couple of beach netters about sizes and bass 2021 Regulations. Mostly thorn backed rays were being caught from gill nets. These nets varied in size from 60m to 100m with mesh sizes from 90mm to 300mm.</p>

	<p>All fishers were compliant with rules and regulations from byelaw 10-box areas, which started on 31st march.</p> <p><u>OTHER DUTIES</u> - Other duties throughout the quarter were VMS satellite surveillance work.</p> <p><u>M Thompson</u></p>
<p>Haverigg Point – Arnside – IFCO Dixon</p>	<p><u>MUSSELS</u> - Up to 18 gatherers were present on Foulney mussel bed on spring tides, working orders for relaying/sale within the UK. 2 to 3 gatherers seen more regularly gathering mussels for small orders for depuration locally.</p> <p><u>COCKLES</u> – low level of activity usually, with 2 or 3 gathering at Newbiggin for depuration locally, occasional inspections or sightings at Flookburgh of up to 17 gatherers when orders were available, although the average daily amount gathered was 100kg. Up to 6 gatherers from Flookburgh were sending small orders once or twice a week to the south coast of England.</p> <p><u>SHRIMPING</u> – 1 shrimp tractor was observed occasionally in the Leven channel during the later part of the reporting period, catches were low, similar to last year, although the size of the shrimps were reported to be larger. 1 Shrimp tractor was observed prospecting from Flookburgh but no reports were received.</p> <p><u>BEACH NETS</u> – only 1 beach net was observed/inspected during the reporting period, large mesh, set for Plaice and Flounder, inspections found compliance with byelaws.</p> <p><u>VESSEL NETTING</u> – very low level activity during the quarter, with occasional sightings of potting vessels targeting pot bait. Reports of low numbers of Bass being caught in the last month of the quarter.</p> <p><u>POTTING</u> – 2 vessels continue to work outside the district from Barrow, 1 vessel from the Whitehaven area is occasionally observed potting for lobster/crab towards the outer edge of the district in front of Walney Island. 1 local fishing business bought a potting vessel and was preparing to start potting for lobster, crab and whelk in the Barrow area.</p> <p><u>ANGLING</u> – usual levels of activity during the early part of the quarter, with numbers increasing during April as Bass were present in relatively good numbers, along the coast of Walney and around the coast road to the Leven estuary. Recreational vessel angling also increased during this period.</p>
<p>Arnside – Lytham IFCO Graham</p>	<p><u>COCKLES</u> – Pilling cockle fishery has seen very little activity throughout the months with only a handful of gatherers attending the bed intermittently.</p> <p><u>MUSSELS</u> – During March, a walk on inspection of Heysham Flat was carried out, quad bike tracks damaging the <i>Sabellaria</i> reefs were noted and reported to Natural England.</p> <p><u>ANGLING</u> – Fishing at the outflows of Heysham Power Station is still ongoing, on a patrol in April officers recovered a bread knife and fishing lures which were stored under the pier. Angling has picked up off Halfmoon Bay and Morecambe as the smooth hounds came in towards the end of April.</p> <p><u>ASSISTANCE</u> – Assistance has been provided to officers based in Liverpool with the ongoing situation on the North Wirral Foreshore. It is highly likely that</p>

	<p>further assistance will be required over the coming months.</p>
<p>Dee- Southport – IFCO Brownrigg, Taylor and Capper</p>	<p><u>GENERAL</u> - The fourth reporting quarter has continued on in much the same format as the last report. While Covid restrictions still remain in place, officers have continued to provide effective enforcement as and where required. Regular routine patrols have continued throughout the area, in particular along the north Wirral coastline in support of the Emergency Byelaw. The North Wirral coastline remains closed to the gathering of all bivalve molluscs. NWIFCA signage remains in place highlighting this. Finally, routine maintenance on both PPE and ATV's has continued to take place.</p> <p><u>SPECIFIC</u></p> <p><u>HAND GATHERING BI VALVE</u> - Despite the Emergency Byelaw being in place along the north Wirral coastline officers are still actively carrying out enforcement action against persons attempting to gather cockles, otter and razor clam. To date, some 66 persons have been observed and inspected throughout this quarter. As part of the newly appointed evidence process, SF1 inspection forms have been completed. Offence Detection Reports have been raised and sent to the HoE for review.</p> <p><u>RECREATIONAL NETTING</u> - Netting activity along the north Wirral and Sefton coastline has been prominent. Some 63 inspections have taken place along both coastlines; with the north Wirral coastline being the most popular. In particular, the area of beach located 1km north from Gun site carpark has been identified as being the main area of activity. Modest catches by purse seiner and set net have been recorded with: mackerel, plaice, sole, thornback ray, whiting and dogfish all being observed. Frustrations have been noted through social media regarding the legality of Gill netting within the area. Area officers have effectively engaged with the general public and the rod angling community by offering advice and guidance.</p> <p>Netting activity on Taylor's Bank, Formby and on Southport beach have also been observed. At present 6 set nets have been inspected with no catch recorded.</p> <p><u>RECREATIONAL ANGLING</u></p> <p><u>SHORE</u> - Rod angling has continued to take place within the area. Covid compliant, officers have carried sighted and inspected some 255 shore anglers. 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.</p> <p><u>BAIT DIGGING</u> - 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 total of 56 inspections have been carried out during this quarter.</p> <p><u>OTHER DUTIES & COMMENTS</u> - The annual service of Bay Protector took place in late March with one health & safety issue being raised. During the inspection contractors noted that the metal connections from the forward tank to the fuel lines had corroded leading to parts from the metal connections to break</p>

off, fall into the fuel line and create a fuel blockage to the starboard engine. Due to the corrosion it was noted that a large amount of water had gathered in the fuel lines. If at sea this would have caused an initial buildup in the water separator, subsequently an overflow of excess water into the engine, and engine failure. I am pleased to say connections and fuel lines have been replaced and the issue is now resolved.

During February, area officer's assisted the science department with the otter clam survey along the north Wirral coastline. A detailed report can be found with the senior science officer.

Officers have provided out of area support to sampling and survey work within the NWIFCA district.

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

Issues with the lock gates in Brunswick Dock have now been resolved. After a six week delay the lock gates resumed activity in mid-May and are now operating a regular lock in/out routine.

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

Bass Fishing SI 2021

On the 10th of June a Bass fishing SI was laid. The SI prohibits the landing of bass intertidally across the UK except under an exemption which allows NWIFCA to issue up to 26 permits to allow bass to be caught as bycatch by intertidal nets.

However currently there is no legislative framework for issuing permits across the district and officers believe that this would not be bycatch and be a directed fishery targeting bass which is a contravention of the agreements set with EU member states.

The revised bycatch limits and allowance shore based netting bycatch are introduced from the 30th July.

The SI continues to apply the derogation regarding vessels in ICES divisions 4b, 4c, 7d, 7e, 7f and 7h and in waters within 12 nautical miles from baselines in ICES divisions 7a and 7g may fish for European seabass, and retain, tranship, relocate or land European seabass caught in that area with the following gear and within the following limits:

Bycatch limits relevant to the NWIFCA district for authorised vessels are as follows;

- using demersal trawls, for unavoidable by-catches not exceeding 380 kilogrammes per month and 5% of the weight of the total catches of marine organisms on board caught by that vessel per fishing trip,
- using seines, for unavoidable by-catches not exceeding 380 kilogrammes per month and 5% of the weight of the total catches of marine organisms on board caught by that vessel per fishing trip,
- using hooks and lines, not exceeding 5.7 tonnes per vessel per year,
- using fixed gillnets, for by-catches not exceeding 1.4 tonnes per vessel per year.

COVID 19

Senior managers have continued to review Covid risk assessments on a weekly basis amending procedures as required in line with government guidance. This has allowed officers continue with working practices, within this period boarding's have been recommenced. Officers continue to monitor covid staging data and minimise travel to areas with a high number of virus cases.

Ocean Mind

NWIFCA are collaborating with Ocean Mind looking on a project looking to use technology to enhance protection of Marine Protected Areas (MPAs). The NWIFCA Head of Enforcement is sitting on the working group which will assist in site selection of various MPAs around the IFCA districts. Innovative monitoring tools, such as electro optical imagery and infrared imagery from satellites, will be trialled and outputs analysed by experts to provide activity awareness and actionable intelligence. This partnership aims to provide cost effective, high impact deterrent through detection solutions that are scalable and can be applied to all MPAs around the globe.

Seafish fishing restrictions mapping project

Head of Enforcement has been working with other IFCA's on a project introduced by Seafish. The objective of the project is to introduce freely available electronic resources for fisheries stakeholders to use on shore and aboard vessels informing them of permissive and prohibitive regulations across the UK. Thus assisting with and ensuring that fishermen are aware of and able to comply with regulations relevant to where they are fishing.

Data on IFCA byelaws is currently being collated and transferred to Seafish where a web based system and electronic navigation system are being created which will allow users to see what regulations are in place. Once this has been collated and spatial data checked then there will be a wider release.

Training

Officers have continued with in house training on procedures including the use of new SF1 forms to document inspections in a standardised format. There have been a number officers who have completed outsourced ATV training, First Aid and intelligence and investigation training.

Officer Thinnesen is nearly the first IFCO nationally to complete the full National Accreditation scheme.

Prosecutions

Jones Trawlers

On 18th March 2021 at Liverpool Magistrates, Jones Trawlers Ltd and Mr Liam Jones were fined a combined total of £48,500 for dredging without relevant authority in the Liverpool Bay area following an earlier guilty plea.

In February and March 2019, the scallop dredger "Kingfisher" towed scalloping gear into the NWIFCA District and the Liverpool Bay Special Protection Area, before landing catches to North Wales. Following an investigation, both defendants were charged on four counts of dredging without a permit.

District Judge Shaw during sentencing stated “Given the specialist nature of their business its scale and experience together with the previous convictions which have been referred to and the fact that whilst this case has been awaiting sentence they have accumulated a further similar conviction I can comfortably conclude that both the company and Mr Jones operate substantially outside the regulatory framework.”

District Judge Shaw made comment that he considered that the defendant’s behaviour to be “clandestine profit driven and unscrupulous”.

The defence made attempts throughout proceedings to assert that the company was suffering financial difficulties, however, it was deemed that accounts showing considerable profit in previous years followed by corporate restructuring and assertions of financial hardship which had not been explained.

District Judge Shaw ruled that the defendant company Jones Trawlers Ltd had acted recklessly in their offending. The Company was fined £10,000 for the first three charges and £18,000 for the final charge where the offence occurred just days after a sentencing for a similar offence in Wales, thus reaching a total fine of £42,000. Costs of £15,000 were awarded to NWIFCA and a victim surcharge of £170.

Mr Jones was fined £1,500 for charges one, two and three and £2,000 for charge four, therefore total fines of £6,500. No costs were issued but a victim surcharge of £170 was imposed.

Byelaw 3 reporting

Post EU exit the cockle and mussel gathering industry was severely impacted by the lack of ability to export cockles and mussels to the EU as B classified stocks. Class A shellfish could be exported however as there are no class A shellfish beds in the North West and the practicalities of depurating large quantities of shellfish pre export and a reduced shelf life made this not a reasonable route for export.

NWIFCA officers have at every opportunity over the last several years raised this issue as a concern with partner agencies.

The lack of opportunities for export cockles can be seen impacting the gathering in the table below with only very small quantities gathered by Byelaw 3 permit holders. The gathering of mussels increased from February to April on the Foulney mussel bed when a temporary Class A rating was introduced until the end of May. This allowed orders to be directly exported to the continent.

February to April 2021

Byelaw 3 Returns

Activity	Cockles			Mussels	
	Flookburgh	Newbiggin	Pilling	Foulney	
Amount Removed (kg)	Feb-21	9129	636	300	44025
	Mar-21	11746	185	1884	68117
	Apr-21	11395	174	2436	68466
Attendance	Feb-21	120	7	2	75
	Mar-21	130	4	12	91
	Apr-21	114	4	14	85
Hours	Feb-21	482	23	7	199
	Mar-21	577	10	51	287
	Apr-21	505	11	58	265
No. Inspected Fishing	Feb-21	17	2	0	30
	Mar-21	0	0	0	20
	Apr-21	0	0	0	15
No. MLS Inspections	Feb-21	48	2	0	14
	Mar-21	0	0	0	35
	Apr-21	0	0	0	15
Days Covered by IFCO's	Feb-21	6	1	0	7
	Mar-21	0	0	0	3
	Apr-21	0	0	0	1

North Western Protector

North Western Protector

North Western Protector and Protector Bravo have again given a valued service throughout the quarter with no mechanical faults to report on.

Covid 19 has again had a large impact on fishing activity within the district mainly amongst the local fleet. The visiting vessels have however progressively returned to more normal fishing patterns. Landings from trawlers into local ports has been quite low key as most of the local fleet remained in port along with almost all of the visiting vessels which returned to their home ports in Northern Ireland to unload their catch.

Again the whelk vessels which fish the eastern Irish Sea continue to make regular landings into Whitehaven for onward transportation to the regular markets. Landings of whelks into the port have been quite buoyant.

The larger lobster and crab vessels have continued fishing throughout the quarter. Prices back to the vessels have on the whole been quite good. The smaller potting vessels have slowly, throughout the whole of the quarter, set their pots on local inshore grounds with most vessels now being active.

Boat angling has been quiet throughout the district mainly due to poor weather conditions. This activity picked up a bit towards the end of the reporting period.

Boat anglers have again reported back to officers that thornback ray remain to be in abundance in the northern part of the district, and were finding it hard to catch any other species of fish, at times.

North Western Protector was tasked along with the science team to carry out ongoing survey work in the upper Solway, on the 21st of April 2021. Side scan equipment was again deployed in the upper Solway in order to build up a better picture of the sea bed in the area, along with using the Hamon Grab equipment to ground truth areas of special interest to the science team by taking a

sample of the sea bed in the identified areas. The survey went well with no technical problems. The survey usually takes 2 days to complete however owing to the good weather conditions on the day, we took the opportunity and managed to complete the task in one long day.

Patrol boat crew have again continued to assist with shore patrols when required throughout the district when required during the quarter.

Priorities/Patrols/ boarding's/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 with EU legislation
- Record data of nets
- Inspect nets for compliance with Byelaw 10 (3)
- Inspect vessels for compliance with EU fishing gear legislation
- Record all vessel sightings data
- Maintain service and repair patrol boats
- Inspect and carry out checks with hobby fishermen/ vessels byelaw 26
- Patrol throughout district for detection of fishery limit line offences

Fishing activities have been monitored throughout the district in both North western Protector and Protector Bravo. The weather conditions this quarter have been mainly settled with light easterly winds, however we did encounter a number of days when the weather was poor resulting in the main patrol boat remaining tied up alongside at Whitehaven and standing the crew down to essential maintenance duties.

Patrols boarding's and inspections of vessels at sea along with static gear inspections using both North Western Protector and Protector Bravo totalled 290. Compliance with byelaws and other legislation this quarter has on the whole been good.

All vessel maintenance and service schedules are up to date. North Western Protector is due for annual slipping sometime during the next quarter date has yet to be confirmed.

Patrol boat Master

Hugh Thinnesen

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*	40	43		11	96
ATV patrols	17	15		0	9
ATV patrol hrs	39.18	11.79		0	17
ATV kms covered	359.2	73		0	124
Inspections under taken	126	242		0	327

*undertaken either by vehicle or on foot without using ATV

Annex A

Vessel	No of patrol (days)	Patrol time (hrs)	Distance patrolled (nm)	Boarding's	Closings	Sightings	Inspections (inc. gear inspections)
North Western Protector	26	170.83	1825	Boardings suspended under Covid restrictions	51	203	282 (inspections of static gear)
Protector Bravo/Charlie	2	6.66	30		4	4	8 (inspections of static gear)
Totals for the quarter	28	177.49	1855		55	207	290

Annex B

Patrol Date	Patrol Time	Distance (nm)	Area Covered	Risk/ Purpose	Sectors Covered	No. Boardings	No. Closings	No. Sightings	No. Inspections
North Western Protector									
03/02/21	5.50	80	St Bees to west of Walney	Potting, netting, & angling activity	Cumbria Coast MCZ	0	0	3	0
09/02/21	5.00	60	Harrington, Workington, Maryport, prawn pitch	Potting, netting, angling activity and bass fishing	Solway Firth SPA	0	0	1	0
10/02/21	5.30	65	Black Leg Rock, prawn pitch, St Bees	Potting, netting, angling activity and bass fishing	Solway Firth SPA Cumbria Coast MCZ	0	0	2	0
11/02/21	5.00	70	St Bees Head, Selker rocks	Potting, netting, angling activity and bass fishing	Drigg SAC W of Walney MCZ	0	0	2	0
02/03/21	5.16	60	North west corner, prawn pitch	Trawling activity		0	5	5	0
03/03/21	4.25	50	Prawn pitch, St Bees	Trawling, potting & netting	Cumbria Coast MCZ	0	3	3	0
04/03/21	5.75	60	Prawn pitch, Scallop Bank	Trawling and potting		0	7	7	0
16/03/21	5.30	60	North west corner, Scallop Bank, Seascale, Caulderton	Trawling, potting, netting, bass activity	Cumbria Coast MCZ	0	2	2	0
17/03/21	4.92	55	Harrington, Workington, W of Maryport, NW corner	Trawling, potting & netting	Solway Firth SPA	0	4	4	0
18/03/21	5.50	65	North west corner, prawn pitch	Trawling activity		0	5	5	0
23/03/21	6.50	65	Harrington, Workington, Maryport, Selker	Potting, netting activity	Solway Firth SPA Cumbria Coast MCZ	0	1	1	0
24/03/21	8.00	80	West of Walney, Ravenglass, Selker, St Bees	Potting, netting, bass activity	West of Walney MCZ	0	0	0	0
30/03/21	5.16	50	Harrington, Workington, Sillioth	Potting, netting and bass fishing	Solway Firth SPA & SAC	0	1	1	0

31/03/21	6.25	65	St Bees, prawn pitch, NW corner	Trawling, potting & netting	Cumbria Coast MCZ	0	8	8	0
01/04/21	6.00	70	Prawn pitch, Scallop Bank, Parton	Trawling, potting & netting		0	0	7	0
13/04/21	5.00	55	Inner & outer prawn grounds	Trawling activity		0	0	20	0
14/04/21	6.50	75	Prawn pitch, Silecroft, Selker, Ravenglass, Caulderton	Trawling, potting, netting, angling & bass fishing	Cumbria Coast MCZ	0	0	28	0
15/04/21	14.00	120	Prawn pitch, Walney, Lune Deep, Fleetwood, W of Walney MCZ	Trawling, netting, potting	Morecambe Bay EMS, SAC & SPA W of Walney MCZ	0	0	24	0
16/04/21	11.66	80	W of Walney, prawn pitch, W of Sellafield	Potting & netting	W of Walney MCZ	0	0	26	0
17/04/21	4.41	50	Prawn pitch, Selker, Caulderton, St Bees	Trawling, potting & netting	Cumbria Coast MCZ	0	0	24	0
21/04/21	16.00	120	Silloth Channel - survey	NWIFCA sublittoral survey	Solway Firth SPA	0	0	6	0
22/04/21	8.00	95	Prawn pitch, Walney	Trawling & potting	W of Walney MCZ	0	0	9	0
26/04/21	3.75	45	West of Sellafield, Workington	Potting, netting & angling	Cumbria Coast MCZ	0	4	4	0
27/04/21	5.33	75	Parton, Harrington, Workington, Maryport, Silloth, NW corner	Trawling, potting, netting, bass and angling activity	Solway Firth SPA & SAC	0	2	2	0
28/04/21	6.75	80	Prawn pitch, Scallop Bank, Workington, Maryport	Trawling, potting, netting & angling	Solway Firth SPA	0	4	4	0
29/04/21	5.84	75	Prawn pitch, NW corner, Flimby	Trawling and potting activity	Solway Firth SPA	0	5	5	0
26	170.9	1825				0	51	203	0

Patrol Vessel	Patrol Date	Patrol Time	Distance (nm)	Area Covered	Risk/ Purpose	Sectors Covered	No. Boarding	No. Closings	No. Sightings	No. Inspections
Protector Bravo/ Charlie	12/04/21	6.66	60	Nethertown, Harrington, Workington, Maryport	Inspections of static gear	Cumbria Coast MCZ Solway Firth SPA	0	4	4	8
Total	2	6.66	60				0	4	4	8