

NWIFCA Quarterly Meeting

17th March 2017: 11.00 a.m.

**AGENDA
ITEM NO.
9**

HEAD OF ENFORCEMENT QUARTERLY REPORT – 1ST NOVEMBER 2016 TO 31ST JANUARY 2017

Introduction

Recommendation: The report is received.

District Summary

A District summary for the quarter is given in the table below:

District	Summary Points
Haverigg Point – Burgh Marsh Point – IFCOs Thinnesen and Sparks	<ul style="list-style-type: none"> • Thorn-backed Rays were the dominant catch • Landings consisted of between 8-15 boxes of rays for a tide, 8-12 stone of Nephrops • In Nov/Dec trawlers have had the odd days on Thorn back rays • Some squid & cod caught within quota restraints being sold to Lowestoft, Nephrops around
Haverigg Point – Arnside – IFCO Dixon	<ul style="list-style-type: none"> • Shrimping finished in early November following moderate catches and small average size of shrimp • Potting – two vessels operating outside the district landing to Barrow, weekly. Gear within the district was taken out by November. One licensed vessel fishing a small amount of Whelk gear • Netting – very little activity from vessels, occasional effort in Walney channel. No cod netting reported. One fisherman using stake nets in the Leven estuary caught codling/Flounders and Plaice on a regular basis before Christmas • Mussels – one report of 3 gatherers working on Foulney. No other activity reported. Foulney has large areas devoid of mussels. Hard Acre (Duddon) has no mussels on it • Cockles – see Leven reports • Angling – Moderate catches of codling reported from the channel, effort decreased after Christmas. Cod of up to 8lb caught in Barrow docks.
Arnside – Knott End – IFCO Moulton	<ul style="list-style-type: none"> • Shrimping ceased during the quarter • Pilling cockle fishery opened during the quarter and was fished at low levels until the bird flu outbreak • No activity on Heysham flat • Angling was poor during the quarter
River Wyre – River Alt – IFCO Walters	<ul style="list-style-type: none"> • Shrimping has been limited in the area with one tractor working from Southport. No activity at Lytham • Angling limited too mainly whiting with occasional codling. Several competitions have been run in during the quarter • Drift and set netting tailed off towards the end of the year also and with the emergence of the cockle fisheries, the boats were taken into Preston docks. • Limited mussel stock around, industry struggling to find stock on the Ribble training wall with limited stock • Predominate activity in and out of Fleetwood has been the whelker
Mersey, Wirral and Dee – IFCO Brownrigg	<ul style="list-style-type: none"> • Recreational Cod fishery has been good with 9 to 11 Charter boats active • Low level shore angling continues throughout the area-no issues observed • Status of N. Wirral cockle bed has been monitored • Poor weather has hampered small vessel fishing in the Dee Estuary • No mussel on beds at West Kirkby and Caldy Blacks • Sampling of Penfold North cockle bed continued • Bay Protector had her Keel strip replaced and engine service

General Update

General points

- Byelaw 26/27 permits for the estuarine boxes expired at the end of the quarter (30th November)
- During the quarter IFCOs conducted specific engagement with the angling community to assist the science team with the development of an angling strategy
- Application forms for Byelaw 30 (Fishing for Lobster, Crawfish, crab, Prawn and Whelk) permits were sent out
- HoE and CEO held a meeting with the Environment Agency (EA) during the quarter to discuss joint working options and to start investigating cross warranting

Staff

- IFCO Erik Thinneresen and science officer Abi Carroll attended the Torquay enforcement course – both scoring high marks
- 3 officers renewed their sea survival course as required
- Work towards increasing the maritime skill set across the shore based IFCOs with respect to working on the Solway Protector began – including shore based IFCOs under-going training on crane operations and crewing

NWIFCA Byelaw 3 Permits

The quarter saw the renewal of NWIFCA Byelaw 3 permits for the 2016/2017 year. The current Byelaw 3 numbers are:

- 101 issued
- 18 that could be renewed
- 2 waiting list spaces under offer
- A total of 121 at time of writing

Health and Safety

The review of the IFCAs Health and Safety policy and procedures continued during the quarter.

There were no near misses during the reporting period.

Legislative Changes

The following legislative changes/issues arose during the quarter:

Legislation	Comments
The new EU Bass regulations for 2017	<ul style="list-style-type: none"> • Measures are incorporated into the annual 2017 TAC/quota regulations as in previous years. • For 2017 article 10 of Council Regulation 2017/127 <p>In <u>summary</u> the regulation brings in the following</p> <ul style="list-style-type: none"> • Maintenance of closure of Bass fisheries outside the 12nm in VIIa • Closure of Bass fisheries within the 12nm in VIIa with three derogations • A 3% and 400kg by-catch for vessels using demersal trawls and seines for unavoidable by-catch • 250kg per month for vessels using fixed gillnets that meet track records requirements for unavoidable by-catch • 10t from 1st April – 31st December for vessels using hook and line that meet track record requirements
The Emergency Byelaw: Restrictions on Fishing for Bivalve Molluscan Shellfish 2016	<ul style="list-style-type: none"> • The Byelaw was due to expire on the 2nd Feb 2017 • A six month extension was granted by the Secretary of State under section 157 of MACAA • The Byelaw is now valid until the 1st August 2017
Byelaw 13a – Heysham Flat Mussel Fishery Part Bed Closure	<ul style="list-style-type: none"> • Closed defined section of Heysham flat to all mussel gathering (including size) <i>Sabellaria alveolata</i> (honeycomb worm) reef feature of the European Marine Site • In force from the 13th December 2016 to 30th June 2017
Changes of Minimum Landing Sizes (MLS) in Scottish waters	<ul style="list-style-type: none"> • The minimum landing size of brown crab will be increased to 150 mm carapace width (excluding Shetland) • The minimum landing size of velvet crab will be increased to 70 mm carapace width • The landing of berried velvet crab will be prohibited

Specific Fishery Report

Two specific fisheries were open during the quarter:

- The Pilling and Leven cockle fisheries

Both fisheries were opened following approval by the TSB subsequent to surveys in August and September and consultation with both the Bivalve Mollusc Working Group (BMWG) and wider industry.

In the case of both fisheries authorisations to Byelaw 3 permit holders were issued as derogations against the NW & NW SFC Byelaw 13a closure. Both derogations contained no restrictions in terms of times or tidal restrictions but did contain access restrictions to protect features such as saltmarsh.

Summary points in respect of both fisheries are given in the table below:

Leven Cockle Fishery	Pilling cockle fishery
<ul style="list-style-type: none">• Opened on the 7th Nov (following April to 31st May opening in 2016)• Survey results showed mean density of size cockle – 19m²• A multi-agency group was informed following the initial meeting held in April 2016• Average attendance at the fishery has been 19 per day• IFCOs have covered 33% of days since the fishery opened in November• 412 MLS inspections have been carried – accounting for 61.9% of landings when IFCOs have been present• This fishery was fished more intensively than Pilling with the average attendance since 7th November being	<ul style="list-style-type: none">• Opened on the 7th Nov• Survey results showed mean density of size cockles – 21m²• A full multi-agency meeting was held• The average attendance at the fishery was

Compliance with respect to both fisheries was good following expected Minimum Landing Size (MLS) issues at Pilling on the 7th November and at the Leven on the 14th November. All instances were dealt with using official warning letters or Fixed Administrative Penalties (FAPs) dependent upon previous offending. Details are given in the sanction, infringements and court activity section below.

A bird flu outbreak in the locality of the Pilling cockle fishery on the 24th January – resulting in a 3km protection zone and 10km surveillance zone being implemented by DEFRA. Since this the IFCA have suspended all non-essential presence in the area until further notice. A sample run was missed on consultation with Wyre council – this will not affect the classification of the bed.

Shore Based Activity Report

A summary of shore based enforcement activity is given in the table below. Areas the IFCOs focused on this quarter were:

- Focus on Cockle enforcement at Pilling and Leven – specifically focused on MLS compliance
- A number of the ATV patrols were IFCOs assisting with shellfish hygiene sample runs – no science surveys were carried out during the quarter
- Patrols for Bass compliance and Byelaw 26/27 were carried out

Number of:	Haverigg Point – Burgh Marsh Point	Haverigg Point – Arnside –	Arnside – Knott End –	River Wyre – River Alt –	Mersey, Wirral and Dee
Shore patrols*	63	46	20	32	42
ATV patrols	4	11	9	11	3
ATV patrol hrs	9.75	17.34	28.67	14.25	5.75
ATV kms covered	96	187	108	97.9	43
Inspections under taken	263	336	15	291	57

*undertaken either by vehicle or on foot without using ATV

Maritime Activity Report

A brief summary of maritime enforcement activity during the quarter is given below. Full details of all patrols during the quarter are given in Annex B below.

The main areas of focus during the quarter were as follows:

- Patrols were conducted in around the poor weather during the period
- Only Protector Bravo was used during the quarter due to weather and IFCOs focusing on inter-tidal fisheries – specifically cockle fisheries
- Focus of patrols was static gear and mobile gear inspections

Vessel	No of patrols	Distance patrolled	Time on patrol	Boarding's	Closings	Sightings	Static inspections gear
Solway Protector	10	462.1	55.92	0	19	21	0
Protector Bravo	2	61.4	6.0	0	3	3	17
Protector Gamma	0	0	0	0	0	0	0
Bay Protector	0	0	0	0	0	0	0
Zodiac Bravo	0	0	0	0	0	0	0
Totals for the quarter	12	523.5	61.92	0	22	24	17

Sanctions, Infringements and Court Activity

There was no court activity during the quarter.

A total of 7 sanctions were used during the quarter. The table below summarises these.

Sanctions	Comments
Verbal	2 in total: <ul style="list-style-type: none"> • Both in relation to breaches of the authorisation box and the Leven cockle fishery
Advisory Letters	None
Official warning letters	4 in total: <ul style="list-style-type: none"> • 3 in relation to breaches of the cockle minimum size at the Pilling fishery • 1 in relation to breaches of the cockle minimum size at the Leven fishery
Home office	None

Cautions	
FAPs	3 issued: <ul style="list-style-type: none"> • 1 in relation to breaches of cockle minimum size at the Pilling fishery on the 7th Nov – issued to two individuals • 1 in relation to breaches of cockle minimum size at the Pilling fishery on the 7th Nov – issued to two individuals • 1 in relation to breaches of cockle minimum size at the Leven cockle fishery on the 14th Nov – issued to two individuals
Prosecutions pending	None
Prosecutions	None

Annex A

Quarterly and annual catch summary

Number of beds fished within the district	<ul style="list-style-type: none"> • 2
Number permit holders who fished	<ul style="list-style-type: none"> • 50
Tonnage gathered	<ul style="list-style-type: none"> • Cockle from Pilling = 16,985kg • Cockle from Leven = 135,314kg • Mussels from whole district = 4760kg
Annual totals for 2017	<ul style="list-style-type: none"> • Mussels from whole district 768,985kg • Cockles from the whole district 110,940kg

Annex B

Patrol Vessel	Patrol Date	Patrol Time	Distance	Area Covered	Risk/Purpose	Sectors Covered	No. of Boarding	No. of Closings	No. Of Sightings	No of Static gear Inspections
Solway Protector	02/11/16	4.50	54.7	Scallop Bank, Ravenglass, Workington	Nephrops activity & static gear	B20 plaice box	0	3	3	0
Solway Protector	08/11/16	11.83	54.0	Silloth area	Shrimp vessels	Solway Firth EMS	0	3	3	0
Solway Protector	13/11/16	5.67	60.3	Scallop Bank, Prawn pitch, Ravenglass	Nephrops activity & static gear	B20 plaice box	0	1	1	0
Solway Protector	23/11/16	7.67	84.8	Sellafield, Ravenglass, Walney, Prawn pitch	Nephrops activity & static gear		0	4	5	0
Solway Protector	24/11/16	4.00	25.0	Scallop Bank	Trawling /dredging	B20 plaice box	0	2	2	0
Solway Protector	28/11/16	4.50	43.8	Scallop Bank	Trawling /dredging	B20 plaice box	0	3	4	0
Solway Protector	02/12/16	6.00	48.0	Scallop Bank, Seascale	Trawling, Nephrops activity & static gear	B20 plaice box	0	3	3	0
Solway Protector	06/12/16	1.00	1.0	St Bees	Nephrops activity & static gear	Cumbria Coast MCZ	0	0	0	0
Solway Protector	15/12/16	3.33	30.5	Whitehaven & Maryport	Trawling & static gear	B20 plaice box	0	0	0	0
Solway Protector	17/01/17	7.42	60.0	Whitehaven, Black Leg Rock	Static gear	B20 plaice box Cumbria Coast MCZ	0	0	0	0
Total		55.92	462.1				0	19	21	0

Patrol Vessel	Patrol Date	Patrol Time	Distance	Area Covered	Risk/Purpose	Sectors Covered	No. of Boarding	No. of Closings	No. Of Sightings	No of Static gear Inspections
Protector Bravo	01/11/16	3	41.4	Whitehaven to Ravenglass, south	Static gear, bass activity	Cumbria Coast MCZ	0	0	0	0
Protector Bravo	11/11/16	3	20	Whitehaven to north Workington	Static gear, bass activity	B20 plaice box & Cumbria Coast MCZ	3	0	3	17
Totals		6	61.4				3	0	3	17