

**Technical, Science and Byelaw
Committee:
11th August 2020: 10:00 a.m.**

**AGENDA
ITEM
8**

LEASOWE EMERGENCY BYELAW 2020

Purpose of Report: Provide members with an update on the working of the Byelaw

Recommendations:

- 1. The report is received**
- 2. Introduction of a byelaw to replace the emergency byelaw is approved.**

Background

1. The emergency byelaw introduced in June to prohibit unregulated gathering of intertidal shellfish on Leasowe beach (Wirral) was agreed by the Authority in June. The new byelaw must be in place within 12 months of the emergency byelaw being made to avoid a gap in regulations.

Enforcement

2. Since its introduction the emergency byelaw has been extensively enforced (Operation Wistful) by the IFCOs based in Liverpool, IFCOs from other areas of the District and three officers contracted from the Red Snapper enforcement organisation. (Under section 260 of MACAA any person can operate with delegated powers under the direction of an IFCO). The Authority is also grateful for partnership assistance and joint patrols with Merseyside Police, Mersey Port Health Authority, Gangmasters & Labour Abuse Authority, Wirral Council and Home Office Immigration Officers.
3. Initially high numbers travelled long distances and attempted to fish. With good signage now in place and continued enforcement presence numbers have decreased. Enforcement is now targeted at high risk tides in good weather and daylight. See patrol data below.
4. In line with the NWIFCA sanctions policy an educational approach offering guidance was applied for the first few days after the byelaw was introduced. Subsequently full enforcement was applied to stop all removal of shellfish, confiscate shellfish gathered and apply sanctions.
5. Numbers fishing have dropped and all detected offences documented. To date 35 official warning letters were issued and one investigation for a more serious offence is on-going.
6. Approximately 500 individuals have been inspected along the 12mile stretch of shoreline. Most are in family groups when serving individual letters is inappropriate and impractical. No repeat offenders have so far been detected.
7. HoE considers the byelaw is fulfilling its purpose and being enforced effectively. Most importantly the amount of shellfish being from the area is very low and an assessment of stock is now underway by the Science team.

Provisional unconfirmed patrol/inspection statistics from 10th June until 27th July

Number of days covered	41
Reporting duration (Possible days)	46
IFCO/staff days	122
Inspections/interactions	500

Next steps.

8. The emergency byelaw sets a time limit of 12 months from the 5 May to introduce a new byelaw without a gap in regulation. MACAA provides for a 6 month extension with Defra consent. Therefore investigation of the fishery and preparation of the byelaw must take place immediately.
9. Options for byelaw measures could include a closed season or a daily catch limit.