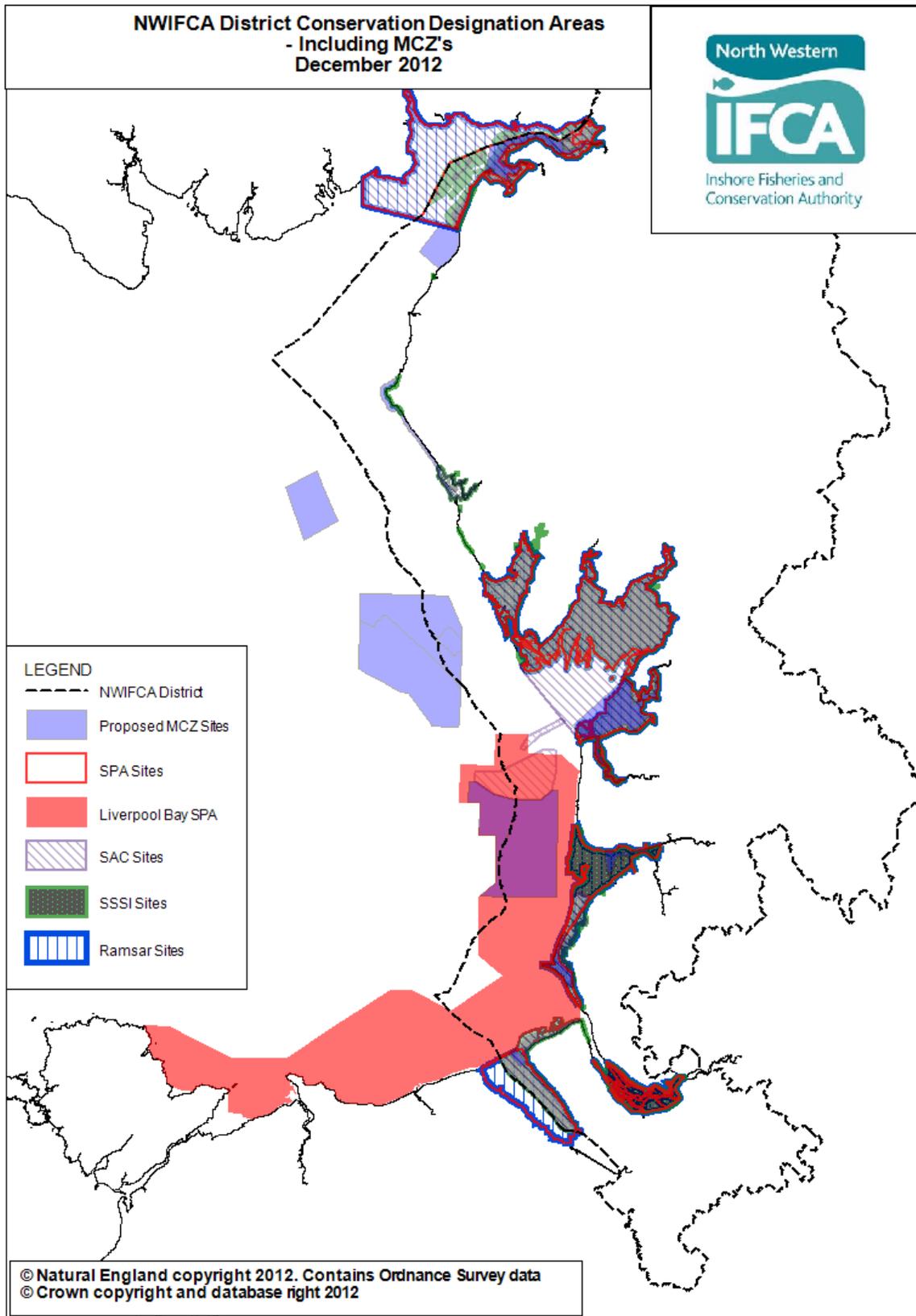


# First Annual Report

October 2010 – April  
2012



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**Fig 1 NWIFCA District showing existing and potential (MCZ) marine protected areas**

## **Section 1 - Overview**

### **Background**

1. The NWIFCA is the lead Authority for the regulation of activity in its District which extends 6 miles from the baseline of coastal waters. The Authority has duties set out in the Marine & Coastal Access Act (MACA) 2009 sections 153 to 184 to achieve the sustainable exploitation of sea fisheries and protection of the marine environment.
2. MACA sections 177-8 require each IFCA to publish by 1 April each year, an annual plan for the coming year and an annual report for the previous year as soon as possible following Defra guidance.
3. The NWIFCA has published its first and second plans for the years 2011-12 and 2012-13 on its website at <http://www.nw-ifca.gov.uk/>

### **First Annual Report coverage**

4. This first annual report covers the year 2011-12. In the absence of an earlier report, this report also makes reference to preparatory work done by the shadow NWIFCA set up on 1 September 2010. The Annual Report mirrors the Annual Plan for 2011-12 prepared by the shadow authority.

### **Purpose**

5. This annual report records achievements and progress against the objectives and priorities in the plan for 2011-12. It should inform Defra, MMO, Officers, members, wider customers, stakeholders and the general public of outcomes by 31 March 2012. It will account for how the NWIFCA budget was spent. Plans and reports will be used by Defra and NWIFCA members to measure performance, accountability and value for money.

### **Characterisation of the NWIFCA District: March 2012.**

6. The NWIFCA District is defined in SI 2200, The North Western Inshore Fisheries and Conservation Order 2010. The District extends northwards from the Welsh Border in the Dee Estuary to the Scottish Boarder in the Solway Firth. The coastline contains important large sand and mud estuaries: Solway Firth, Ribble Estuary, Mersey Estuary, Dee Estuary and Morecambe Bay. There is open rocky coastline around St Bees Head in Cumbria. A wide range of habitats and species of conservation importance are represented in the District and almost all fishing types are active to a greater or lesser extent. Shellfish, particularly cockles (*Cerastoderma edule*) mussels (*Mytilus edulis*) and prawns (*Nephrops*) are the most extensive and valuable fisheries in the District.
7. **Conservation Designations:** The District is extensively designated as marine protected areas of various types including Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites of Special Scientific Interest (SSSI). Part 5 of the MACA provides for designation of Marine Conservation Zones (MCZs). Identification of MCZ sites was commenced by Defra in 2010 and is continuing. Together with existing sites, the complete suite of designated areas is intended to form an ecologically coherent network of Marine Protected Areas in English waters.

8. 52 % of the NWIFCA District out to 6 miles and approximately 70% of the coastal length is already designated and the proportions could further increase as MCZ are designated. Examples of marine habitats of conservation importance in the NW are: reedbeds, shingle spits, saltmarsh, intertidal mud and sandflats, intertidal skears and bedrock, biogenic reefs and subtidal sandbars and skears. Fig 1 shows conservation designations in the District and proposed MCZ.
9. All IFCAs have statutory duties to seek to further the conservation objectives of MCZs. The duty applies to all IFCA functions but particularly to the duty to manage sustainably the exploitation of sea fisheries resources in an IFCA district.
10. **Commercial fishing activities** in the district are separated along geographical boundaries. In Cumbrian waters, boat fishing for Nephrops (scampi/ Dublin Bay prawn), Dover sole, brill and turbot are the most important, with plaice, cod, codling, skate (thornback ray) as subsidiary fisheries. Substantial intertidal fisheries exist for periwinkles, cockles, mussels and razor fish and there are small crab, lobster and whelk fisheries. In the southern part of the district, the once huge fin-fishery has dwindled almost to extinction. The predominant and at times highly lucrative fisheries are intertidal cockles and mussels. In addition, shrimping, bass netting and angling and trawling for plaice, dab, fluke, whitebait, mullet and codling is widely practised but on a small and declining scale.
11. The number of licensed fishing vessels in the district is available from the Marine Management Organisation (MMO) website. There were 183 vessels of 10m and over, and 88 under 10m length on 1 January 2011.
12. **Recreational fisheries:** There is significant non-commercial fishing in the District. Angling, nets and lines are set from shores and piers. Hobby fishing from boats is increasing both traditional angling but also potting for lobster, crab and whelks and various types of netting. Bait collection is common on many shores for peeler crabs, lug, rag and other worms. Razor clams and other bivalves are collected from shores on the Wirral and Sefton coastline sometimes by up to 50 fishermen on the biggest tides from a wide geographical area as far south as the midlands.

## **Section 2 - Vision, Success Criteria and High Level Objectives**

### **Evaluation and Monitoring of NWIFCA performance**

13. An IFCA evaluation and monitoring framework was set up by Defra against which the Minister may assess the detailed performance of each IFCA. The framework comprises a vision, success criteria (SC), high level objectives (HLO), desired outcomes, and performance indicators (PI). The targets set are common to all IFCA and will be used by Defra to evaluate IFCA performance.
14. **The Vision for all the IFCA set by Defra in 2009 is:** to lead, champion and manage a sustainable marine environment and inshore fisheries in its District by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry.
15. MACA requires each IFCA to report to the Secretary of State each year and for the SoS to report to Parliament every four years from the vesting date (1 April 2011) on the performance of the IFCA. The objectives and indicators set targets up to April 2015 and

the first SoS 4 year report. Describing progress and achievement against these success criteria will be the main content of the Annual Plans and Reports of the NWIFCA.

16. The NWIFCA planned its work for 2011-12 including the priorities identified below with reference to the performance indicators laid down by the Defra framework. The detailed outcomes against each objective are shown in section 4.

### **Section 3 – Challenges and Priorities for the year 2011/2012**

17. The Annual Plan for 2011 to 2012 (see website) identified the challenges that the NWIFCA expected in that year. It also set priorities aims and timescales. The main work areas in 2010-12 were:

- I. **Completing transition from legacy inshore management authorities to a new IFCA.**
- II. **Byelaw review.**
- III. **Working with Partners**
- IV. **Achieving effective compliance with shellfish regulations**
- V. **Review of sustainability of Fisheries in the District**
- VI. **Morecambe Bay Fishery Order**
- VII. **Marine protected areas and Marine conservation zones**
- VIII. **Enforcement framework and risk register**
- IX. **Communications policy and strategy**
- X. **Procurement of a new main patrol vessel for NWIFCA**
- XI. **Setting up the Association of IFCA**

### **Section 4 - Delivery Outputs Achievements**

18. Work on the priorities in section 3 is described in the following sections. This is followed by a table showing detail of progress against the Defra HLO.

#### **Establishing the NWIFCA. Lead: CEO.**

19. The NWIFCA faced unique major challenges in becoming a fully functioning Authority not reflected in other IFCA Districts. NWIFCA was formed by amalgamation of two Sea Fisheries Committees (SFC), namely the North Western SFC (NWSFC) and the Cumbria SFC (CSFC) and the large Dee estuary previously managed by the Environment Agency (EA). Integration of 2 sets of staff, equipment, offices and budgets, and 3 sets of byelaws, operational issues, priorities and a more extensive change in membership than was faced by any other IFCA was achieved in 2011-12. The area of the NWIFCA District was extended by approximately 25% compared with the SFCs by inclusion of the Dee and previously largely unmanaged Mersey Estuary.
20. **Separation of Wales in 2010 and the NWSFC:** Setting up the NWIFCA was the second major SFC reorganisation in NW England within a year. In April 2010 the then Welsh Assembly Government (WAG) took SFC duties in house assuming control of approximately half the North Western and North Wales SFC (NWNWSFC) District and assets. This action was forced through by WAG with no accommodation to the forthcoming move to IFCA in England. The absence of co-ordinated timing created additional work and costs in Defra and NW England and left a legacy of mistrust

between Welsh and English officers which continues to date. The potential for joint working, the sharing of assets, intelligence and management was set back.

21. The action by WAG required Defra to set up SI630 (2010) and SI631(2010) on 1 April 2010 the NWSFC for just 1 year pending the planned change to the NWIFCA in 2011.
22. Funding for the NWSFC was provided by continuation of the levies on the English Local Authority members as previously. Also the NWNWSFC were required by Defra to sell the main Patrol Vessel FPV "Aegis" to WAG for £145,000. Staff living and working in England were transferred to NWSFC with the assets and equipment which they held. Staff living and working in Wales were transferred to the WAG.
23. The failure to properly plan implementation of the WAG policy resulted in unbalanced organisations in both England and Wales. All the administration remained in England with no large patrol vessel and limited capacity to enforce or advance fisheries regulations for the period of the NWSFC.
24. **Establishment of the NWIFCA.** IFCA were set up under a 3 year project led by Defra under a project which concluded in March 2011. The project left guidance and recommendations for the operation of IFCA in their first 4 years of development. Defra also provided short term transitional funding and longer term new burdens funding for the first 4 years.
25. A shadow NWIFCA was set up on 1 October 2010 so that preparation for the full Authority would be done while the SFC work was brought to a planned conclusion. Members were appointed on merit following a transparent application and interview procedure commissioned by the MMO.
26. At the first meeting of the 'shadow' NWIFCA on 2 November 2010. Chairman Councillor Tom Glover OBE (Sefton Council) and Vice Chairman Councillor Tony Markley (Cumbria County Council) were appointed
27. Standing sub-committees were set up comprising a 'Finance SC' to implement financial regulations; a 'Chairman's SC to consider sensitive matters as they arise and a Technical Science and Byelaw SC (TSB) to facilitate detailed discussions and policy development on matters in these categories.
28. The first NWIFCA Annual Plan and the first Science plan for 2011-12 were presented to the shadow NWIFCA and approved following amendment at the first full NWIFCA meeting in May 2011.
29. **Draft Standing Orders and Financial Regulations** were approved by the Shadow Authority on 8 February 2011.
30. **Integration of staff and extension of the District.** 2 sets of terms and conditions including salary and benefit packages were merged with the agreement of staff despite substantial changes in many Officer's roles and responsibilities. Officers were trained where necessary for new roles. They required full understanding of all the Byelaws which now apply in the NWIFCA District and to understand the issues and priorities of the new areas. All NWIFCA Officers should be commended for their adaptability and willingness to take on the challenges of the transition from the NWNWSFC to the NWSFC in 2010 and then to the NWIFCA in 2011.

31. NWIFCOs immediately had to start patrols and become familiar with the fisheries, conservation issues and other activities in the Mersey and Dee Estuaries. To progress this, a new IFCO was appointed in the Liverpool area in October 2010.
32. Work was started on the major task of integrating and combining the Health and Safety policies of the two SFC. A first draft policy and procedures manual was agreed at the 30 September 2011 meeting.
33. A staff management system was designed and implementation commenced. Officers were supported in the development of new job plans in March – April 2011. Plans were drafted in collaboration with line managers. Officers received job and training reviews in November 2011.

**Byelaw review. Lead: Enforcement Director and Senior IFCO S. Brown**

34. DEFRA set an HLO for IFCA is to review all legacy byelaws by 2015 and consulted on new Byelaw guidance in 2010. A completed guidance package was published in 2011.
35. The byelaw review is more complex for the NWIFCA than for any other IFCA because 3 sets of byelaws must be amalgamated. These are NWSFC, Cumbria SFC and EA (and preceding bodies) byelaws for the Dee Estuary.
36. In 2011-12, the NWIFCA started reviewing byelaws by comparing the inherited regulatory regimes. All byelaws in force were identified and documented before work commenced to match regulations and design a new and comprehensive package of measures to suit the range of enforcement issues in the whole District. In planning the process of reviewing, combining remaking, updating and combining these byelaw sets, the NWIFCA wished to make use of the new powers granted by MACA.
37. The first new IFCA Byelaws drafted were Byelaw 1 (Scientific activity dispensation), Byelaw 2 (Vessel length limits for the District) and Byelaw 3 Cockle and mussel permit scheme. These byelaws were first considered at the June 2011 TSB. Byelaws 1 and 2 have not yet been finalised.
38. **Renewal of NWSFC Byelaw 5:** Replacing the Cockle and Mussel permit scheme was an urgent priority. When made in 2009, it was limited by Defra to 2 years and scheduled to expire on 31 August 2011. This byelaw was essential to the management of cockles and mussels in the NWSFC District but could not be remade during 2009-10 when a moratorium on byelaw making was imposed while IFCA were being set up. Therefore Byelaw 5 had to be remade quickly so that it could take effect on 1 September 2011. To simplify the process, it was remade with no change to the area of coverage (the NWSFC area) or the provisions so it was less than satisfactory. However, the remake was completed successfully for a further 2 year period to 31 August 2013.
39. **Byelaw 3:** Planning a new cockle and mussel permit scheme (Byelaw 3) immediately commenced. This built on the successful elements of Byelaw 5 but proposed using the new powers available to IFCA. Byelaw 3 was designed to update and integrate all the main cockle and mussel regulations and extend throughout the NWIFCA District.
40. **Heysham Bass Nursery Area (HBNA) Byelaw.** The NWSFC wished to improve protection for the HBNA in Morecambe Bay. The HBNA set up under the Bass Orders 1990 and 1999, prohibited commercial fishing for Bass from boats in the designated area but did not restrict recreational fishing from the shore or from boats and is widely

considered to be inequitable. Extensive recreational fishing in the area resulted in heavy discarding of undersize fish if officers were present and was believed to lead to illegal landing and sale of undersize Bass in an area where enforcement is complex and difficult. The new byelaw will be in force in 2013 and will prohibit all fishing from both shore and boat in the HBNA thus protecting undersize Bass and it will also facilitate more effective enforcement of the closed area.

#### **Working with partners. Lead: CEO**

41. Defra have oversight of IFCA. The Department set the framework for IFCA duties in the MACA and in the guidance published at the end of the IFCA implementation project in April 2011. IFCA have an HLO to maintain Memoranda of Understanding (MOU) with the Marine Management Organisation (MMO), Environment Agency (EA), Natural England (NE) and Centre for Environment, Fisheries and Aquaculture Science (CEFAS). Draft national agreements were received at the 2 November 2010 shadow NWIFCA meeting.
42. The MOU with NE, EA and MMO were used as a basis for collaboration on the 2011-12 NWIFCA Annual plan. Partners were invited to include their objectives for IFCA so that a single plan included the aspirations of all 4 agencies. This proved to be an effective and efficient way of setting priorities.
43. CEO attended an England wide joint enforcement Committee set up in 2011-12 by IFCA and MMO. A NW regional enforcement Committee was set up by NWSFC and MFA in 2009. There were no meetings in 2011-12.
44. Other partner bodies are critical to the delivery of IFCA objectives. These include Councils, Environmental Health Services (EHS), the Food Standards Agency (FSA) and the Gangmaster Licensing Authority (GLA).
45. Multi-agency committees were set up to manage major cockle fisheries in Morecambe Bay, North Ribble, South Ribble and Wirral areas. Key partners include Police, GLA, Coastguard, (MCA), VOSA, Border Force, HMRC, DWP, EHS.
46. The NWIFCA CEO is a Director of the North West Coastal Forum. NWIFCA supports European Marine Site (EMS) management committees such as Morecambe Bay Partnership, Solway Firth Partnership) and other informal coastal fora.

#### **Improving compliance with shellfish regulations. Lead: CEO & Enforcement Director.**

47. Cockle and Mussel fisheries are linked to a history of non-compliance with regulations so improving compliance is a high priority in this District. The huge and notorious cockle fishery in Morecambe Bay from 2002-7 and the drowning tragedy of 23 Chinese led NWNWSFC to introduce Byelaw 5 in 2007 with the aim of reducing numbers of cockle fishermen and more effectively enforcing regulations. This Byelaw was successful in reducing the number of permit holders to some extent but did not provide for adequate enforcement. There was a substantial cockle fishery on the Wirral in 2009-10 when up to 500 fishermen per day attended, many without permits revealing significant enforcement weaknesses in Byelaw 5.
48. Emerging cockle beds on the Ribble estuary were first observed in early 2011 Full surveys in April July showed dense but mostly undersize stock accessible from Marshside on the Sefton coast. During July and August multi-agency Committees were

convened in Sefton (Southport) and Fylde (Lytham St Annes) to manage and regulate the fishery although a significant fishery from the northern (Flyde) side was not expected. Management plans were compiled by both Councils with NWIFCA advice.

49. The fishery opened on 1 September operating from the Sefton coast. The NWIFCA deployed a strong enforcement operation which was largely effective. Less than 1% of the more than 300 fishermen did not have permits and IFCOs returned large quantities of undersize cockles were returned to the beach.
50. However, after less than a week, the fishery moved to the northern side of the estuary using small boats from Lytham to access an offshore stock on the Foulnaze Bank in the outer Estuary. Foulnaze Bank proved vastly more profitable with a higher proportion of sized cockles.
51. Boat use was unregulated and resulted in unsafe working. The frequency of calls to emergency services, (Coastguard and the RNLI) attracted national media attention. Vessels were often unsuitable, overloaded and ill-equipped and many fishermen did not have the knowledge, experience or necessary training to conduct the fishery safely. The NWIFCA was largely unprepared for a boat based fishery and lacked statutory powers to require safe working in boats.
52. In fact over 30 calls were made to the emergency services over 2 months. The fishery attracted increasing media and political attention so that on 7 November, the NWIFCA used emergency byelaw powers to close the fishery to protect the safety of fishermen.
53. The NWIFCA recognises the assistance from other agencies in developing and implementing regulations to deal with the Ribble fisheries, principally Mersey Port Health Authority (MPHA), the Gangmaster Licensing Authority (GLA) and the Coastguard (MCGA) Local Authorities (Fylde and Sefton) and the Police. MPHA introduced procedures to improve compliance with the requirement for all batches of cockles to be accompanied by EHS Registration documents.
54. After the closure, and a few poaching attempts, the fishery remained closed throughout winter 2011-12 and did not reopen until summer 2012.

#### **Review of sustainability of District Fisheries. Lead: Science team**

55. Various initiatives were considered to make progress with this important objective. Officers and members recognised that some external funding would be required. Funding bids were made to the Co-op for local funding in NW England and to the European Fisheries fund for a project initiated by IFCA and the Shellfish Association to review English inshore fisheries against the Marine Stewardship Council criteria. The project will go ahead in 2012-13 and should give significant progress with the IFCA objective.
56. In March 2011, the NWIFCA adopted a set of principles for sustainable management of inshore fisheries.
57. Defra began a project on inshore fisheries management with ideas for community quotas. Officers attended meetings and provided data set on the numbers of vessels in the District and fishing activity. This project now appears to have been shelved. The general view across the IFCA is that UK policy should move away from the framework of

quotas as set out in the CFP and find more locally targeted measures designed to suit each fishery in each area. However, this approach is unlikely to be adopted while the UK Government remains unwilling or unable to challenge the CFP.

58. The option of extending IFCA jurisdiction to 12 miles was again raised with Defra as a means of increasing sustainability through local management but no willingness to develop this policy was identified.

**Morecambe Bay Fishery Order. Lead: Morecambe Bay Fishery Order Officer.**

59. The NWIFCA agreed to continue the NWSFC aim of establishing a Morecambe Bay Fishery Order on 8 February 2011 and a complete application was submitted to Defra on 9 September 2011. More information is provided in the science report.

**Marine Protected Areas and Marine Conservation Zones (MCZ). Lead: CEO, Enforcement Director and Science group.**

60. Consultation by Natural England on the Shell Flats and Lune Deep SAC and the Liverpool Bay SPA took place in 2011. NE presented the sites to the TSB on 6 April 2011. NWIFCA has acquired in its Geographical Information System, all the boundaries of all the MPA and potential MPA in the District.
61. The Irish Sea Conservation Zones (ISCZ) project was set up in 2010 following the enabling legislation for MCZ in the Marine Act. The Cumbria SFC Chief Officer represented both SFC and later the NWIFCA on the project. The NWIFCA TSB had a first presentation on the work at its 6 April 2011 meeting following publication of the 3<sup>rd</sup> iteration of sites and the NWIFCA continued to provide advice and data to the ISCZ throughout the site selection and impact assessment processes. The suite of proposed sites was submitted to the UK Government in summer 2011. NWIFCA provided advice on the enforcement challenges and regulations which could be required in June 2011.
62. Throughout the ISCZ project, the NWIFCA was concerned about the site selection process. The membership of the committee selecting the sites was not representative of NW marine interests. Site selection appeared to take no proper account of the most important features which needed protection. Sites seemed to be selected according to which interest group made the strongest representation and without scientific evidence or justification. The NWIFCA considered that attempts to identify an ecologically coherent network in less than half of the Irish Sea (40% by area) and without collaboration of other jurisdictions around the Irish Sea would be futile and would not provide adequate or worthwhile protection for this most important regional sea. On top of the existing very extensive network of EMS and the sea area taken by windfarms, the NWIFCA felt that extent of the area becoming protected was too great and that the MCZ areas would only further damage the potentially valuable but greatly weakened fishing industry of NW England.

**Enforcement framework and risk register. Lead: CEO**

63. An HLO requires each IFCA to have an Enforcement framework and risk register in place. A first draft was approved by the TSB at the 21 June 2011 meeting. This document provided a first draft to policy and framework for enforcement duties by the NWIFCA.

**Communications and publicity. Lead: Science and Communications officer.**

64. The first draft of a communications and engagement strategy was received by the TSB in October 2011. A dedicated communications officer was appointed to the NWIFCA in February 2012
65. The NWIFCA has a responsibility to communicate effectively with members, Officers and externally with partner bodies. Stakeholders across the scope of the IFCA remit and the general public also require targeted information from time to time and the NWIFCA has a responsibility to inform those who need to know and those who are interested about our work, policies and the regulations we implement. An outline **Communications and Engagement Strategy** was prepared in 2011 and finalised in 2012. This is available from the NWIFCA and on the website.
66. A new website was established as a priority in April 2011 at [www.nw-ifca.gov.uk](http://www.nw-ifca.gov.uk). News is reported in press releases, put on the website and sent out to the print and audio visual media throughout the District.
67. The website provides publically available current information about the NWIFCA work. It contains meeting dates, agendas, reports and minutes of the NWIFCA meetings. Also annual plans, and science plans NWIFCA membership and a range of policies and procedures for example:
  - I. Compliance and Enforcement Strategy with Code of Conduct (applying the Regulators' Compliance Code for inspections both ashore and at sea),
  - II. Communication and Engagement Strategy
  - III. Risk Management Strategy
  - IV. Freedom of Information Act Publication Scheme,
  - V. Customer Charter and Service Standards including complaints procedures.
  - VI. Accessibility policy
  - VII. Privacy Policy
68. Some application forms are downloadable and this provision will be developed further in 2012-13. The website will be developed as part of the implementation of a communications plan for promotion of the work of the Authority.

**Procurement of a new patrol vessel. Lead: Enforcement Director.**

69. Part of Defra transitional funding was allocated to the early stages of planning a new main patrol vessel in Autumn 2011. Marine architects from Seafish were commissioned to prepare designs to meet the outline specification developed by NWSFC and CSFC officers. In 2012, the designs were finalised and put out to tender giving quotes in the region of £2.5M. The next stage in the procurement is to seek funding for the vessel. NWIFCA Council members will be approached for their views on financing the vessel.
70. The requirement for a new patrol vessel arises from the age (23 years) and condition of FPV Solway Protector. Running and maintenance costs are increasing year by year. With a single hull and 16m length she is too small to adequately enforce fisheries regulations in the NWIFCA District. She is unable to be at sea in the severe weather in which modern fishing vessels can operate.

**Association of IFCA. Lead: CEO.**

71. The CEO took the role of secretary and organiser to the Committee developing an AIFCA in 2011 and provided much of the impetus to get the AIFCA off the ground. There was some resistance from other IFCA despite the provision for an AIFCA in the Defra 'New Burdens' funding. The CEO organised and implemented the appointment of the new AIFCA CEO, Dr Stephen Bolt in August 2011 He also assisted with the setting up of the AIFCA company and early meetings of the Directors. The task of running the AIFCA was handed over to Dr Bolt in full by early 2012.
72. The CEO continues as secretary to the Chief Officers Group (COG) which meets quarterly. Science officers attended 2 IFCA Technical Advisory Group (TAG) meetings during the year.

**Defra high level objectives work programme**

73. The NWIFCA work plan at Annex C was structured around the Defra monitoring framework. Officers drafted working level objectives tasks and timescales covering all the main areas of work of the Authority.
74. Table 1 below sets out for each objective the progress was made up to March 2012:

<b>Success Criterion</b>	<b>HLO No.</b>	<b>Working Level Objective</b>	<b>Progress in Achievement of Objective</b>
1. The NWIFCA has sound governance and staff are motivated and respected	1a	i) NWIFCA to agree progress towards compiling the content and format of draft First Annual Plan ii) Comment on first draft iii) Approve final draft iv) review and assess progress of work re. First Annual Plan	The first Annual Plan was completed successfully on time and circulated to staff for comment. It was approved by the NWIFCA and then kept under regular review and was subject to a number of updates. An extensive review and update process occurred in September 2011 at the 6 month interval.
	1a	Second Annual Plan published	The Second Annual Plan was drafted for March 2011 meeting and was approved.
	1a	Develop and implement systems to ensure that all data required for Annual Reports are collected	NWIFCA has set up procedures to record data on members attendance and changes, progress against annual plans, financial audit data, enforcement cases and work done by officers.
	1c	Draft and agree with NWIFCA committee a Risk Management Strategy and Strategic and Operational Risk Registers	A Risk Management Strategy has been prepared, approved and implemented. This is available from the offices of the NWIFCA.
	1d	Development of staff management system	A staff management system has been planned and is being implemented.
	1d	Testing staff management system	The system will be tested when it has been fully established.
	1d	Approval and implementation of staff management system	This has commenced but approval must await completion of at least 1 full cycle.
	1d	Revise NWIFCA Health and Safety Policy and ensure all staff are effectively trained	A new Health and Safety Policy has been approved and implemented. Staff are trained as part of their induction and updated on changes as they arise. An audit of training relevant to H&S is maintained

	1e	Conduct gap analysis and develop people capability strategy	An audit of skills and experience held by Officers is maintained. Gaps are addressed through recruitment and training.
	1e	Work with partners to establish cross-organisation of training opportunities	NWIFCA supported development of new IFCO training courses by MMO including on Technical conservation and Legislation. Some NWIFCOs attended these courses in 2011-12.
	1f	Identify training needs of members	Members have been invited to submit any training needs they consider to be required. No budget has yet been established for this objective.
	1f	Development and implementation of systems that enable staff & members to contribute to policy	Staff and members are consulted on all policy developments at and between quarterly meetings. Email is used to facilitate quick comments and contributions.
2. Evidence based byelaws are used to manage sustainable exploitation.	2a	Establish Byelaw Sub-Committee to convene as and when necessary	A Technical Science and Byelaw Sub-Committee was set up and meets quarterly at minimum.
	2a	All byelaws made meet the requirements of Defra guidance	Byelaws are in the process of being reviewed and updated and all those currently in force meet DEFRA guidance. Top byelaw priority for 2011-12 was to remake Byelaw 5.
	2a	Initiate a district-wide assessment of the effort level of recreational fishing (including bait-digging)	In Autumn 2011, NWIFCA agreed to support and deliver the CEFAS seangling data collection project. Officers on patrol record bait digging and recreational fishing
	2b	Categorise and prioritise byelaws as part of continuing review. Identify overlaps with other enforcement agencies. Seek approval from committee on progress at quarterly meetings	The Byelaw review process commenced in 2011. All 3 sets of legacy byelaws (NWSFC, CSFC, EA) were identified. A plan for new replacement NWIFCA District wide byelaws was drafted. 4 new byelaws were drafted and approved by NWIFCA. Work commenced on new byelaws for the Heysham Bass Nursery Area and for a new cockle and mussel permit scheme. Byelaw progress is on the agenda of all quarterly and TSB meetings.
	2b	Obtain legislation for managing cockle and mussel fishery eg. MBFO and replacement for Byelaw 5 permit scheme	A replacement for Byelaw 5 has been drafted and approved by the NWIFCA and is being sent for consideration by the Secretary of State.
	2b	Review and if necessary replace Byelaw 26 - Fixed Engines byelaw	This was done for NWIFCA in 2011 in collaboration with EA.
	3. A fair, effective and proportionate enforcement regime in place	3a	Establish with partners a Joint Enforcement Meeting and formalise local enforcement plans
3a		Develop enforcement framework which meets Regulators' Compliance Code	The NWIFCA drafted in 2011 and implemented an enforcement framework which meets DEFRA and Regulator' Compliance Code standards.

	3a	Draft and agree with NWIFCA an Risk Register	The NWIFCA has incorporated risk based enforcement strategies into its Enforcement Framework. A risk register for NWIFCA was drafted in 2011.
	3b	Comply with the Regulators' Compliance Code and publish it on NWIFCA website	The NWIFCA enforcement strategy meets requirements of the Regulators' Compliance Code and the Hampton Principles and is published on the NWIFCA website.
	3b	Ensure all officers are trained in the enforcement framework	Officers are trained at induction to carry out enforcement compliant with the NWIFCA strategy. Officers attend the annual national IFCO training course and further training developed in collaboration with MMO.
	3b	Develop SLA with MMO, NE,EA to provide standardised enforcement training inc. secondments	No formal agreements required. Standardised training with MMO is underway. With EA and NE awaits national agreements no local requirements have been identified.
4. NWIFCA works in partnership with stakeholders	4a	Demonstrate that MoUs with key partners are being utilised	Partners are engaged in annual work planning
	4a	SLAs with key partners (if required) are agreed and adopted	No requirements yet identified.
	4a	Identify and discuss with lead local authority requirement for SLA	No formal requirements for agreements have been identified. A high volume of joint working with LAs continues without formal agreements
	4a	Review of MoUs and SLAs (if required)	MOUs with NE, EA, MMO & Cefas will be reviewed in 2012-13
	4b	Update database of stakeholders	NWIFCA stakeholder database reconstructed in 2011 and updated daily as required
	4b	Review contacts list	Contacts lists under constant review
	4b	Develop mechanism for sharing contacts lists and stakeholder databases with partners	Agreements are in place to share lists of permit holders with specific partner bodies to assist joint and collaborative enforcement.
	4b	Stakeholder engagement strategy developed in co-ordination with partner agencies subject to available resources	First draft completed in 2011 by science group. Further development awaits appointment of a communications officer.
	4b	Publication of a quarterly newsletter (Also HLO 6b & 7b)	First draft of a newsletter prepared in 2011-12 but not published. Further development awaits appointment of a communications officer.
	4b	New website created with links to partners websites. Review and update monthly (Also HLO 6b & 7b)	New website commissioned and set up in 2011. Reports, data, news added as material becomes available
	4b	Publish full Freedom of Information scheme. Also HLO 5a,b,d.	Model Publication Scheme of the Office of the Information Commissioner adopted with guide to the information available.
5. The NWIFCA makes the best use of evidence to deliver its objectives	5a	Put procedures, plans and appropriate records systems in place that demonstrate that the best available, quality-assured evidence is used appropriately in decision-making at all levels	NWIFCA policies and decisions are supported by documented reports using available evidence. New Byelaws are accompanied by RIA statements as required by Defra byelaw guidance.
	5a	Research plan which includes	2011-12 research plan with partner links was

		links to partners' work is published	approved by NWIFCA and published on website
	5a	2011-12 research report published.	To be completed in 2012-13. Section ?? this report.
	5b	As part of MoUs, develop and agree action plan with partners for sharing key, mutually-beneficial information in standardised format	Data is shared and exchanged with partners as required. This HLO requires agreement as to the need with partners. To date no action plan has proved necessary with partners and will not be developed unless a need arises.
	5b	As part of MoUs, develop and agree action plan with partners for sharing tasks and evidence gathering	This HLO requires agreement with partners. Task sharing and evidence gathering jointly with partners takes place case by case as required. No action plan is required and will not be developed unless a need arises.
	5b	NWIFCA representative to proactively be involved in relevant evidence networks	NWIFCA is represented on relevant networks within and beyond the District, the most important being the IFCA TAG.
	5c	Publish annual plans and reports, including research plans and reports, on NWIFCA and TAG websites	Plans published on NWIFCA website and reported to TAG.
6. The NWIFCA supports and promotes the sustainable management of the marine environment	6a, 6c & 1c	Start review fisheries and a sustainable management plan for North West England seas by: i) Identifying with partners each agencies roles & duties, at local and national level; ii) Identifying where there are shared objectives and overlapping responsibilities in managing the marine environment with partner organisations and how these impact on NWIFCA's objectives; iii) State shared objectives in Annual Plan iv) Ensuring that the objectives of the Water Framework and the Marine Strategy Framework Directives are delivered.	Considerable planning was dedicatd to this review in 2011-12. A range of options were considered. In house capacity was lacking. External support required. Project Inshore became the best and most practical solution to obtain initial assessments but did not get funding agreement in 2011-12. Partners interests in the review were established. Support for delivery of EMS, MCZ, WFD and MSFD were identified as key benefits of the review. Shared objective identified in the 2011-12 annual plan
	6b	Progress is seen to be made in developing and implementing Joint Communications Plan with coastal communities	Ist draft communications strategy approved by NWIFCA in October 2011.
	6c	The impact of the Marine Policy Statement and the process of marine planning on the NWIFCA's work are assessed and addressed annually	Marine Policy statement is addressed through working towards High level objectives and performance indicators
	6d	Demonstrate progress in adoption of minimum standards and precautionary approach for the management and protection of sites of special scientific interest, national nature reserves, Ramsar sites, European marine sites, and/or Marine Conservation Zones within the NWIFC district	All new activities on protected sites are subject to Habitats Regulations Assessment and Appropriate Assessments as required.

	6d	Appoint representation on relevant management boards/steering groups for marine protected areas	NWIFCA are represented on all site management committees in the District
	6d	Demonstrate progress on the delivery of the principles outlined in Government guidance on sustainable development	Sustainability of fisheries is an HLO for NWIFCA. Progress is reported in other sections.
7. IFCA are recognised and heard	7a	SLAs with Local and Central Government and key partner organisations at a national level (if required) are agreed and adopted	Agreements in place to jointly regulate shellfisheries, share intelligence and permit holder data.
	7a	MoUs with key partners reviewed	MOU with NE, MMO, EA Cefas agreed
	7b	NWIFCA staff fully trained to promote the aims and objectives of the authority	Achieved through induction programmes and staff meetings
	7b	Include suitable measures in staff management systems to measure the standard of behaviour toward, and interaction with, stakeholders, general public and officers/staff of partner organisations	Part of the Communications strategy.
		Contribute to the development of a national framework for monitoring and evaluation	Not yet been initiated
		Conduct inventory of all assets and equipment	Completed

## Science research and survey 2010-12

75. The first IFCA Science year was busy. The merger of NWSFC with CSFC besides additional responsibilities to the tidal limit created new areas of work. The science work programme for 2011-12 is on the website.
76. Retirement of the NWIFCA Senior Scientist in May 2011 left a big gap in the skills and experience of the science group. However Defra transitional and new burdens funding allowed the recruitment of an additional post..
77. **The hybrid fishery order for bivalve shellfish in Morecambe Bay and the Duddon Estuary (MBFO):** The application for this Order was submitted to Defra in 2011 after 4 years preparation. Statutory consultation responses received from Government Departments were supportive. We now await the drawing up of the Statutory Instrument and formal consultation period, and anticipate that any major areas of contention have already been settled during the drafting and re-drafting stages. There is enormous support for a Fishery Order for Morecambe Bay from all sectors. It is hoped that once in place, not only will it provide an invaluable legislative tool to manage the fisheries in the Bay much more effectively than previously, thus freeing up Officer time and providing resources to increase the scientific work carried out in the Bay, but that the Order may also provide a blueprint for other shellfish fisheries in the District for the future.
78. **Morecambe Bay Seed mussel fishery:** The assessment of risk posed by this fishery to the eider duck population was elevated from low to medium by NE. NWIFCA, NE and RSPB assessed bird numbers using FPV Solway Protector, foot surveys and counts in areas where the birds were known to feed. Factors other than mussel harvesting were

potential causes of declines in eider numbers leading to a recommendation that the risk be returned to low. NWIFCA is committed to putting environmental responsibilities at the heart of decision making however, it will also seek to ensure that when available evidence suggests that impacts are caused by activities other than fisheries this is included in risk assessments.

79. **Sea Angling Survey:** The impact of recreational angling on inshore fishery stocks requires national assessment and management. Cefas instigated a national survey in 2011 to be delivered by IFCA doing shore based interviews in their Districts. Using the Cefas specification, Science Group designed and will carry out the surveys from January 2012 for one year. Data will be returned to Cefas and the results should provide a comprehensive assessment of sea angling for future management. Data should also contribute to the Sustainable Fisheries Review.
80. **Consultations:** The proliferation of renewable energy and other developments in the Irish Sea, significantly increased the number of unplanned consultation responses required in 2011-12 compared with previous years. The main ones were:
- I. Walney windfarm extension and export cable routing
  - II. Burbo Bank windfarm extension and export cable routing
  - III. Roosecote biomass station – request for data on habitats and fisheries.
  - IV. Halite gas storage proposal at Preesall
81. **Shellfish surveys:** The on-going work of shellfish stock assessments dominates the year. The science team undertake fieldwork and data analysis mostly from cockle and mussel surveys, they are also the lead officers for:
- I. undertaking appropriate assessments for fisheries on European Marine Sites
  - II. drawing up operational management plans for fisheries,
  - III. working with Local Authorities, Police, Gangmasters Licensing Authority, Maritime & Coastguard Agency, MMO, Natural England amongst others;
  - IV. providing advice to NWIFCA on management measures for each fishery;
  - V. providing technical advice to TSB, on fisheries management;
  - VI. conducting consultation and dialogue with the fishing industry.
82. Following the cockle fishery on the Wirral in 2010 and early reports from IFCOs of good stocks on the Southport beds in 2011, an early assessment of stocks on all the intertidal cockle beds around the Ribble was done. By March multi-agency meetings were drafting an operational plan for the end of the seasonal closure on 1 September.
83. The existence of cockles on Foulnaze Bank was not discovered until late August 2011, just prior to the fishery opening and created complex survey problems. Access to this area was not possible over land and giving the science group access with transport on the bed to cover the large cockle area was a challenge. Various options were tested including use of the NWIFCA inshore patrol craft, hover craft hire, and hire of commercial fishing vessels. All these had benefits and difficulties.
84. At short notice quick surveys were undertaken on 31 August and again on 15 September. They showed a substantial stock and a higher proportion of sized cockles compared with the more inshore areas of the Ribble. Fishermen were also aware of the Foulnaze Bank and the surveys gave only a few days warning of the commercial interest this area would attract. Officers were unprepared for almost the entire Ribble cockle

fishery of several hundred fishermen transferring from the Sefton Coast to Foulnaze Bank in early September. The industry suddenly acquired over 100 small craft and all 300 fishermen commenced accessing Foulnaze Bank from a slipway at Seafield Road in Lytham. This caused serious social impact and nuisance. Local people were disturbed by noise day and night as the boats were taken onto the shore at Lytham and launched, roads were blocked with traffic, waste and cockle sacks littered the fore shore.

85. Following closure of the fishery on 7 November using IFCA Emergency Byelaw powers on safety grounds, a further survey was carried out on 22 November with a view to re-opening the Foulnaze Bank immediately. However, safety concerns remained unresolved and the area remained closed to cockle fishing until August 2012.
86. **West Kirby, Dee Estuary mussels.** In November industry requested NWIFCA to authorise this fishery. Approval required a complex process:
- I. assessment of the stock,
  - II. consultation with fishermen,
  - III. assessment of likely significant effect on the Dee Estuary European Marine Site and in particular bird species,
  - IV. surveys for the non-native invasive species *Eriocheir sinensis* (Chinese Mitten Crab),
  - V. work with the local authority in drawing up an operational plan, and
  - VI. the devising of a permit scheme to authorise undersize mussel which included certain conditions around Safety at Sea training.
  - VII. The fishery was authorised around the seasonal risks of spreading Chinese Mitten Crab and disturbance to bird feeding from 16<sup>th</sup> January to 29<sup>th</sup> February 2012.
87. Unfortunately due to market influences, despite all the work that went into the permit scheme few fishermen worked the bed during this period. Subsequent requests to extend the permit scheme resulted in more officer time repeating some of the above.
88. **Aquaculture and stock enhancement:** The Science group are committed to encouraging research into this area. There were two new initiatives in 2011-12 supervised by the TSB. Firstly a mussel relaying trial in the Walney Channel with ongoing monitoring. Secondly a cockle transplantation trial in the North Ribble estuary. The aim for future years is to develop this trial into an established methodology that can be adapted to other cockle beds when stocks allow to enhance sustainable exploitation.
89. **Review of sustainability:** To progress this HLO the Science group adapted a set of 'Sustainability Principles' from the Marine Stewardship Council which the NWIFCA adopted. Various attempts were made to access funding to progress this review and are ongoing.

## **Section 5 –Priorities for 2012 – 2013**

90. **Byelaw review:** In 2012-13, a new permit scheme Byelaw 3 building on Byelaw 5 and using the new powers available to IFCA is planned. Byelaw 3 will include remaking other byelaw regulations for cockle and mussel fisheries in the District. Other new and replacement byelaws planned for 2012 and beyond include a new byelaw to prohibit all

fishing in the Bass nursery area at Heysham. A replacement for Byelaw 1 (Scientific activity), Byelaw 2 (Vessel length limits for the District) and new byelaws covering fishing with nets are the next priorities.

91. **Achieving effective compliance with shellfish regulations.** Experience with the Wirral and Ribble fisheries in 2010-2012 has shown that stronger regulations are required covering issues such as fishing in closed areas, fishing in closed seasons, fishing without permits, failure to carry shellfish registration documents, unsafe fishing and a lack of transparency over virtually all aspects of how the industry operates and is managed. The NWIFCA will work with other agencies with the shared aim of improving many aspects of the management of these fisheries in 2012-13.
92. **Review of sustainability of Fisheries in the District:** This is an objective set by Defra for all IFCA. Both the above challenges will contribute to achieving this objective. In addition there is support from all the agencies represented on the NWIFCA: NE, EA and MMO and the TSB sub-committee is responsible for the review. The outcome of a national level bid for funding under the heading 'Project inshore' is awaited and resources are being investigated locally. A provisional list of fisheries in the District has been prepared.
93. **Hybrid Fishery Order for shellfisheries in Morecambe Bay and the Duddon Estuary:** The application for this Order is now with Defra after over 4 years work. Defra lawyers will draft the order for public consultation. The Order will grant the NWIFCA authority to operate a regulated or licensed fishery. This should enable better control of fishing effort and a better balance in the interests of stakeholders. The objective is to develop a modern, professional and sustainable molluscan bivalve fishery. The Order will also contain provision for Several Areas within the area of the Order. Several Areas would be leased to operators for shellfish culture.
94. **Marine Protected Areas (MPA) and MCZ:** The NWIFCA faces an increasing challenge to protect and balance interests in rapidly increasing MPA. In 2012-13, management of new SAC, SPA and Ramsar sites will become a priority together with more stringent management of existing EMS.
95. A consultation on proposed MCZ is expected in 2012 following decisions by Defra on sites the Government wishes to be designated. The NWIFCA will work to ensure that there is an agreed balance between the conservation objectives of the sites and the socio-economic impacts on the fishing industry. Depending on progress with designation, the NWIFCA may have a developing role in bringing in management measures (byelaws or other agreements) in 2012-13.
96. **Compiling a funding package for a new patrol vessel.** The NWIFCA has agreed that a new vessel is required. Planning and Design has been done and quotations received. The challenge in 2012 will be to obtain commitments to funding a new vessel.

## **Section 6 - Risk Management Strategy**

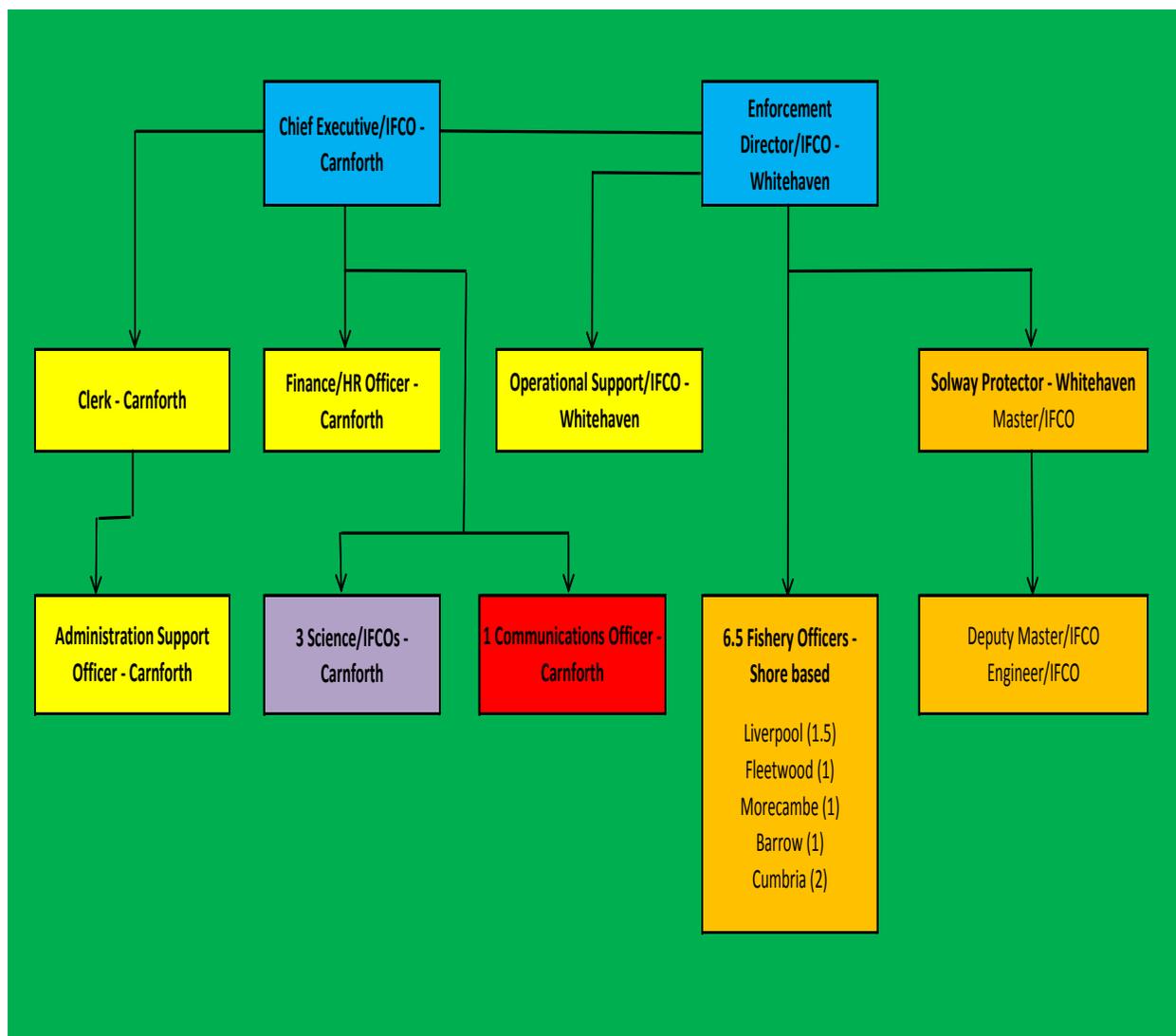
### **Risk Assessment and Mitigation**

97. Like all organisations, the NWIFCA faces the potential for events and consequences that may either be opportunities for benefit or threats to success. This potential has become known as risk. Management of risk is increasingly considered to be a part of

management of an organisation. The NWIFCA recognises its responsibility to assess possible risks to its Officers and Operations from unforeseen events.

98. Risk management is the process whereby the Authority methodically addresses the risk associated with what it does and the services which they provide. The focus of good risk management is to identify what can go wrong and take proportionate steps to avoid this or successfully manage the consequences. The importance of looking afresh at risk comes in the wake of a more demanding society and more challenge when things go wrong
99. The NWIFCA risk management strategy was drafted and implemented in 2011/12 and is now available from the NWIFCA office and on the website. This strategy was reviewed in March 2012 and will be reviewed next in March 2013.

## **Section 7 – Personnel and Staff Management**



**Fig 2: NWIFCA posts and line management**

100. The NWIFCA has 19.5 full time equivalent staff as shown in fig 2:
- i. 8 are based in the Carnforth Office: CEO, Finance officer, Clerk, 4 Science group, Administrative support Officer
  - ii. 7 are based in the Whitehaven Office: Enforcement Director, Operational support Officer 3 IFCO & Crew of FPV "Solway Protector" (Master, Deputy master, Engineer) 2 \*Shore based IFCO
  - iii. 4 Home/ Locally based shore based Inshore Fisheries and Conservation Officers (IFCO)s and 4.5 shore based IFCOs: 1.5 cover Mersey and Dee, 1 covering Sefton and Fylde, 1 for southern side of Morecambe Bay, 1 for North Morecambe bay and south Cumbria.
101. Officer Roles in summary are as follows:
- I. **Chief Executive Officer/IFCO:** Has overall responsibility for the Authority and is the accountable officer. Responsible for Carnforth Office. Reports to Authority Chairman
  - II. **Enforcement Director/IFCO** (Whitehaven) – Management of the Authority's operational and enforcement programme planning, staff, equipment and resources. Responsible for Whitehaven Office. Reports to CEO.
  - III. **Operational support /IFCO** (Whitehaven) – Responsible for Whitehaven Office, Administrative support to Enforcement Director, NWIFCA Health and Safety policy development and implementation, IFCO work recording, MCSS data entry, Training programmes, Procurement of IFCO equipment, Asset and equipment inventory, European funding bids. Reports to Enforcement Director.
  - IV. **Finance and Human resources Director** (Carnforth) – Financial procedures and audit, budget planning, monitoring, reporting payments and invoicing. Staff contracts, recruitment, terms and conditions. Reports to CEO.
  - V. **Clerk and Office Manager** (Carnforth) - Responsible for servicing the NWIFCA committees, meetings, report production minutes, Byelaw advertising and confirmation, issue of byelaw authorisations and permits, contact database, Carnforth Office management. Reports to CEO
  - VI. **Administrative Support Officer** (Carnforth) Receiving public inquiries, record keeping, day to day communications, filing, ordering, postage, copying, receptionist. Reports to Clerk.
  - VII. **Master "Solway Protector" and Deputy Enforcement Director/IFCO** (Whitehaven) - Operational planning, management and safe working of the Authority's patrol vessels. Manager of sea-going operations. Deputy to Enforcement Director, with responsibility for the planning and execution of fishery patrols. Reports to Enforcement Director.
  - VIII. **Deputy Master Solway Protector/IFCO** (Whitehaven) Qualified skipper able to take patrol vessel to sea when Master absent. Reports to Master.

- IX. **Engineer/IFCO** (Whitehaven) – Supporting the NWIFCA’s sea going and land based operations. Responsible for maintenance of Solway Protector and other Authority vessels, vehicles and quad bikes. Crew of Solway Protector. Reports to Master
  - X. **IFC Officers (x 6.5)** – Based in Liverpool (1.5), Fleetwood, Morecambe, Barrow, Whitehaven (2). responsible for enforcing the Authority’s byelaws, national and EU fisheries and environmental legislation, crewing patrol vessels. Report to Enforcement Director.
  - XI. **Science group (3 officers)** (Carnforth) – responsible for science surveys and providing the NWIFCA with scientific advice. The Science group advise the Authority on fisheries and environmental management, preparation of byelaws, development consultations and other technical questions. They carry out a wide range of research survey and reporting to the Authority. Report to CEO
  - XII. **Communications Officer** (Carnforth) Responsible for development and implementation of a communications strategy, media relations, consultations on policy development, running the TSB and production of communications materials. Report to CEO
102. The NWIFCA has two main offices. Most business and administration takes place in Carnforth where the Chief Executive, Clerk/Office manager, Finance Director, Scientific Staff and Administrative Officer are based. Enforcement operations are managed by the Enforcement Director from the Whitehaven office with an operational support officer. The Whitehaven office is located on the docks close to the Patrol vessel berth.
103. The Patrol vessel FPV “Solway Protector” and crew of 3 Inshore Fisheries and Conservation Officers (IFCOs) patrol the sea area of the District to 6 miles and beyond as required. The Patrol vessel is based in Whitehaven Harbour. Six shore-based IFCOs operate throughout the District patrolling the inshore sea and intertidal fisheries along the coast using rigid inflatable boats and quad bikes.
104. The science team consists of 3 Environment and Fisheries Officers based in Carnforth. Science officers are also trained as Enforcement officers (IFCO warranted) and can assist with enforcement when there is high demand.
105. The Communications and Science Officer commenced employment on 2 April 2012. This officer will in their first year, be responsible for delivery of the Sea Angling 2012 project being done in partnership with Cefas. There is one science officer vacancy. Recruitment is underway.

## **Health & Safety**

106. The NWIFCA has a comprehensive Health and Safety Policy designed to show how staff can and should carry out their duties safely and the factors which must be considered before any action is taken on behalf of the NWIFCA. The Health and safety policy is available from the NWIFCA on request; electronically or on paper.

## **Staff changes in 2011/12**

107. Staff turnover in 2010-12 was minimal and had no measurable impact on the effective achievement of the priorities of the NWIFCA. One IFCO resigned in August 2011 for domestic reasons and the Chief Scientist retired in May 2011. These posts were recruited in October - November 2011. This low level of turnover is considered a good achievement in the context of the great uncertainty, lack of security and general job dissatisfaction created by the earlier re-organisation from Wales in 2010 and the 2010-11 setting up of the NWIFCA.
108. Further staff changes arose from the reorganisation. Two temporary posts provided by the transitional funding grant from Defra, the additional IFCO post in Liverpool and the Carnforth Science and Administration officer post, were made permanent when the new burdens funding from Defra was confirmed. This provided 1 additional scientist to meet the significant new research and survey duties. An further additional part time IFCO was recruited to cover increased enforcement requirements in the Wirral, Ribble and River Dee areas. Also new post of Communications Officer was recruited in October 2011. All these additional posts were made possible by Defra 'new burdens finance'.

## **NWIFCA Capability assessment, Officer Training Programme and Staff management**

109. The NWIFCA training programme identifies areas where officers' skills require development and provides in-house training where available. The training objectives of each officer are identified in staff reviews. The NWIFCA agrees that knowledgeable, skilled and well-informed staff will increase efficiency in the delivery of all objectives. A skilled workforce can educate stakeholders and reduce infringements and complaints. Investing in training motivates employees and encourages dedication. Personnel development improves morale and job satisfaction.
110. Officer's responsibilities were substantially increased by the challenges of the new duties placed on IFCA. In addition, the NWIFCA faced a major extension to the district compared with the SFC, as well as the challenge of amalgamating the NWSFC and Cumbria SFC. New and changing technology requires new ways of working and poses further challenges to all staff whether new or experienced. Staff will require a diverse range of training to meet the new demands placed on them.
111. Therefore the training programme includes:
  - I. A defined mandatory training programme for all new IFCOs including safety and procedure training. This training is audited, updated and refreshed for experienced officers as required.
  - II. A defined IFCO core annual 1 week training course which provides the basic qualification to carry the IFCO warrant. Further development training is provided by MMO and as needs arise by Defra and outside providers.
  - III. Tailored training to meet organisation and personal objectives for each officer, which will assist the NWIFCA deliver desirable outcomes;
  - IV. Assessment of the NWIFCA's existing and future skills and capabilities required;

- V. Consideration of 'off the shelf' training products available and the methods most suitable to provide training and bridge gaps in capability;
  - VI. Monitoring and evaluation of training to achieve added value and effectiveness.
112. All new NWIFCA members receive an induction pack of information about the IFCA and the role of members. IFCOs and members received introductory 'new duties' training delivered by Defra in 2011 prior to vesting. IFCAs and MMO delivered Marine Enforcement Officer (MEO) training to all warranted officers. Further training in all areas is required and is being developed and delivered as part of the Authority's investment in staff and its commitment to having a fully skilled team.
  113. All IFCOS attend a standard set of training courses in their first few weeks of employment to ensure they have the skills required to undertake their field based tasks. These courses include Sea Survival, First Aid, Health and safety, Quad bike use, VHF radio use. New IFCOs attend the annual standard 1 week IFCO training course required to receive the IFCO warrant and attend refresher courses at 3-5 year intervals. IFCAs and MMO are jointly developing officer development training courses. Trial courses in 'Technical Conservation' and 'Investigative Law' were held in March-April 2012. The NWIFCA had officers on both courses and all officers will be encouraged to attend these courses as soon as possible. Some NWIFCA Officers are booked to attend these courses in June and July 2012. Two NWIFCA officers are attending the 3 week Royal Navy searider training course in May 2012. This course is the top level Fishery Officer course attended by RN Fishery Officers aboard UK fishery patrol vessels.
  114. As part of the staff management system, reviews include a formal review of training completed and an assessment of training requirements. Officers are encouraged to work with their line managers to take training as part of personal development in areas they wish to pursue and to improve the skills complement of the NWIFCA. An inventory of all training undertaken and renewal schedule is maintained and updated annually. This provides a NWIFCA capability assessment.
  115. IFCOS are trained to work to standards set out in NWIFCA policies including the Health and Safety Policy, the Risk Management strategy and the Enforcement Policy including the adopted Code of Conduct for inspections
  116. The aim of this training is to promote consistency and high standards in all activities of the NWIFCA particularly enforcement and inspections. The NWIFCA must be working to a common standard which all IFCA are aiming to achieve. This will show that NWIFCA staff have the skills and capabilities and behaviours to perform effectively in their roles, and are motivated to deliver the key operational outcomes targeted in the Organisations objectives.
  117. The training programme will be reviewed annually in order to check that training is focused on these objectives and amendments will be implemented. The programme will be monitored and evaluated to assess its effectiveness, and to evaluate specific training methods and products.

## **Section 8 Finance**

118. The Annual Return approved by the Audit Commission is shown in Annex E. This shows the annual budget 2011-12 and how it was spent.
119. Transitional funding of £116000 was provided by Defra for the establishment of the NWIFCA in 2010-11. This funding covered applying for the grant itself, additional administration to assist the re-organisation, appointing and equipping an additional fishery officer for the new part of the District in the Mersey and Dee areas, rebranding the NWIFCA including the setting up of a new website and provision of a new inshore patrol vessel.
120. The budget and levies for 2011-12 were approved at a meeting of the Finance Sub-Committee on 25 January 2011.
121. The NWIFCA out turn for the year was well within budget as a result of a number of external factors. Allowance made for costs arising from the merger with Cumbria SFC was under budget. Staff changes and delays in recruitment resulting from other work pressures reduced staff costs.

## **Section 9 - Performance Standards**

### **Membership, structure and governance**

122. The NWIFCA has 30 members listed in Annex A which also shows changes up to March 2012. Ten members are representatives of the funding local authorities; Seventeen MMO appointees are appointed by open competition to create a balanced membership of stakeholder interests and there are three agency members from Environment Agency (EA) and Natural England (NE) and MMO. As at March 2012, there are 2 vacancies. MMO has announced a recruitment to appoint new members. Members attendance at meetings is recorded.
123. The NWIFCA meets quarterly. Meetings are generally open to the public but confidential matters may require all or parts of meetings to be closed. Standing Orders for the Authority have been agreed and are on the website. Whenever possible, committee papers are posted on the website 7 days in advance of meetings. Meetings held in 2010/12 are listed at Annex C:
124. The NWIFCA has a Technical Science and Byelaw Sub-Committee (TSB) to address detailed work in these areas and remove much of the technical discussion from the full Authority. The TSB has 13 members, comprising mostly MMO appointees although all members are entitled to attend and meetings are generally open to the public.
125. A Finance Sub-Committee is responsible for the budget and budget monitoring. As the NWIFCA funding providers, all and only Councils on the Authority are represented on the Finance Sub-Committee.
126. A Patrol Boat Sub-Committee is responsible for planning and if possible procuring a new main patrol vessel.

## Enforcement

127. The Authority aims to be an efficient and fair enforcer, which manages the exploitation of sea fisheries resources with a range of enforcement measures and sanctions. In order to regularly assess and continually improve the impact and effectiveness of these measures and sanctions, the NWIFCA has a **Compliance and Enforcement Strategy** which complies with the Regulators' Compliance Code, taking account of the Hampton Principle's (reducing administration burdens on the Authority) and other current legislative requirements. The Compliance and Enforcement Strategy is available from the NWIFCA office or from the website. It was reviewed in March 2012 and will be reviewed again in March 2013.

Inspections (NWSFC District)	941
Offences detected (NWSFC District)	89
Number of verbal warnings (NWSFC District)	31
Number of verbal cautions (NWSFC District)	11
Number of written warnings (NWIFCA District)	2
Number of home office cautions (NWIFCA District)	12
<b>Prosecutions</b>	
E Edwards 3-9-2011 Cockle fishing byelaw offences. Fine and Costs	£2000
Messrs Leyland, Davock, Howard 10-11-11 Cockle fishing byelaw offences. Fine and Costs for each case	£1016

128. A summary of enforcement activity for 2011-12 is provided in table 1 above. The data is incomplete because Officers work was recorded in different ways in the NWSFC and CSFC areas of the District prior to amalgamation.

## Equality Act 2010

129. The Equality Act 2010 harmonizes and, in some respects, extends previous equality law. It aims to make the law more consistent, clearer and easier to follow in order to make society fairer'. As a public sector body and as an employer, the NWIFCA will fully comply with all Equality Act legislation and standards.

## Customer service standard and Freedom of Information

130. The NWIFCA is committed to being a transparent and accountable organisation. We want our partners and stakeholders (customers) to know what to expect from us and the level of service we will provide. A customer service charter and service standards including freedom of information act publication scheme and a complaints procedure are available from the NWIFCA Office and on the website.

## Annex A

**Membership of the NWIFCA and their affiliations 2011-12**

<b>Council Members of the NWIFCA and numbers of appointees</b>	<b>Appointee at 31-3-12</b>	<b>Previous members and date of change</b>
Blackpool Borough Council (1)	Cllr C. Maughan	Cllr G. Coleman May 2011
Cheshire West and Chester Council (1)	Cllr M Byram	
Cumbria County Council (2)	Cllr AJ Markley Cllr AC Ross	
Halton Borough Council (1)	Cllr T McInerney	
Lancashire County Council (2)	Cllr S Leadbetter Cllr A Thornton	
Liverpool City Council (1)	Cllr T Beaumont	Cllr. T. Moore June 2011
Sefton Council (1)	Cllr T Glover	
Wirral Metropolitan Council (1)	Cllr B Kenny	Cllr. D. T. Knowles June 2011
<b>MMO Appointees and their Affiliations:</b>		
Commercial Fishing (shellfish)	Mrs J Butler	
Marine Science	Dr J.A. Clark	
Commercial Fishing	Mr D Clarke	
Anglers and Recreational Fishing	Mr B Crawford	
Marine Science	Prof. C. Frid	
Commercial Fishing	Mr R Graham	
Shellfish aquaculture	Mr D. Grunshaw	Mike Porter October 2011
Marine Industry	Mr M. Hawkins	
Commercial fishing and aquaculture	Mr T. Jones	
Fisheries management	Mr A. Maltby	
Marine	Mr J.D. Murphy	
Commercial fisherman	Mrs M Owen	
Recreational fishing	Dr P. Williams	David Nixon October 2011
Commercial fisherman	Mr C Woods	
Marine	Ms Y Yadi	
2 vacancies	Ms K. Walker	Resigned Sept 2011
	Mr D. Langley	Deceased October 2011
<b>National Agency appointees</b>		
Natural England	Chris Lumb	
Environment Agency	Bill Darbyshire	
Marine Management Organisation	Neil Robinson	

## Annex B Summary of outputs outturns and achievements 2010-2012

	Split from Wales in 2010; establishment of NWSFC for 1 year.	2009-10
	Shadow NWIFCA set up; 3 meetings serviced. Office holders appointed and reappointed to NWIFCA in 2011	2010
	Draft Standing Orders and Financial Regulations for NWIFCA approved	Feb 11
	Standing sub-committees appointed: 1. Finance; 2. Chairman's; 3. Technical, Science & Byelaws (TSB)	2011
	Amalgamation of District, 2 SFC into 1 NWIFCA: single budget, issues reviewed, jobs and work programmes agreed, offices and equipment integrated.	2010-11
	Single set of terms and conditions for officers approved, implemented	2011
	Single Health and Safety policy in place	2011
	Staff management system planned and implementation commenced	2011
	Staff training programme in place and skills inventory set up	
	1 <sup>st</sup> and 2 <sup>nd</sup> Annual plans 2011-12 & 2012-13 drafted and on website	2011, 12
	All Officers understand new duties and their role in the NWIFCA	2011
	Byelaw review planned. Byelaw 5 (Shellfish permit) re-enacted 2011-12; Byelaw 3 (New Shellfish permit) enacted 2012, Heysham Bass Nursery Area byelaw commenced; Science derogation byelaw made; Vessel length byelaw made.	2011
	Familiarisation of new areas of NWIFCA District: Dee & Mersey estuaries.	2010-11
	District wide Conservation assessment: Area and measures in place	2011
	District wide fisheries assessment: number of vessels and activity completed for Defra	2011
	Sea angling survey underway	2011-12
	National MOU with NE, EA, MMO, Cefas approved by NWIFCA	2011
	Multi-agency Committees for Wirral Ribble north & Ribble south set up and serviced	2010-2012
	New regulations for cockle fisheries in Ribble established	2011
	Ribble emergency Byelaw in place	2011
	Regulations for boat based fishing developed	2011-12
	New regulations for mussel fisheries in Dee established	2011-12
	Fisheries sustainability review commenced	2011
	Morecambe Bay Fishery Order Application submitted to Defra	2011
	Advice to IS CZ	2010-12
	Enforcement framework drafted	2011
	Risk management strategy drafted	2011
	Communications plan – 1 <sup>st</sup> draft approved	2011
	NWIFCA contacts and permits database rebuilt and updated	2011
	Plans and quotes for replacement patrol vessel	2011
	Secretary to setting up Association of IFCA: 6 meetings	2011
	Secretary to Chief Officers group: 6 meetings	2010-12

## **Annex C**

### **NWIFCA Assets and Equipment (premises vehicles, vessels)**

Leased office in Carnforth

Cumbria Council Office in Whitehaven

FPV "Solway Protector" – 1989, 16 metre Arun class GRP hulled vessel - based in Whitehaven

FPV "Protector Bravo" – 1999, 7 metre RIB – based in Whitehaven

FPV "Protector Alpha" – 1994 5.4 metre RIB – based in Liverpool

FPV 'Protector Gamma' 2011 6m RIB – Based in Barrow

4.5m Zodiac based in Morecambe

Patrol vehicles: (2 Landrovers, Nissan patrol, 2 Izuzu 4WD 1 Renault Traffic Van with Radar

Science vans: 2 small Renault vans

ATV quad bikes (7)

Rented small industrial facilities in Whitehaven, Ulverston, Carnforth, Morecambe, Liverpool used as base for IFCO operations and storage of quads and vessels

### **Annex D Dates of meetings 2010-March 2012**

1 <sup>st</sup> Shadow NWIFCA	2-11-10	Morecambe Town Hall
1 <sup>st</sup> Finance SubCommittee	25-1-11	Carnforth Office
2 <sup>nd</sup> Shadow NWIFCA	8-2-11	Bootle Town Hall
1 <sup>st</sup> Technical Science and Byelaws SC	6-4-11	Strathmore Hotel Morecambe
1 <sup>st</sup> NWIFCA Quarterly	17-5-11	Copeland Borough Council
Technical Science and Byelaws SC	21-6-11	Strathmore Hotel Morecambe
NWIFCA Quarterly	30-9-11	Morecambe Town Hall
Technical Science and Byelaws SC	18-10-11	Strathmore Hotel Morecambe
Finance	5-12-11	Carnforth Office
NWIFCA Quarterly	6-12-11	Morecambe Town Hall

### **Annex E (overleaf): Audit Commission Annual return (small bodies) NWIFCA 2011-12 sections 1-4**

## Section 1 – Accounting statements for:

### NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

	Year ending		Notes and guidance
	31 March 2011 £	31 March 2012 £	
1 Balances brought forward	462,608	524,465	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	402,956	1,152,483	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body.
3 (+) Total other receipts	143,132	105,574	Total income or receipts as recorded in the cashbook less income from taxation and/or levy (box 2). Include any grants received here.
4 (-) Staff costs	359,572	731,724	Total expenditure or payments made to and on behalf of all body employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	124,659	343,985	Total expenditure or payments as recorded in the cashbook less staff costs (box 4) and loan interest/capital repayments (box 5).
7 (=) Balances carried forward	524,465	706,813	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	583,434	718,008	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets and long term assets	55,922	147,405	The recorded book value at 31 March of all fixed assets owned by the body and any other long term assets e.g. loans to third parties and any long-term investments.
10 Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PMLB).

I certify that for the year ended 31 March 2012 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:



Date 12-06-2012

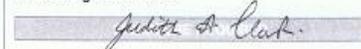
I confirm that these accounting statements were approved by the body on:

12/06/2012

and recorded as minute reference:

104 MINUTE REFERENCE

Signed by Chair of meeting approving these accounting statements:



Date 12/06/2012

## Section 2 – Annual governance statement

We acknowledge as the members of:

### NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2012, that:

	Agreed –		'Yes' means that the body:
	Yes	No	
1 We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	<input checked="" type="radio"/>	<input type="radio"/>	prepared its accounting statements in the way prescribed by law.
2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	<input checked="" type="radio"/>	<input type="radio"/>	made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	<input checked="" type="radio"/>	<input type="radio"/>	has only done things it has the legal power to do and conformed to codes of practice and standards in the way it has done so.
4 We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	<input checked="" type="radio"/>	<input type="radio"/>	during the year gave all persons interested the opportunity to inspect and ask questions about the body's accounts.
5 We assessed the risks facing the body and taken appropriate steps to manage those risks, including the introduction of internal controls and external insurance cover where required.	<input checked="" type="radio"/>	<input type="radio"/>	considered the financial and other risks it faces and dealt with them properly.
6 We maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems.	<input checked="" type="radio"/>	<input type="radio"/>	arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
7 We took appropriate action on all matters raised in reports from internal and external audit.	<input checked="" type="radio"/>	<input type="radio"/>	responded to matters brought to its attention by internal and external audit.
8 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the body and where appropriate included them in the accounting statements.	<input checked="" type="radio"/>	<input type="radio"/>	disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

104 MINUTE REFERENCE

dated 12/06/2012

Signed by:

Chair 

dated 12/06/2012

Signed by:

Clerk 

dated 12/06/2012

\*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the body will address the weaknesses identified.

### Section 3 – External auditor's certificate and opinion

#### Certificate

We certify that we have completed the audit of the annual return for the year ended 31 March 2012 of

NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

#### Respective responsibilities of the body and the auditor

The body is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The body prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2012; and
- confirms and provides assurance on those matters that are important to our audit responsibilities.

Our responsibility is to conduct an audit in accordance with guidance issued by the Audit Commission and, on the basis of our review of the annual return and supporting information, to report whether any matters that come to our attention give cause for concern that relevant legislation and regulatory requirements have not been met.

#### External auditor's report

(Except for the matters reported below)\* on the basis of our review, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (\*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the body:

Please see enclosed report

BDO LLP Southampton  
United Kingdom

(continue on a separate sheet if required)

External auditor's signature 

External auditor's name **BDO LLP Southampton** Date **22/3/12**  
United Kingdom

Note: The auditor signing this page has been appointed by the Audit Commission and is reporting to you that they carried out and completed all the work required of them by law. For further information please refer to the Audit Commission's publication *Statement of Responsibilities of Auditors and of Audited Small Bodies*.

### Section 4 – Annual internal audit report to

#### NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

The body's internal audit, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2012.

Internal audit has been carried out in accordance with the body's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the body.

Internal control objective	Agreed? Please choose from one of the following		
	Yes	No	Not covered**
A Appropriate accounting records have been kept properly throughout the year.	✓		
B The body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT was appropriately accounted for.	✓		
C The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for.	✓		
G Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.	✓		
H Asset and investments registers were complete and accurate and properly maintained.	✓		
I Periodic and year-end bank account reconciliations were properly carried out.	✓		
J Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.	✓		

For any other risk areas identified by the body (list any other risk areas below or on separate sheets if needed) adequate controls existed:

Name of person who carried out the internal audit: **K. HAIN** PRINT FULL NAME

Signature of person who carried out the internal audit:  Date: **20/06/2012**

\*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).