

NWIFCA Quarterly Meeting

15th September 2017: 11.00 a.m.

**AGENDA
ITEM
7**

PATROL AND ENFORCEMENT QUARTERLY REPORT – 1ST MAY 2017 TO 31ST JULY 2017

Recommendation: The report is received

Area Summary A summary of activity for the quarter by area is as follows:

Area	Summary Points
Cumbria: Burgh Marsh Point to Haverigg Point IFCOs Thinnesen and Sparks	<ul style="list-style-type: none"> • Trawlers – saw decent prawn landings from late June • Potting – poor start to the quarter with no improvement until late June - commercial landings around 55kg per day at a peak • Anglers – low catches with low levels of beach caught Bass –good compliance with the MCRS • Shrimp Beam trawlers – Steady fishing weather dependent. There has been approximately 10 ton of shrimp landed on the Cumbrian coast since 21st May 2017
Haverigg Point to Arnside IFCO Dixon	<ul style="list-style-type: none"> • Netting – low licensed vessel activity with one vessel using rod/line authorisation. Small Bass prevalent with no MCRS compliance issues • Beach nets – small numbers of nets observed in Flookburgh area - targeting Flounders, only fished on certain suitable tides. • Shrimping – poor start to the season, fishermen struggling to catch enough to fulfil long standing orders. • Mussels – Prospecting on Foulney in May and no subsequent activity observed. • Potting - 2 vessels operated from Barrow landing weekly – mainly from outside the district • Angling – very popular with sport fishermen due to high numbers of small Bass being present
Arnside – Knott End IFCO Moulton	<ul style="list-style-type: none"> • Concentration of bass fishing effort and joint working with IFCO Dixon. • Improving levels of small bass seen caught by anglers although no offences detected. • Small amounts of Shrimp trawling have been observed. • Planning of Heysham seed mussel fishery. • Continuing intel officer duties.
River Wyre – River Alt IFCO Walters	<ul style="list-style-type: none"> • Byelaw 3 returns work and associated sanctions • Bass regulations enforcement with focused patrols along the Fylde coast • Assisting with the sampling regime across the district.
Mersey, Wirral and Dee IFCO Brownrigg	<ul style="list-style-type: none"> • Intel/risk led shore patrols of Cockle fisheries at Leasowe. Patrols also covered extensive recreational gathering of Bivalve species • ATV patrols sampling/survey work on North Wirral coast and Ribble estuary • Two RIB patrols covering river Mersey, Liverpool Bay and Dee Estuary • Assisting with small fish surveys • Daily shore patrols have taken place inspecting anglers and oriental gatherers targeting Otter and Razor Clams – nothing to report.

General Update

- IFCOs assisted science team with cockle surveys across the district
- HoE attended a National Inshore Marine Enforcement Group (NIMEG)

- Officers attended multi-agency meeting regarding the opening of the Leasowe cockle fishery

Staff

- Southern IFCOs underwent net measurement training
- Officers attended mandatory safety courses as required
- IFCO Walters sadly departed the IFCA to join Lancashire Constabulary
- Three IFCOs (Sparks, Walters and Brownrigg) continued working through the accreditation scheme

Byelaw Review

As agreed by the Technical Science and Byelaws (TSB) Sub-Committee on the 16th May a consultation on the proposed measures for the new Byelaw 3 has been carried out.

A very brief summary of the consultation is given below:

- The consultation ran from the 7th June – 2nd July and was website based
- 51 submissions were received
- The consultation was based on 11 regulatory areas and gave background on the area and asked for the rationale of the answer

A full consultation summary presented to TSB on the 8th August including 11 recommendations summarised in the Technical, Science and Byelaws Committee Report.

The agreed measures will be included in the first draft of a new Byelaw 3 in addition to the following already agreed:

- The byelaw would only regulate the hand gathering of cockle and mussels
- The main feature of the byelaw will be a flexible permit scheme
- The permit will be for both species as a dual permit as in the current Byelaw 3

TSB members were invited to forward additional written suggestions to the HoE on the measures. This invitation is extended to all members. Please send comments by end September.

NWIFCA Byelaw 3 Permits

The current Byelaw 3 permit numbers are:

2016/17	<ul style="list-style-type: none"> • 121 in total • 106 currently issued, 2 with cheque clearing and 11 have not renewed. • 2 still outstanding on the waiting list due to a low number of foreshore gatherers safety courses being run and only short notice of courses being received.
2017/18	<ul style="list-style-type: none"> • 94 in total have been issued to date • 85 renewals and 9 from the waiting list

The maximum possible number of permits for 2017/18 is 120 if all those who are eligible renewed.

In preparation for cockle's fisheries starting 1st September the following was done in July – August to aid permit renewal:

- Permit renewal application forms were posted to all permit holders to prompt renewal;
- Text message reminders were sent;
- IFCOs were instructed to encourage prompt renewal when meeting permit holders.

All renewal applications received in time were processed and permits issued for September 1st.

Health and Safety

The review of the IFCAs Health and Safety policy and procedures continued during the quarter. A near miss in relation to the lone working policy occurred during the quarter.

Legislative Changes and Issues

The table below summarises legislative changes and issues relevant to the IFCAs district during the quarter:

Legislation	Comments
SI 1556 of 1990 – as amended	<ul style="list-style-type: none"> • The Bass nursery legislation. The Dee estuary prohibitions came into force on the 1st May
Cumbria Byelaw 20	<ul style="list-style-type: none"> • Byelaw 20 (Protection of immature Plaice) • The gear restrictions re the plaice box commenced on the 1st June
Emergency Byelaw: Restrictions on Fishing for Bivalve Molluscan Shellfish/New dredge byelaw	<ul style="list-style-type: none"> • The extension of the byelaw was granted and ran out in August • The new dredge byelaw is currently awaiting confirmation with DEFRA
Sea Fishing (EU Enforcement) Regulations 2017 (the 2017 Regulations)	<ul style="list-style-type: none"> • This legislation is still progressing through final consultation and drafting
iVMS SI	<ul style="list-style-type: none"> • A new SI implementing Inshore Vessel Monitoring System (iVMS) to all vessels under 12m is expected in April 2018. • The implementation of the requirement will be phased in on a risk basis yet to be determined
Change in licence conditions to all licensed vessels	<p>Licensed vessels have had the following inserted into their licence conditions:</p> <p><i>“The vessel to which this licence relates shall only carry on board, electrical generating equipment required for safe navigation and safe operation of the vessel. The vessel shall not carry on board nor deploy into the sea any electrical equipment, including electrical generators, cables, probes, grids or any other equipment capable of transmitting electrical currents to the seabed”</i></p>

Fishery Specific Issues

Cockle and Mussel Fisheries

Cockle beds were closed and there was no Mussel fishing in the District during the quarter.

Byelaw 3 Returns Compliance

Enforcement action was taken against 19 individuals who had failed to provide returns for the Leven and Pilling cockle fisheries for the all or part of 2016- May 2017.

The sanctions taken are summarised below:

- 12 official warning letters were sent
- 7 advisory letters were sent
- 5 permit suspensions were undertaken when non-compliance continued – with 4 subsequently complying

18 of the 19 individuals have supplied the required returns. One permit suspension remains in place for non-compliance. This individual may have left the District.

The above action was designed to encourage good compliance with returns requirements in autumn cockle and mussel fisheries.

Byelaw 6 “Grandfather” Clause

Byelaw 6 (Protection for European Marine Site Features) prohibits the use of mobile gear in a number of areas within the district – including Shell Flat and Lune Deep.

The byelaw contains a historic access clause in paragraph 6d as follows:

“the applicant’s fishing vessel remains in the same legal and beneficial ownership as on the date of this byelaw being made”

The list of vessels holding grandfather rights contained 4 vessels when the byelaw was made. During the last quarter 2 changes in vessel ownership were detected. Vessels owners were informed that they did not hold Grandfather rights. One of the vessels continues to be used in the district.

Two vessels remain on the list.

Bass

The regulation (article 9 of Council Regulation 2017/127) was in force during the quarter and saw the transition with respect to recreational catches from catch release to one Bass per person per day – on the 1st July.

No compliance issues with respect to this were detected.

Recreational Bivalve Activity

From mid-June onwards a number of instances with respect to predominantly IC5 individuals collecting various bivalve species were reported or directly detected.

This activity was at a higher level and more spread out through the district than the normal predictable activity that occurs on the North Wirral coastline.

Summary points for member's information:

- Generally the activity was targeted and involved non-regulated species such as Razor clams and other species
- In some cases (see sanctions section) official warning letters were sent in relation to cockle gathering
- In two cases the reports went direct to the police and resulted in a Coastguard response
- Press releases generated further press queries – including from the BBC

In response to the above clarification was placed on the IFCA's website on the 18th June and a multi-agency meeting was held with police/MCA etc. to agree lines of communication and appropriate response levels.

Shore Based Activity Report

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

- High levels of patrol presence on the North Wirral coastline – specifically targeted at intelligence on Cockle poaching activity
- Bass compliance focused patrols
- ATV patrols to check on Byelaw 26/27 permit requirements

Number of:	Haverigg Point – Burgh Marsh Point	Haverigg Point – Arnside –	Arnside – Knott End –	River Wyre – River Alt –	Mersey, Wirral and Dee
Shore patrols*	49	89	25	26	58
ATV patrols	8	8	7	9	6
ATV patrol hrs	16.42	16.50	13.08	14	12
ATV kms covered	261	154	324.4	116	119
Inspections under taken	96	61	33	246	140

*undertaken either by vehicle or on foot without using ATV

Maritime Activity Report

The following table is a summary of Maritime patrols.

Vessel	No of patrols	Distance patrolled	Time on patrol	Boarding's	Closings	Sightings	Static inspections gear
Solway Protector	6	440.10	37.67	0	68	145	10
Protector Bravo	0	0	0	0	0	0	0
Protector Gamma	0	0	0	0	0	0	0
Bay Protector	1	92	7.33	0	2	6	0
Zodiac Bravo	1	0	9.25	0	0	0	0
Totals for the quarter	8	532.10	54.25	0	70	151	10

A full activity report is provided in Annex A.

Sanctions, Infringements and Court Activity

There was no court activity during the quarter. Summary of sanctions used this quarter is given in the table below:

Sanctions	Comments
Verbal	<ul style="list-style-type: none"> None
Advisory Letters	<ul style="list-style-type: none"> 2 for suspected foul hooking at Arnside on the 21st June 5 in connection to returns compliance
Official warning letters	17 in total: <ul style="list-style-type: none"> 13 in connection to returns non-compliance 3 in connection to IC5 gathering of Cockles at Morecambe 1 in connection with a net set in area 3 of Cumbria Byelaw 10 on the 25th May
Home office Cautions	<ul style="list-style-type: none"> None
FAPs	<ul style="list-style-type: none"> None
Prosecutions pending	<ul style="list-style-type: none"> None
Prosecutions	<ul style="list-style-type: none"> None

Members should also note that while not contained within the sanctions statement 5 permit suspension notices were issued during the quarter for non-compliance with returns.

Annex A

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	05/05/17	10:20	137	Whitehaven – prawn pitch & west of Walney	Nephrops activity & static gear	B20 plaice box, Morecambe Bay EMS	0	27	31	0
Solway Protector	03/05/17	9:40	105	Whitehaven – prawn pitch – Haverigg Point	Nephrops activity & static gear	B20 plaice box	0	27	45	0
Solway Protector	05/05/17	4:00	45	Whitehaven – prawn pitch – Haverigg Point	Nephrops activity & static gear	B20 plaice box	0	6	38	0
Solway Protector	23/05/17	8:25	95.10	Whitehaven – Blackpool	Static gear activity, bottom towed gear	Cumbria coast MCZ, Morecambe Bay EMS	0	3	4	0
Solway Protector	11/07/17	3:00	33	Whitehaven - Sellafield	Static gear & bass activity	B20 plaice box	0	1	8	0
Solway Protector	12/07/17	2:15	25	Sea trials and patrol from Whitehaven to Maryport	Sea trials, static gear & bass activity	B20 plaice box	0	4	19	0
Total	6	37.67	440.10				0	68	145	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
Bay Protector	25/05/17	07:20	92	River Mersey, Liverpool Bay & Dee Estuary	Trawling & angling activity		0	2	6	0
Total	1	7.33	92				0	2	6	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
Zodiac Bravo	17/05/17	09:15		Lytham	Small fish surveys		0	0	0	0
Total	1	9.25					0	0	0	0