

Enforcement Plan 2014 to 2015

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CORNWALL IFCA ENFORCEMENT PLAN 2014 / 2015

1. Overview of Fisheries Enforcement 2013 / 2014

- 1.1 The enforcement team was brought up to its full capacity in November 2013, having recruited the last Inshore Fisheries and Conservation Officer (IFCO). With this officer already being qualified to coxswain small vessels, it provided even greater working flexibility to cover patrols and inspections, needed at all times of the day and night. By the end of February 2014, all of the enforcement team had completed the national enforcement officer's training course. The absence of the Chief Engineer throughout the whole of the last year meant the second engineer acted in that role. Being without other dedicated engineering support meant he was unable to assist with enforcement work. Three research team officers and the Saint Piran patrol vessel master all carried out work which supported enforcement and compliance work.
- 1.2 All officers with an enforcement role attended in-house training to improve their knowledge and skills. A three day course, using an external trainer at the office, covered interviewing skills based on real scenarios experienced in this district, to keep things as realistic as possible. It followed up on a two day course for investigative skills developed and run here in the previous year, with the same trainer. The skills learnt were put into practice by all of the enforcement team during the year, when fisheries offences were detected and investigated.
- 1.3 Communications with other enforcement authorities in respect of received intelligence were very frequent. Joint working with the Marine Management Organisation (MMO), Environment Agency (EA), and Devon and Cornwall Police was carried out, which enabled several offences to be detected and investigated. The MMO occasionally chartered our patrol vessels, which enabled their officers to board vessels at sea both inside and outside of the District.
- 1.4 Twelve IFCOs were issued with EA warrants for 2014, enabling potential investigations under the Salmon and Freshwater Fisheries Act 1975 (SAFFA), should relevant suspected fishing offences be detected in the normal course of their duties, without an EA officer being present. No incidents requiring the SAFFA warrant occurred for this Authority.
- 1.5 As forecasted and highlighted in the previous risk-based enforcement plan, two types of fishing activity continued to drive much of the enforcement and compliance work, namely scallop dredging (mainly south coast) and netting within the larger rivers/estuaries. Most of the detected offences of a serious nature revolved around undersized scallops, scallop dredging in the curfew hours and fixed nets in rivers/estuaries. The majority of serious cases were dealt with through the offer of a financial administrative penalty or the Courts.
- 1.6 With the Authority taking over the management of certain shellfisheries within the Fal in October 2014, it was important for enforcement officers to become familiarised with the fishery, boats and fishermen. IFCOs accompanied Truro Port inspections of the Fal oyster sailing and rowing boats to observe and learn the best methods to carry out their forthcoming inspections work. A new Regulating Order to manage shellfisheries was being developed by officers of this Authority and Defra, and will result in some changes to the current situation.

- 1.7 As new byelaws and a code of practice were created during the year, IFCOs were directed to inform relevant fishermen through direct contact, whenever it was practicable to see them. This was carried out ashore at the ports and at sea, and was seen as an important area of work to achieve understanding and compliance with necessary management measures.
- 1.8 Vessel Monitoring Systems (VMS) using satellites were required by the EU for all fishing vessels of 15m or more in length. IFCOs were able to access the national database to see vessel locations and, where necessary, request the MMO to increase data transmission rates in order to give a clearer picture. A new EU requirement to have VMS fitted to fishing vessels of 12m or more in length during 2014 was being furthered by the MMO. Whilst this Authority had made its own provision for even better remote monitoring of fishing vessels through the making of its Vessel Monitoring byelaw, the byelaw had not been progressed to Defra for confirmation because data sharing and infrastructure arrangements were not resolved.

2. Enforcement Policy

- 2.1 On 1 April 2011, the Cornwall Inshore Fisheries and Conservation Authority (the Authority) was fully vested under the Marine and Coastal Access Act 2009 (MaCCA). The Authority took over the fisheries and conservation management responsibilities from the former Cornwall Sea Fisheries Committee (CSFC), as well as some from the former Devon Sea Fisheries Committee (DSFC) and the Environment Agency (EA) within the boundaries of the new Cornwall IFCA District. The Authority's District¹ covers the whole of Cornwall and the adjacent area of sea out to six nautical miles from the 1983 baselines². IFCA byelaws for the conservation of sea fisheries resources may be applied in the sea and in rivers and estuaries up to their tidal limits.
- 2.2 Fisheries management only succeeds with an integrated approach encompassing communication, research and enforcement. Full compliance with EU, UK and, in particular, local fisheries and environmental legislation is a major aim of the Authority as a part of meeting its vision statement. This is best achieved through the adoption of an adaptive co-management approach to fisheries management. The key to achieving high compliance is ensuring that those users who are potentially affected have a real opportunity to engage with the Authority over the management approach to be taken. By engaging in the management process, the Authority and all users will have a far better understanding of the requirements of the other interested parties. Conflicts of interest will not always be resolved, but having gained an understanding of why actions are taken, affected users are far more likely to accept the management approach. Where consensus with the management approach is not achieved and where the potential financial gain is significant, the risk of illegal activity increases. The risk is even greater where an effective deterrent is not in place. The deterrent only tends to be effective where the risk of detection and legal sanction is high and the consequences are potentially serious. In recognition of the need to have an effective deterrent, the maximum fine which may be imposed by a court for a byelaw offence is £50,000 on summary conviction.

¹ The Cornwall Inshore Fisheries and Conservation Authority Order 2010

² Means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A, as amended by the Territorial Waters (Amendment) Order in Council (1979 II p.2866)

- 2.3 The Authority uses various compliance measures to ensure, where possible, that no person engaged in illegal fishing related activity:
- Removes legal fishing opportunities for others;
 - Gains an unfair market advantage by breaking the rules; or
 - Disadvantages law abiding persons.

It will also seek to use appropriate compliance and enforcement measures, where it considers it to be necessary, to ensure that the marine environment is not adversely affected by fishing activities.

- 2.4 Where the Authority undertakes compliance activity, it will work in accordance with the Hampton Principles of Better Regulation as set out in the Regulators' Compliance Code³ and the Legislative and Regulatory Reform Act 2006 (as amended⁴). In carrying out its functions, the Authority will ensure that:
- i. Any action taken, including compliance related or investigative, is proportionate to specific, identified, risk or need for intervention;
 - ii. It is accountable for its regulatory activity – to its stakeholders, its partner organisations, Ministers, local taxpayers, the general public and the Courts;
 - iii. It's actions are consistent, in that it should make similar (but not necessarily the same) decisions about activity in similar circumstances, in accordance with its delegated responsibilities, statutory objectives and guidance;
 - iv. It's regulatory actions are transparent, by publishing information to its regulated stakeholders indicating what enforcement action it can take and may take in appropriate circumstances;
 - v. All its activities and, in particular, those that would place a burden on a regulated person (such as monitoring, inspection, investigation and compliance actions), are targeted using a risk based approach⁵, ensuring such action is for a specific identifiable need; for example, limiting random inspections to specific identified compliance requirements;
 - vi. Inshore Fisheries and Conservation Officers (IFCOs) appointed by the Authority are highly trained, competent and adhere to the code of conduct for inspections⁶; and
 - vii. It works closely with partner organisations to make best use of available resources and share information.

- 2.5 The Authority will endeavour to promote compliance through engagement, understanding and advice. Where compliance is not achieved by this approach, the Authority has a range of enforcement actions available to it as described below.

2.6 Verbal warning

A verbal warning is issued when a minor infringement of fisheries legislation is detected. This approach is used to remind a person of relevant legislation and is recorded. If a person commits another similar offence, the individual involved may face a higher level of enforcement action.

³<http://webarchive.nationalarchives.gov.uk/+/http://www.bis.gov.uk/policies/better-regulation/improving-regulatory-delivery/implementing-principles-of-better-regulation/the-regulators-compliance-code>

⁴ <http://www.legislation.gov.uk/ukpga/2006/51/contents>

⁵ Fisheries risk based enforcement strategy as described below

⁶ Cornwall IFCA code of conduct for inspections

2.7 Advisory letter

Where it is believed that breaches of the law may have been committed and it is appropriate to do so, an advisory letter may be sent reminding a person of the need to obey the law. This may be sent without prejudice to other purely civil remedies⁷.

2.8 Official written warning

Where there is evidence that an offence has been committed but it is not appropriate to implement formal legal proceedings, an official written warning letter may be sent to a regulated person, outlining the alleged offence, when it occurred and what regulation(s) were breached. It will also set out that it is a matter which could be subject to prosecution should the same behaviour occur in the future. This may be sent without prejudice to other purely civil remedies.

2.9 Caution

A caution may be offered by the Authority. Issuing a caution may be deemed to be the most appropriate means to deal with an offence, particularly where there is no identified financial gain. A caution is only offered when the Authority is prepared to instigate legal proceedings and prosecute should the offer be declined.

2.10 Financial administrative penalty

The Authority may issue a financial administrative penalty⁸ (FAP), the level of which may be up to £10,000, as an alternative to criminal prosecution in certain circumstances. Further information on FAPs is available on the Cornwall IFCA website. A FAP is only offered when the Authority is prepared to instigate legal proceedings and prosecute should the offer be declined.

2.11 Prosecution

The ability to undertake criminal prosecutions is essential in discouraging serious non-compliance. The purpose is to secure conviction and ensure that an offender can be punished by a court at an appropriate level, thus acting as a deterrent to any future wrong doing to both the convicted offender and others who may engage in similar criminal behaviour. A prosecution may be commenced where it is felt that the matter is so serious that it is not suitable for another form of disposal such as a financial administrative penalty, caution or warning. In order to prosecute, the Authority has to be satisfied that there is both sufficient evidence of the alleged offence and a clear public interest in taking criminal proceedings. The Authority will only commence a prosecution if it is satisfied that there is a realistic prospect of conviction against each suspect on each charge, given the available evidence. If a case does not pass this test it will not go ahead, regardless of how important or serious it may be. If a case passes the sufficiency of evidence test, the Authority⁹ will decide whether it is appropriate to prosecute, or to issue one of the other options set out above. In determining the correct response in any individual case, the Authority will always take into account the public interest in prosecuting.

⁷ Civil remedies are procedures and sanctions, used to prevent or reduce criminal activity as an alternative to using formal court proceedings

⁸ The Sea Fishing (Penalty Notices) (England) Order 2011

⁹ Consideration to prosecute is undertaken by the Chief Officer of the Authority and Legal Advisor under the Cornwall IFCA Constitution

The following list of public interest factors for and against prosecution is not exhaustive and each case must be considered on the facts and on its own merits:

- Whether the offence was committed with intent;
- Whether officials were obstructed during the course of an investigation;
- Whether the implications of the offending for the enforcement of the regulatory regime undermines the management approach taken;
- The impact of the offending on the environment, including wildlife, and where applicable, having regard to the conservation objectives of Marine Protected Areas;
- With regard to offences affecting fish and fish stocks, whether recovery species are involved and if there are any issues for quota status;
- The financial benefit of the offending or other financial aspects of the offence, including the impact on other legitimate operators;
- The previous enforcement record of the suspect;
- The attitude of the suspect, including any action that has been taken to rectify or prevent recurrence of the matter(s); and
- Where offences are prevalent or difficult to detect, the deterrent effect on others by making an example of the suspect.

A prosecution is less likely to be required if:

- The court is likely to impose a nominal penalty;
- The seriousness and the consequences of the offending can be appropriately dealt with by an out-of-court disposal which the suspect accepts;
- The offence was committed as a result of a genuine mistake or misunderstanding;
- The financial gain or disturbance to sensitive marine habitat can be described as minor and was the result of a single incident, particularly if it was caused by a misjudgement;
- There has been a long delay between the offence taking place and the date of the trial, unless there are key mitigating circumstances that caused the delay;
- The suspect played a minor role in the commission of the offence; and
- The suspect is, or was at the time of the offence, suffering from significant mental or physical ill health.

3. Marine Protected Areas (MPA) in the Cornwall IFCA District

3.1 Seven European Marine Sites (EMS) are wholly or partly (* as indicated below) situated within the District, in the form of five Special Areas of Conservation (SAC) for habitats and species, and two Special Protection Areas (SPA) for birds.

3.2 The five SACs are:

- Plymouth Sound and Estuaries SAC (part);
- Start Point to Plymouth Sound and Eddystone SAC*;
- Fal and Helford SAC;
- Lizard Point SAC; and
- Land's End and Cape Banks SAC*.

3.3 A recent Cornwall IFCA byelaw (confirmed December 2013) to prohibit or restrict fishing using bottom towed gear in the SACs added another significant element to the enforcement and compliance work. The necessity for any further

management of other fishing activities in SACs is to be determined by the end of 2016. No new statutory legislation for SACs is expected to be made and confirmed this year.

3.4 The two SPAs are:

- Tamar Estuaries Complex SPA*; and
- Falmouth Bay to St Austell Bay potential SPA (treated as though EU designated).

3.5 No specific regulations are in place for the SPAs. Research work is underway by Natural England and this Authority to determine whether fishing activities significantly impact upon the designated over-wintering bird species of the SPAs. No new statutory legislation for fisheries management in the SPAs is expected to be made and confirmed this year.

3.6 Five Marine Conservation Zones (MCZ) are situated wholly or partly* within the District, namely:

- Padstow Bay and Surrounds;
- The Manacles;
- Upper Fowey and Pont Pill;
- Whitsand and Looe Bay; and
- Tamar Estuary*.

3.7 No specific regulations are in place for the MCZs. Research work is underway to determine whether fishing activities need to be managed, in relation to the featured flora and fauna, as well as consideration of guidelines provided by Defra. No new statutory legislation for MCZs is expected to be made and confirmed this year.

4. Description of Fishing Methods and the Main Regulatory Concerns

4.1 Beam trawling

A trawl net (usually one on each side of the fishing vessel) is attached to a heavy steel beam which spreads the top of the trawl mouth open, no more than 1m above the sea bed. The beam ends have very robust steel shoes or skids and/or rollers to hold the beam off the sea bed as the whole trawl arrangement is dragged along using a steel warp run from a deck winch. A heavy chain mat may be rigged in front of the lower trawl panel to prevent boulders entering the trawl net. Tickler chains may also be used to scare fish up from the sea bed and into the following net.

A beam trawl is used to target benthic species and in the Cornwall IFCA District the main species are Dover sole, plaice, angler fish and rays. Further offshore the target species will often include megrim and cuttlefish. A very wide range of other species, including round fish, crustaceans and scallops, are caught and retained in south west fisheries.

A byelaw which restricts the maximum vessel length and engine power for trawlers fishing within the District has led to there being relatively few beam trawlers remaining. Whilst nine vessels still retain historic trawling rights to work inside the 3 to 6 mile zone (including otter trawling covered below), only about half of them have taken the opportunity to beam trawl there in recent years. Incursions by large vessels inside District limits are rare and very sporadic, making it extremely difficult to prove any illegal fishing activity. A Vessel Monitoring

System (VMS) is compulsory on all fishing vessels of 12m or more in length and is a big deterrent to working in prohibited areas.

Trawling is prohibited in certain rivers and estuaries, and this measure is believed to be fully respected.

Beam trawling within the District's MPAs may occur in:

- Parts of one SAC (prohibited in four SACs);
- One SPA (prohibited in one SPA); and
- Two MCZs (prohibited or not relevant in three MCZs).

It is hoped that the Cornwall IFCA Vessel Monitoring byelaw which prescribes (*inter alia*) that a VMS unit is fitted to beam trawlers working in a SAC or SPA, will be confirmed later in the year.

Main enforcement concerns for beam trawling in the District are:

- Fishing inside the 6 mile limit by vessels which are too large or powerful and without historic rights, and inside 3 miles by those with historic rights in respect of the Trawling byelaw;
- Undersized fish in respect of the Specified Fish Sizes byelaw; and
- Trawl net mesh sizes in respect of Commission Regulation EC 850/98.

4.2 Otter trawling

A trawl net is towed in conjunction with a pair of otter boards or doors which act like a kite to spread the trawl mouth apart laterally. Within the Cornwall IFCA District, single otter trawls are most commonly towed along the sea bed (demersal trawling), but may be mid-water (pelagic trawling) and in either case could be towed by two boats (pair-trawling). Bottom trawls may be doubled up (twin-rig) to improve efficiency or even trebled (triple-rig or multi-rig). More than this number is possible, but not known to be used in the District.

Whilst nine fishing vessels still retain historic rights to trawl inside the 3 to 6 mile zone, none of these particular vessels have done so with an otter trawl in recent years.

Trawling is prohibited in certain rivers and estuaries and this measure is believed to be fully respected.

Otter trawling within the District's MPAs using bottom towed gear may occur in:

- Parts of one SAC (prohibited in four SACs);
- One SPA (prohibited in one SPA); and
- Two MCZs (prohibited or not relevant in three MCZs).

Mid-water otter trawling may occur in any SAC, SPA or MCZ, though most of these areas would rarely provide fish or fishing opportunities to make it economically viable.

It is hoped that the Cornwall IFCA Vessel Monitoring byelaw which prescribes (*inter alia*) that a VMS unit is fitted to otter trawlers working a bottom towed trawl in a SAC or SPA, will be confirmed later in the year.

Main enforcement concerns for otter trawling in the District are:

- Undersized fish in respect of the Specified Fish Sizes byelaw; and
- Trawl mesh sizes in respect of Commission Regulation EC 850/98.

4.3 Scallop dredging

Multiples of steel dredges are slung off a steel beam fitted with solid rubber rollers on each end, which raises the beam up from the sea bed as it is towed along by a steel warp run off a deck winch. Each dredge trailing from the beam along the sea bed has a spring loaded toothed bar at its leading edge which scrapes a few centimetres into softer, looser substrates to lift or scare scallops up and into a chain or net bag arrangement directly behind. Dredges used in the District are specifically regulated by design for taking king scallops. Most boats working in the District tow between four and six dredges from each side, but sometimes just two or three may be deployed from the transom on small boats. Scallop dredging is carried out very widely within the District, but is mainly concentrated from east of the Lizard to Eddystone rock.

The overall length of boats allowed to fish for shellfish (including scallops) in the District is restricted. Whilst historic rights are granted for eight vessels within the 3 to 6 mile limit, in recent years only two of these particular vessels are known to have used the advantage for scallop dredging. National legislation limits vessels to eight dredges per side inside the twelve mile limit and means it is unlikely that the larger class of vessel would find it economic to work anywhere in the 6 to 12 mile limit. Therefore, the likelihood of illegal incursions inside the District is greatly reduced.

Scallop minimum size requires regular checking on all dredging boats. Many successful prosecutions have been taken for undersized scallops, which includes several for very experienced skippers. Inaccurate measuring gauges and high crew turn-around on boats may be contributing factors for poor measuring standards. Almost all undersized scallops can easily be returned alive to the sea to mature further.

It is illegal to retain on board or land scallops which are not whole. Separated meats are known as 'cut-outs' and without their shell it is impossible to say whether or not the scallop was of legal size. Most cut-outs will be from the undersized proportion of a haul, which may well be around 50% on some grounds. A regular check of dredging boats is required to ensure that cut-out scallops are not on board.

The 7pm to 7am curfew time for using dredges to take scallops needs regular monitoring and was often the subject of received intelligence from other fishermen working in close proximity to scallop dredgers. The investigations and legal proceedings carried out this last year show that continued vigilance will be required.

Scallop dredging within the District's MPAs may occur in:

- Parts of one SAC (prohibited in four SACs);
- One SPA (prohibited in one SPA); and
- Two MCZs (prohibited or not relevant in three MCZs).

It is hoped that the Cornwall IFCA Vessel Monitoring byelaw which prescribes (*inter alia*) that a VMS unit is fitted to scallop dredgers working in a SAC or SPA, will be confirmed later in the year.

Main enforcement concerns for scallop dredging in the District are:

- Using dredges to take scallops at a prohibited time of day in respect of the Scallop Dredge (Limited Fishing Time) byelaw;

- Undersized scallops in respect of Commission Regulation (EC) 850/98;
- Cut-out scallops in respect of Commission Regulation (EC) 850/98;
- Fishing in prohibited zones of a European Marine Site in respect of the Closed Areas (European Marine Sites) Byelaw;
- Total number of dredges in use in respect of the Dredges byelaw; and
- Dredge construction in respect of the Dredges byelaw and the Scallop Fishing Order 2012.

4.4 Potting

Pots of a wide range in design are set on the sea bed for several crustacean species and prawns. Small boats may work them singly, but more commonly the pots are roped together in strings of six to eighty, based upon what the deck and vessel stability can accommodate at any one time. A boat which concentrates on potting for the bulk of annual grossings will usually require that several hundred pots are in use for much of the year, whereas for some larger operations 1000 to 2000 pots per boat is normal.

A Cornwall IFCA permit is required for any individual wishing to remove more than two shellfish per day (relevant to four crustacean species) using a boat within the Cornwall IFCA District. Where fishing vessels are used to target the main commercial shellfish species within English waters, owners may also need a shellfish entitlement attached to their national fishing license and this is managed by the MMO. Both schemes require monthly returns to show fishing effort, areas fished and shellfish quantities landed.

The overall length of boats allowed to fish for shellfish in the District is restricted. However, historic rights are granted for eight vessels within the 3 to 6 mile limit, though only two of these particular vessels are known to take advantage for crustacean species.

Investment in larger, locally based, vivier style boats continues to occur. Some may work inside the District, perhaps close to the coast at times where fishermen with small cove boats wishing to work on or adjacent to the same grounds fear the increased fishing effort is disproportionate to the stocks of crabs and lobsters. On some grounds, the winter no longer represents a respite from intensive potting activity and poorer quality shellfish are sometimes taken in bulk to maintain sizeable landings to shellfish merchants, especially where full lorry loads are required for exports to Europe.

With the majority of inshore commercial fishing activities in the District involving the taking and landing of one or more crustacean species, there are many minimum sizes and capture conditions applied to them.

Potting within the District's MPAs may occur in:

- Five SACs;
- Two SPAs; and
- Three MCZs (not relevant in two MCZs).

Main enforcement concerns for potting in the District are:

- Undersized edible crabs in respect of the Crabs byelaw, The Undersized Crabs Order and Commission Regulation EC850/98;
- Undersized spider crabs in respect of the Spider Crabs byelaw, The Undersized Spider Crabs Order and Commission Regulation EC850/98;

- Undersized lobsters in respect of the Lobster byelaw, The Undersized Lobsters Order and Commission Regulation EC850/98;
- Grant of a permit for vessels being used to take more than two shellfish per day in respect of the Lobster, Crawfish, and Crab Fishing for Profit Permit byelaw;
- Non-return of shellfish monthly statistics in respect of the Lobster, Crawfish, and Crab Fishing for Profit Permit byelaw;
- Berried lobsters in respect of the Berried Lobsters and Crawfish byelaw; and
- V-notched lobsters in respect of the Protection of V-notched Lobsters byelaw, and The Lobsters and Crawfish (Prohibition of Fishing and Landing) Order.

4.5 Netting

A variety of terms are used to refer to different types of nets, but the main categories are tangle nets, gill nets and drift nets. However, within the scope of these net types, they are often referred to by the fish species which they are intended to capture (e.g. sole nets, cod nets, ray nets, spider crab nets, etc). Virtually all nets are of mono-filament synthetic material and vary widely in terms of mesh size and twine thickness, depending upon the target fish or shellfish species. Usually set along the seabed with an anchor at each end, some nets may only be one or two hundred metres in length, whereas others, when joined together, may form a length of several thousands of metres. Some nets of smaller mesh sizes may be used for pelagic species or other mid-water shoaling fish, by drifting them at or near to the sea surface without the use of any anchors or sea bed contact. Occasionally, nets may be set on beaches and in the surf area with or without the use of a boat.

Nets are most often set for a variety of fin fish species depending on their seasonal abundance. Crustacean species may also be taken in nets, with spider crabs and crawfish being targeted in this way, as well as being taken as a bycatch in other netted fisheries. Lobsters may also be a bycatch, particularly in tangle nets offshore. Up to 30kg of accidentally detached edible crab claws and spider crab claws may be retained from animals which are being cleared from nets in the District (75kg from fisheries outside 6 miles).

Net mesh size must correspond to the target fish species (or EU defined range of fish) retained on board or landed. A certain net mesh size range is prohibited to help protect juvenile bass.

Fishing grounds which have become known as bass nursery areas exist in seven of the District's river and estuary systems. Within them it is prohibited to fish for bass from a boat for a certain period of the year. This is through a National Order and is primarily the responsibility of the MMO. However, it is expected that Cornwall IFCA officers will use its resources to assist with compliance and enforcement.

Under a byelaw, it is prohibited to set fixed nets within three metres of the sea surface in nine coastal areas. It was originally made for the protection of salmonids as they migrate around the near shore, to and from the river systems. This can be problematic for some fishermen wishing to target sea fish known to be present in these areas.

A wide variety of netting restrictions to protect sea fish and salmonids apply in all the rivers. Where bass and grey mullet are well known to concentrate, there is regular and deliberate illegal netting to take such a high value or high volume

species. A lot of this activity is conducted at night using small boats which may be quickly transported to and from slipways and beaches using road trailers and 4x4 vehicles. Many night patrols will continue to be needed to chance coming across river netting activity, though joint working with EA and Police officers, as well as their own individual operations, does help through the sharing of intelligence, patrolling effort and physical resources.

Netting within the District's MPAs may occur in:

- Five SACs;
- One SPA (prohibited in one SPA); and
- Three MCZs (prohibited or not relevant in two MCZs).

Main enforcement concerns for netting in the District are:

- Weight of edible crab and spider crab claws removed whilst clearing nets in respect of the Parts of Crab byelaw;
- Undersized spider crabs in respect of the Spider Crabs byelaw, The Undersized Spider Crabs Order and Commission Regulation (EC) 850/98;
- Undersized fish in respect of the Specified Fish Sizes byelaw;
- Grant of a permit for vessels being used to take more than two shellfish per day in respect of the Lobster, Crawfish, and Crab Fishing for Profit Permit byelaw;
- Non-return of shellfish monthly statistics in respect of the Lobster, Crawfish, and Crab Fishing for Profit Permit byelaw;
- Fishing for bass from a boat during a period of the year, in a bass nursery area in respect of the Bass (Specified Areas)(Prohibition of Fishing) Order;
- Fixed nets set within three metres of the sea surface in specified areas in respect of the Fixed Engines byelaw;
- Netting in rivers for sea fish under numerous byelaws inherited from the Environment Agency;
- Net mesh size corresponding to target species in respect of Commission Regulation (EC) 850/98; and
- Prohibited net mesh size range in respect of Commission Regulation (EC) 850/98.

4.6 Ring-netting or purse-seining

A small number of boats use a single net, with its headline floating on the sea surface, to encircle pelagic fish species such as sardines (pilchards), herring and anchovies. By drawing in the footrope, fish are prevented from escaping, and as the net is hauled alongside, fish are brailled or pumped into tanks or containers. Any net contact with the sea bed is necessarily very light and brief as the net is particularly vulnerable to being damaged, such that it will no longer retain fish.

EU legislation is used to give special and extensive protection for mackerel stocks. A huge area known as the 'Mackerel Box' encompasses the whole of the District and strictly limits mackerel catches for certain fishing methods. Skippers of ring netters and purse seiners need to be aware of their level of mackerel bycatch if they take and retain it on board.

Ring netting or purse seining within the District's MPAs occurs in:

- Three SACs;
- One SPA (prohibited in one SPA); and
- One MCZ.

There are no major enforcement concerns for ring netting or purse seining in the District.

4.7 Hand-lining

A variety of lures or baits are used to attract fish onto hooks which are shot and hauled directly by hand or with the use of a gurdy (a simple hand operated winch). A few boats may use a number of electrically or hydraulically powered line reels, usually in conjunction with a computer device, which speeds up and accurately controls the fishing operation.

By dropping multi-hooked lines down from the side(s) of a boat, species such as mackerel, pollack and squid may be taken in the water column. Trolling is another method which involves the towing of a hooked lure or bait above the sea-bed, most often used to take species such as bass and pollack.

Hand-lining is wide spread around the District for many commercial fishermen and also quite popular on a recreational basis.

Any undersized or unwanted fish species can normally be released back to the sea alive. However, with bass taken in the Cornwall IFCA District having a larger minimum size requirement than most other regions of the UK, a few undersized fish are sometimes discovered; usually where there is a lack of local regulation knowledge. Other species such as cod and pollack are also occasionally found to be undersized.

Handlining within the District's MPAs occurs in:

- Five SACs;
- One SPA; and
- Three MCZs.

Main enforcement concerns for hand-lining in the District are:

- Undersized bass in respect of the Bass Fishery byelaw; and
- Undersized fish in respect of the Specified Fish Sizes byelaw.

4.8 Long-lining

Lines of hooks are used to target a variety of benthic species. Nowadays, they are rarely used because this type of fishing is probably not commercially viable on a full time basis within the District.

Hook size, bait type and fishing ground normally dictate that fish caught are of the desired species and meet any minimum size requirements.

Long-lining (all very small scale) within the District's MPAs occurs in:

- Three SACs;
- One SPA; and
- One MCZ.

There are no enforcement concerns for long-lining in the District.

4.9 Angling

Rod and line fishing using lures or baits is very widespread at sea and from the coastline of the District, being most common amongst recreational fishermen. It also works very well for a few commercial fishermen targeting species such as bass or pollack from a boat. Multiple rods may be used per person.

Recreational anglers who are members of angling clubs or organisations usually abide by their own members' rules in respect of retaining fish by a minimum length or weight. This generally effects compliance with fish minimum size regulations applied within the District.

Undersized or unwanted fish species can normally be released back to the sea alive. However, with highly prized bass taken in the Cornwall IFCA District having a larger minimum size requirement than most other regions of the UK, some undersized are sometimes discovered; usually where there is a lack of local regulation knowledge. Other species such as cod and pollack are also occasionally found to be undersized.

Fishing grounds which have become known as bass nursery areas exist in seven of the District's river and estuary systems. Within them it is prohibited to fish for bass from a boat, or any sea fish from a boat when using sand eels as bait, for a certain period of the year. This is through an Order and is primarily the responsibility of the MMO. However, it is expected that Cornwall IFCA officers will use its resources to assist with compliance and enforcement.

Angling within the District's MPAs occurs in:

- Five SACs;
- Two SPAs; and
- Five MCZs.

Main enforcement concerns for angling in the District are:

- Undersized bass in respect of the Bass Fishery byelaw;
- Undersized fish in respect of the Specified Fish Sizes byelaw; and
- Fishing for bass from a boat or any sea fish from a boat using sand eels as bait during a period of the year, in a bass nursery area in respect of the Bass (Specified Areas)(Prohibition of Fishing) Order.

4.10 Diving

Divers using standard SCUBA equipment usually deploy from a small boat to hand-gather sedentary species such as scallops or razor shells from a suitable patch of sea bed. Commercial divers may sort out legal sized individuals as they work, before placing them into large sacks. Full sacks are then deposited into the boat for carriage ashore.

Few persons are engaged in either scallop or razor shell diving in Cornwall, but as commercially viable sites are limited by factors such as water depth and sufficient animal density for a given maximum bottom time, it is possible to make a significant impact on mature populations in discreet areas.

Diving for shellfish within the District's MPAs occurs in:

- One SAC;
- One SPA; and
- Up to three MCZs.

There are no enforcement concerns for diving on shellfish stocks in the District.

4.11 Beach seining

A net is worked by a team of people, sometimes using a small rowing boat, to trap fish in the shallows off a beach by circling the net from the beach, around the fish and back to the beach where it is pulled ashore by hand.

Beach seine nets are most commonly used to take sand eels for live or frozen angling bait, or bass and grey mullet for commercial sale.

Larger seines used for bass and mullet are generally owned by a collective of commercial fishermen who more essentially work with other fishing gear from licensed fishing boats within the District. Use of such a net is very sporadic and unpredictable, relying very much on the sighting of a shoal from the shore or vessels at sea, in calm sea conditions.

Beach seining within the District's MPAs occurs in:

- Three SACs; and
- One SPA.

There are no enforcement concerns for beach seining in the District.

4.12 Hand gathering

Shellfish such as mussels, cockles and winkles are gathered from the shore for both personal use and commercial gain.

Worms and green crab are taken from the shore to be used as angling bait and some of this collection is on a commercial basis.

Hand gathering activities occur on the sea coast, in some harbours and within the tidal limits of rivers and estuaries.

Hand gathering of bait worms and shellfish within the District's MPAs occurs in:

- Four SACs;
- Two SPAs; and
- Four MCZs.

There are no enforcement concerns for hand gathering in the District.

4.13 Note

The Cornwall IFCA byelaw review is expected to continue up until April 2015. Meanwhile, some of the legacy byelaws referred to in this paper may be revoked during the year and new byelaws made. This may lead to changes to the risk-based enforcement plan described below.

5. **Risk Based Enforcement**

5.1 Four tables (see appendices 1, 2, 3 & 4) have been developed to assess fishing issues and prioritise the enforcement effort requirement for officers. The tables have been formulated for each quarter of the year (beginning 1 April) to reflect the various fishing activities which occur in the different periods, making it easier to see the priorities for enforcement as they change throughout the year.

5.2 It is important to recognise that the tables "regulatory considerations" are not inclusive of every single fishing matter under regulation. Instead, the listing is limited to those which are either historically known to be an issue for regulatory

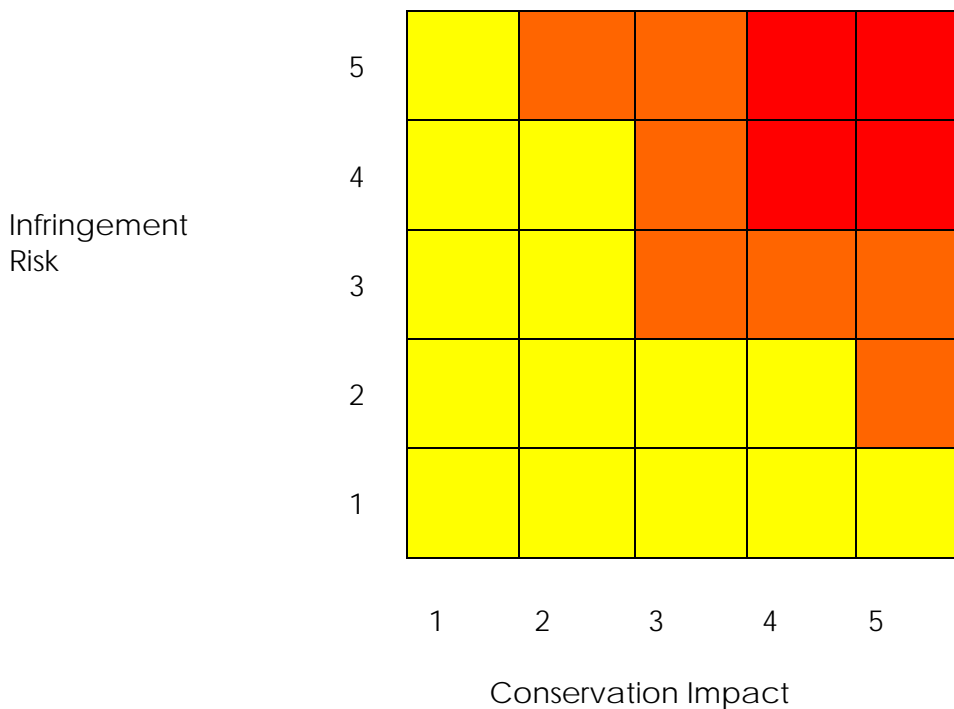
violations or where there is a perception that issues could likely arise, during the life of this one year plan.

5.3 Each fishing activity which is listed for regulatory consideration is scored out of five, for both its regulatory infringement risk and conservation impact upon fisheries and the marine environment. The scoring was decided upon by experienced IFCA officers after careful consideration of their knowledge and relevant facts.

5.4 Determining the enforcement risk

Applying the scores to a 5 x 5 matrix system shows how different levels of enforcement risk are evaluated. Omission of the least important regulatory considerations from the four tables, i.e. where there is insignificant impact on conservation of fisheries or the marine environment, means that it is not necessary to use a "0" parameter. The matrix below displays colour coding to denote low, medium and high risks. This makes it a simple procedure to highlight within the tables how regulatory enforcement will be prioritised; that is barring exceptional circumstances which may arise and dictate otherwise.

- High risk
- Medium risk
- Low risk



5.5 2014 - 15 priorities for regulatory enforcement

The following fishing activity is highest risk for enforcement action (score 16+):

- Scallop dredging limited fishing time (ex CSFC byelaw)
 - All year;

At the top end of medium risk for enforcement action
(scores 12 to 15 incl.):

- Undersized scallops (EC Regulation)
 - All year;
- Cut-out scallops (EC Regulation)
 - All year;
- Bottom towed gear in prohibited areas of SAC around Eddystone reefs (Cornwall IFCA byelaw)
 - All year;
- Berried lobsters (ex CSFC byelaw)
 - January to March and October to December;
- Fishing for bass from a boat in Helford, Fal, Percuil and Fowey rivers (Order)
 - May to December;
- Fishing for bass from a boat in Camel river (Order)
 - May to November;
- Oyster and mussel dredge fishing in Fal SAC prohibited areas (Reg. Order)
 - October to March.

CORNWALL IFCA DISTRICT
RISK BASED ENFORCEMENT

APRIL TO JUNE 2014 inc. (1st QUARTER)

Appendix 1

<u>FISHING METHOD</u>	<u>AREA AFFECTED</u> 0 to 6nm sea area or river/estuary/beach	<u>REGULATORY CONSIDERATION</u> Under IFCA byelaw (inc. legacy) or Gov't order or EU regulation	<u>INFRINGEMENT RISK</u> L - 1,2,3,4,5 - H	<u>CONSERVATION IMPACT</u> L - 1,2,3,4,5 - H	<u>ENFORCEMENT RISK</u> Low - Yellow Med - Orange High - Red		
Beam trawl	North Cornwall sea area	Vessel length and power inc. historic rights (April and early May)	2	4	8		
		Minimum fish sizes	2	2	4		
		Beam and trawl construction	1	4	4		
		Belgian vessel incursion	1	4	4		
		Cape Banks (SAC) prohibited	2	4	8		
		Vessel length and power inc. historic rights	1	4	4		
		Minimum fish sizes	2	2	4		
		Beam and trawl construction	1	4	4		
		Eddystone reefs (SAC) partly prohibited	2	4	8		
Otter trawl	North and south Cornwall sea areas Mount's Bay	Trawl construction	2	2	4		
		Minimum fish sizes	2	3	6		
		French vessel incursion	1	4	4		
		Falmouth Bay (SAC) prohibited	1	4	4		
		Plymouth Sound (SAC) prohibited	1	4	4		
		Eddystone reefs (SAC) partly prohibited	2	4	8		
		Scallop dredge	South Cornwall sea area	Vessel length inc. historic rights	2	5	10
				Excess number of dredges	2	5	10
				Undersized scallops	4	3	12
Cut-out scallops	4			3	12		
Dredge construction & tow bar length	3			1	3		
Limited fishing time	4			4	16		
Non bivalve molluscs bycatch	1			1	1		
Falmouth Bay (SAC) prohibited	2			4	8		
Eddystone reefs (SAC) partly prohibited	3			4	12		

Net	North Cornwall sea area	Birds in nets - St Ives Bay	1	3	3	
		Fixed engines (3 defined coastal areas)	2	3	6	
		Parts of crab	2	2	4	
		Prohibited mesh size range	1	3	3	
		Catch composition re mesh size	2	3	6	
		Minimum fish* and shellfish sizes	2	2	4	
		Shellfish permit and conditions	3	1	3	
		Cetacean bycatch	1	4	4	
		Mesh size – Manacles	1	4	4	
		Fixed engines (5 defined coastal areas)	2	3	6	
	* + River Camel	South Cornwall sea area	Parts of crab	2	2	4
			Prohibited mesh size range	2	3	6
			Catch composition re mesh size	3	3	9
			Minimum fish* and shellfish sizes	2	2	4
			Shellfish permit and conditions	3	1	3
			Cetacean bycatch	1	4	4
			Mesh size – Runnelstone	1	4	4
			Fixed engines (1 defined coastal area)	3	3	9
			Parts of crab	2	2	4
			Prohibited mesh size range	1	3	3
	* + Fal, Helford, Fowey rivers	Mount's Bay	Catch composition re mesh size	2	3	6
			Minimum fish and shellfish sizes	2	2	4
			Shellfish permit and conditions	3	1	3
			Cetacean bycatch	1	4	4
			Mesh size – Runnelstone	1	4	4
			Fixed engines (1 defined coastal area)	3	3	9
			Parts of crab	2	2	4
			Prohibited mesh size range	1	3	3
			Catch composition re mesh size	2	3	6
			Minimum fish and shellfish sizes	2	2	4
	River Camel	River Camel	Shellfish permit and conditions	3	1	3
			Cetacean bycatch	1	4	4
			Bass nursery area (May and June)	3	4	12
			All nets prohibited in part of river on 1 st April	3	3	9
			All nets prohibited May and June	3	3	9
			Fixed engines prohibited	3	3	9
Bass nursery area			2	4	8	
All nets prohibited			3	3	9	
Bass nursery area (May and June)			3	4	12	
Tamar & Lynher rivers			Helford, Fal, Percuil, Fowey rivers	Draft and seine nets night prohibition for certain mesh size range	1	3
	Fixed engines prohibited	3		3	9	
Carrick Roads and Fal, Helford, Fowey, Looe rivers	Carrick Roads and Fal, Helford, Fowey, Looe rivers	Draft and seine nets night prohibition for certain mesh size range	1	3	3	
		Fixed engines prohibited	3	3	9	

Net (cont'd)	River Fowey	All nets of certain mesh size range prohibited in part of river	1	3	3
		All nets prohibited May and June	3	3	9
Pot	North and south Cornwall sea areas Mount's Bay	Vessel length inc. historic rights	1	4	4
		Minimum shellfish sizes	3	3	9
		Berried lobsters (April)	3	3	9
		V - notched lobsters	2	2	4
		Parts of crabs	1	1	1
		Shellfish permit and conditions	3	1	3
Ring net or purse seine	Mount's Bay North and south Cornwall sea areas	Minimum fish sizes	1	2	2
Seine	Camel and Fowey rivers Beaches	EA permit for sand eel seine (Not required in April)	1	1	1
		Minimum fish sizes	1	3	3
Rod & line	All sea area & rivers	Minimum fish sizes	2	2	4
Handline	All sea & lower river areas	Minimum fish sizes	1	2	2
Hand gathering of shellfish	North and south Cornwall sea areas	Minimum molluscs sizes	1	2	2
		Minimum molluscs and other shellfish sizes	1	2	2
	Carrick Roads & Fal, Helford, Camel, Tamar & Lynher rivers Fal (re Fal shellfisheries RO)	Oyster fishing prohibited	3	3	9
		Minimum mussel size	2	3	6
		RO shellfish permit and conditions	4	1	4

CORNWALL IFCA DISTRICT
RISK BASED ENFORCEMENT

JULY to SEPTEMBER 2014 inc. (2nd QUARTER)

Appendix 2

<u>FISHING METHOD</u>	<u>AREA AFFECTED</u> 0 to 6nm sea area or river/estuary/beach	<u>REGULATORY CONSIDERATION</u> Under IFCA byelaw (inc. legacy) or Gov't order or EU regulation	<u>INFRINGEMENT RISK</u> L - 1,2,3,4,5 - H	<u>CONSERVATION IMPACT</u> L - 1,2,3,4,5 - H	<u>ENFORCEMENT RISK</u> Low - Yellow Med - Orange High - Red		
Beam trawl	South Cornwall sea area	Vessel length and power inc. historic rights	1	4	4		
		Minimum fish sizes	2	2	4		
		Beam and trawl construction	1	4	4		
		Eddystone reefs (SAC) partly prohibited	2	4	8		
Otter trawl	North and south Cornwall sea areas Mount's Bay	Trawl construction	2	2	4		
		Minimum fish sizes	2	3	6		
		French vessel incursion	2	4	8		
		Benthic disturbance from demersal trawls	2	4	8		
		Falmouth Bay (SAC) prohibited	1	4	4		
		Plymouth Sound (SAC) prohibited	1	4	4		
		Eddystone reefs (SAC) partly prohibited	2	4	8		
Scallop dredge	South Cornwall sea area	Vessel length inc. historic rights	2	5	10		
		Excess number of dredges	2	5	10		
		Undersized scallops	4	3	12		
		Cut-out scallops	4	3	12		
		Dredge construction and tow bar length	3	1	3		
		Limited fishing time	4	4	16		
		Non bi-valve molluscs bycatch	1	1	1		
		Falmouth Bay (SAC) prohibited	2	4	8		
		Eddystone reefs (SAC) partly prohibited	3	4	12		
		Pot	North and south Cornwall sea areas Mount's Bay	Vessel length inc. historic rights	1	4	4
				Minimum shellfish sizes	3	3	9
				Berried lobsters (September)	3	3	9
V – notched lobsters	2			2	4		
Parts of crabs	1			1	1		
Shellfish permit and conditions	3			1	3		

Net	North Cornwall sea area	Birds in St Ives Bay	1	3	3
		Fixed engines (3 defined coastal areas)	2	3	6
* + River Camel		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
		Catch composition re mesh size	2	3	6
		Minimum fish* and shellfish sizes	2	2	4
		Shellfish permit and conditions	3	1	3
		Cetacean bycatch	1	4	4
		Mesh size – Manacles	2	4	8
		Fixed engines (5 defined coastal areas)	3	3	9
		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
* + Fal, Helford, Fowey rivers		Catch composition re mesh size	3	3	9
		Minimum fish* and shellfish sizes	2	2	4
		Shellfish permit and conditions	3	1	3
		Cetacean bycatch	1	4	4
		Mesh size – Runnelstone	1	4	4
		Fixed engines (1 defined coastal area)	3	3	9
Mount's Bay		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
		Catch composition re mesh size	2	3	6
		Minimum fish and shellfish sizes	2	2	4
		Shellfish permit and conditions	3	1	3
		Cetacean bycatch	1	4	4
		Mesh size – Runnelstone	1	4	4
		Fixed engines (1 defined coastal area)	3	3	9
		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
River Camel		Catch composition re mesh size	2	3	6
		Minimum fish and shellfish sizes	2	2	4
		Shellfish permit and conditions	3	1	3
		Bass nursery area	3	4	12
		All nets prohibited	3	3	9
		Fixed engines prohibited	3	3	9
		Bass nursery area	2	4	8
		All nets prohibited	3	3	9
		Bass nursery area	3	4	12
		Draft and seine net night prohibition for certain mesh size range	1	3	3
Tamar & Lynher rivers		Fixed engines prohibited	3	3	9
		All nets of certain mesh size range prohibited in part of river	1	3	3
		All nets prohibited	3	3	9
Helford, Fal, Percuil, Fowey rivers		All nets prohibited	3	3	9
		Bass nursery area	3	4	12
		Draft and seine net night prohibition for certain mesh size range	1	3	3
Carrick Roads and Fal, Helford, Fowey, Looe rivers		Fixed engines prohibited	3	3	9
		All nets of certain mesh size range prohibited in part of river	1	3	3
		All nets prohibited	3	3	9
River Fowey		All nets prohibited	3	3	9
		Draft and seine net night prohibition for certain mesh size range	1	3	3
		All nets prohibited	3	3	9

Ring net or purse seine	Mount's Bay, North & south Cornwall sea areas	Minimum fish sizes	1	2	2
Seine	Camel & Fowey rivers	EA permit for sand eel seine	1	1	1
	Beaches	Minimum fish sizes	1	3	3
Rod & line	All sea areas & rivers	Minimum fish sizes	2	2	4
Handline	All sea & lower river areas	Minimum fish sizes	1	2	2
Hand gathering of shellfish	North and south Cornwall sea areas	Minimum molluscs sizes	1	2	2
	Carrick Roads & Fal, Helford, Camel, Tamar & Lynher rivers	Minimum molluscs and shellfish sizes	1	2	2
	Fal	Oyster fishing prohibited	3	3	9
	(re Fal shellfisheries RO)	Minimum mussel size	2	3	6
		RO shellfish permit and conditions	4	1	4

**CORNWALL IFCA DISTRICT
RISK BASED ENFORCEMENT**

OCTOBER TO DECEMBER 2014 inc. (3RD QUARTER)

Appendix 3

FISHING METHOD	AREA AFFECTED 0 to 6nm sea area or river/estuary/beach	REGULATORY CONSIDERATION Under IFCA byelaw (inc. legacy) or Gov't order or EU regulation	INFRINGEMENT RISK L - 1,2,3,4,5 - H	CONSERVATION IMPACT L - 1,2,3,4,5 - H	ENFORCEMENT RISK Low - Yellow Med - Orange High - Red		
Beam trawl	South Cornwall sea area	Vessel length and power inc. historic rights	1	4	4		
		Minimum fish sizes	2	2	4		
		Beam and trawl construction	1	4	4		
		Eddystone reefs (SAC) partly prohibited	2	4	8		
Otter trawl	North and south Cornwall sea areas Mount's Bay	Trawl construction	2	2	4		
		Minimum fish sizes	2	3	6		
		French vessel incursion	1	4	4		
		Benthic disturbance from demersal trawls	2	4	8		
		Falmouth Bay (SAC) prohibited	1	4	4		
		Plymouth Sound (SAC) prohibited	1	4	4		
		Eddystone reefs (SAC) partly prohibited	2	4	8		
		Scallop dredge	South Cornwall sea area	Vessel length inc. historic rights	2	5	10
Excess no. of dredges	2			5	10		
Undersized scallops	4			3	12		
Cut-out scallops	4			3	12		
Dredge construction and tow bar length	3			1	3		
Limited fishing time	4			4	16		
Non bi-valve molluscs bycatch	1			1	1		
Falmouth Bay (SAC) prohibited	2			4	8		
Eddystone reefs (SAC) partly prohibited	3			4	12		
Oyster and mussel dredge	Fal (re Fal Shellfisheries RO)			Prohibited fishing times	2	2	4
				Minimum oyster and mussel sizes	2	3	6
				Dredge permit and conditions	4	1	4
				Fal (SAC) prohibited areas	3	5	15

Net	North Cornwall sea area	Birds in St Ives Bay	3	3	9
		Fixed engines (3 defined coastal areas)	3	3	9
* + River Camel		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
		Catch composition re mesh size	2	3	6
		Minimum fish* and shellfish sizes	2	2	4
		Shellfish permit and conditions	2	1	2
		Cetacean bycatch	1	4	4
		Mesh size – Manacles	2	4	8
		Fixed engines (5 defined coastal areas)	3	3	9
		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
* + Fal, Helford, Fowey rivers		Catch composition re mesh size	3	3	9
		Minimum fish* and shellfish sizes	2	2	4
		Shellfish permit and conditions	2	1	2
		Cetacean bycatch	1	4	4
		Mesh size – Runnelstone	2	4	8
		Fixed engines (1 defined coastal area)	3	3	9
		Parts of crab	2	2	4
Mount's Bay		Prohibited mesh size range	2	3	6
		Catch composition re mesh size	2	3	6
		Minimum fish and shellfish sizes	2	2	4
		Shellfish permit and conditions	2	1	2
		Bass nursery area (October & November)	3	4	12
		All nets prohibited	3	3	9
		Fixed engines prohibited	3	3	9
		Bass nursery area	2	4	8
		All nets prohibited	3	3	9
		Bass nursery area	3	4	12
River Camel		Draft and seine net night prohibition for certain mesh size range	1	3	3
		Fixed engines prohibited	3	3	9
		All nets of certain mesh size range prohibited in part of river	1	3	3
		All nets prohibited	3	3	9
Tamar & Lynher rivers		Bass nursery area	2	4	8
		All nets prohibited	3	3	9
Helford, Fal, Percuil, Fowey rivers		Bass nursery area	3	4	12
		Draft and seine net night prohibition for certain mesh size range	1	3	3
Carrick Roads and Fal, Helford, Fowey, Looe rivers		Fixed engines prohibited	3	3	9
		All nets of certain mesh size range prohibited in part of river	1	3	3
River Fowey		All nets prohibited	3	3	9

Pot	North and south Cornwall sea areas	Vessel length inc. historic rights	1	4	4
	Mount's Bay	Minimum shellfish sizes	3	3	9
		Berried lobsters	4	3	12
		V – notched lobsters	2	2	4
		Parts of crabs	1	1	1
		Shellfish permit and conditions	3	1	3
Ring net or purse seine	Mount's Bay	Minimum fish sizes	1	2	2
	North and south Cornwall sea areas				
Seine	Camel and Fowey rivers	EA permit for sand eel seine	1	1	1
	Beaches	Minimum fish sizes	1	3	3
Rod & line	All sea areas & rivers	Minimum fish sizes	2	2	4
Handline	All sea and lower river areas	Minimum fish sizes	1	2	2
Hand gathering of shellfish	North and south Cornwall sea areas	Minimum molluscs sizes	1	2	2
	Carrick Roads & Fal, Helford, Camel, Tamar & Lynher rivers	Minimum molluscs and shellfish sizes	1	2	2
	Fal	Minimum oyster and mussel sizes	2	3	6
	(re Fal Shellfisheries RO)	RO shellfish permit and conditions	4	1	4

**CORNWALL IFCA DISTRICT
RISK BASED ENFORCEMENT**

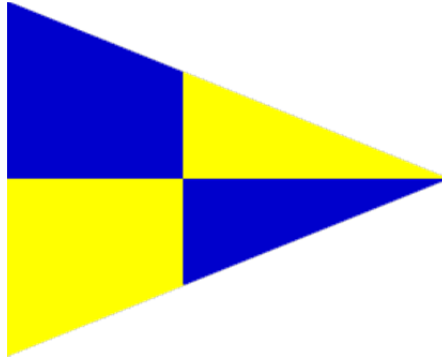
JANUARY TO MARCH 2015 inc. (4TH QUARTER)

Appendix 4

<u>FISHING METHOD</u>	<u>AREA AFFECTED</u> 0 to 6nm sea area or river/estuary/beach	<u>REGULATORY CONSIDERATION</u> Under IFCA byelaw (inc. legacy) or Gov't order or EU regulation	<u>INFRINGEMENT RISK</u> L - 1,2,3,4,5 - H	<u>CONSERVATION IMPACT</u> L - 1,2,3,4,5 - H	<u>ENFORCEMENT RISK</u> Low - Yellow Med - Orange High - Red		
Beam trawl	North Cornwall sea area	Vessel length and power inc. historic rights	2	4	8		
		Minimum fish sizes	2	2	4		
		Beam and trawl construction	1	4	4		
		Belgian vessel incursion	1	4	4		
		Cape Banks (SAC) prohibited	2	4	8		
		Vessel length and power inc. historic rights	1	4	4		
		Minimum fish sizes	2	2	4		
		Beam and trawl construction	1	4	4		
		Eddystone reefs (SAC) partly prohibited	2	4	8		
		Otter trawl	North and south Cornwall sea areas Mount's Bay	Trawl construction	2	2	4
Minimum fish sizes	2			3	6		
French vessel incursion	1			4	4		
Benthic disturbance from demersal trawls	2			4	8		
Falmouth Bay (SAC) prohibited	1			4	4		
Plymouth Sound (SAC) prohibited	1			4	4		
Eddystone reefs (SAC) partly prohibited	2			4	8		
Scallop dredge	South Cornwall sea area			Vessel length inc. historic rights	2	5	10
				Excess no. of dredges	2	5	10
				Undersized scallops	4	3	12
		Cut-out scallops	4	3	12		
		Dredge construction and tow bar length	3	1	3		
		Limited fishing time	4	4	16		
		Non bi-valve molluscs bycatch	1	1	1		
		Falmouth Bay (SAC) prohibited	2	4	8		
		Eddystone reefs (SAC) partly prohibited	3	4	12		

Oyster and mussel dredge	Fal (re Fal Shellfisheries RO)	Prohibited fishing times	2	2	4
		Minimum oyster and mussel sizes	2	3	6
		Dredge permit and conditions	4	1	4
		Fal (SAC) prohibited areas	3	5	15
Net	North Cornwall sea area	Birds in St Ives Bay	3	3	9
		Fixed engines (3 defined coastal areas)	3	3	9
		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
		Catch composition re mesh size	2	3	6
		Minimum fish* and shellfish sizes	2	2	4
		Shellfish permit and conditions	2	1	2
		Cetacean bycatch	1	4	4
		Mesh size – Manacles	2	4	8
		Fixed engines (5 defined coastal areas)	3	3	9
	South Cornwall sea area	Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
		Catch composition re mesh size	3	3	9
		Minimum fish* and shellfish sizes	2	2	4
		Shellfish permit and conditions	2	1	2
		Cetacean bycatch	1	4	4
		Mesh size – Runnelstone	2	4	8
		Fixed engines (1 defined coastal area)	3	3	9
		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
	Mount's Bay	Catch composition re mesh size	2	3	6
		Minimum fish and shellfish sizes	2	2	4
		Shellfish permit and conditions	2	1	2
		Cetacean bycatch	1	4	4
		Mesh size – Runnelstone	2	4	8
		Fixed engines (1 defined coastal area)	3	3	9
		Parts of crab	2	2	4
		Prohibited mesh size range	2	3	6
		Catch composition re mesh size	2	3	6
		Minimum fish and shellfish sizes	2	2	4
	River Camel	Shellfish permit and conditions	2	1	2
		All nets prohibited in part of river	3	3	9
		Fixed engines prohibited	3	3	9
Bass nursery area		2	4	8	
All nets prohibited		3	3	9	
Carrick Roads and Fal, Helford, Fowey, Looe rivers	Draft and seine net night prohibition for certain mesh size range	1	3	3	
	Fixed engines prohibited	3	3	9	
	All nets of certain mesh size range prohibited in part of river	1	3	3	
	All nets prohibited	3	3	9	
	All nets prohibited	3	3	9	

Pot	North and south Cornwall sea areas	Vessel length inc. historic rights	1	4	4
	Mount 's Bay	Minimum shellfish sizes	3	3	9
		Berried lobsters	4	3	12
		V - notched lobsters	2	2	4
		Parts of crabs	1	1	1
		Shellfish permit and conditions	3	1	3
Ring net or purse seine	Mount 's Bay	Minimum fish sizes	1	2	2
	North and south Cornwall sea areas				
Seine	Camel and Fowey rivers	EA permit for sand eel seine	1	1	1
	Beaches	Minimum fish sizes	1	3	3
Rod & line	All sea areas & rivers	Minimum fish sizes	2	2	4
Handline	All sea and lower river areas	Minimum fish sizes	1	2	2
Hand gathering of shellfish	North and south Cornwall sea areas	Minimum molluscs sizes	1	2	2
	Carrick Roads & Fal, Helford, Camel, Tamar & Lynher rivers	Minimum molluscs and shellfish sizes	1	2	2
	Fal	Minimum oyster and mussel sizes	2	3	6
	(re Fal Shellfisheries RO)	RO shellfish permit and conditions	4	1	4



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