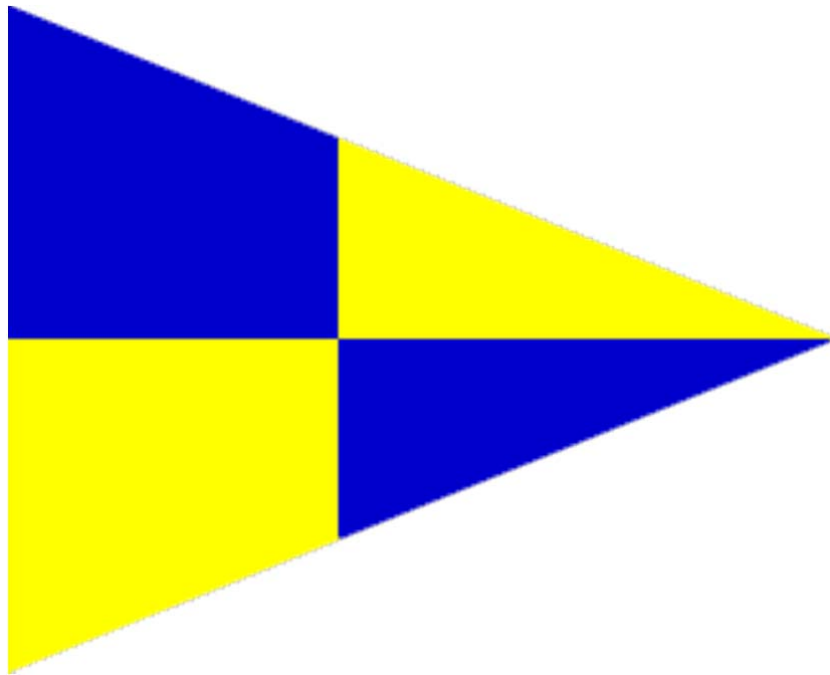




Inshore Fisheries and
Conservation Authority



Enforcement Plan 2016 - 2017

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CORNWALL IFCA ENFORCEMENT PLAN 2016 - 2017

1. Overview of fisheries enforcement 2015 - 2016

- 1.1 The enforcement team remained at full strength and unchanged during the last year. National training courses were used to refresh and update officers' knowledge of fisheries legislation and investigative processes. The enforcement capacity of the service was further enhanced by one enforcement officer having become proficient at taking command of the Saint Piran, in the absence of the normal master. Officers shared out their routine inspections work and helming of the RIBs, to ensure their wide range of vital knowledge and skills were practiced and maintained. Scientific officers also assisted with some enforcement work when legal matters were identified in the course of their research work, both at sea from the survey vessel and ashore when gathering landings data.
- 1.2 Close working with the Environment Agency (EA) and Marine Management Organisation (MMO) was maintained during the year, which included occasional joint operations which were mainly carried out using a trailer launched RIB. The Maritime and Coastguard Agency was informed about issues of non-display of fishing vessel navigation lights at night, in order that it could follow up with further investigations of its own.
- 1.3 Enforcement officers held EA warrants for potential fisheries offences under the Salmon and Freshwater Fisheries Act 1975 (SAFFA) and Water Resources Act 1991, although no extra investigations work was generated as a result.
- 1.4 The MMO provided all enforcement officers with new counter-parts to their warrants in 2015-16, providing them with powers to enforce a wide range of national and EU legislation. Whilst the powers were extensive and greater than ever before, there was no expectation from the MMO that they should be routinely used. Rather, that they could be used should certain illegal fishing be encountered, without MMO officers being able to directly investigate and where it would be advantageous for Cornwall IFCA officers to use them.
- 1.5 Overall fishing effort around Cornwall was broadly similar to that of recent years, although 2015-16 was a record one in terms of serious infringements of fisheries legislation. There were 14 case files compiled, each evidencing between one and fifteen offences and sometimes involving multiple suspects, including fishing businesses. Dredging for scallops, which is highly regulated by byelaws, national and EU legislation, gave rise to most of the serious enforcement issues in the district. Breaches of the dredging curfew hours, minimum scallop size and encroachment into closed areas for bottom towed gear were the causes of most investigations related to this fishing method.
- 1.6 Unusually, no fisheries offences ended up being prosecuted in the court. Most were dealt with by way of financial administrative penalties (FAP), which were fixed at between £250 and £2000. This was in line with national fisheries enforcement policy.

2. New Cornwall IFCA byelaws and regulations

- 2.1 A full review of legacy byelaws was completed in 2015. This work allows the Authority to move forward and replace them with new Cornwall IFCA byelaws. Therefore, some byelaws referred to in this document may be

revoked during the year. This may lead to changes to the risk-based enforcement plan described below (part 9).

- 2.2 The Authority is well advanced in the process of making a new byelaw, in respect of the requirement for a person to have a permit when fishing for the main species of crustaceans taken in the district. As a direct replacement for a permit byelaw made by the former Cornwall Sea Fisheries Committee, the Lobster, Crawfish and Crab Fishing Permit Byelaw was made by the Authority in March 2016. Formal consultation was begun in April and, barring any unexpected issues, the byelaw could be confirmed by Defra later in 2016.
- 2.3 The delay by Defra in finalising the Fal Fishery Order made means that the Fal oyster and mussel fisheries continue to be regulated via temporary legislation. It is anticipated that the order and underlying regulations will be made prior to the next oyster fishing season which begins in October. It is expected that among various fishing restrictions in the new legislation, there will be a continuation of an exclusion zone to protect eel grass from dredge fishing activity.
- 2.4 In order to meet Defra's 2016 deadline requirement for IFCAs to have appropriate fisheries management in place, where necessary, for certain Marine Conservation Zones (MCZ), the Authority is moving forward with plans to consider introducing a byelaw which will allow suitable regulatory notices to be made for individual MCZs. There is a strong likelihood that restriction or prohibition of bottom towed gear will be needed in The Manacles MCZ and the Whitsand and Looe Bay MCZ.

3. EU landing obligations (discard bans)

- 3.1 The pelagic landing obligation was implemented in full on 1 January 2015. In pelagic and industrial fisheries, all the fish caught which are subject to EU quota or catch limitation must be landed, apart from where the EU has made certain exemptions. Landed undersized fish cannot be marketed for the purpose of human consumption. The pelagic fish species most likely to be affected in Cornish waters under the landing obligation are mackerel and herring caught by seine, static and drift nets, but non pelagic species subject to a quota or catch limit, when caught at the same time, must also be landed. Undersized fish not under EU quota or catch limitation must continue to be returned to the sea.
- 3.2 The demersal landing obligation began a three year phase-in period, on 1 January 2016. The species initially subject to the landing obligation in the south west (ICES area VII) are hake, haddock, whiting, sole and nephrops, although the requirement to retain them all irrespective of size, depends on the type of fishing gear used to catch them. By 2019, all demersal species subject to quota or catch limitation will have to be retained, unless the EU provides exemptions for certain circumstances or conditions.
- 3.3 Defra has produced online guidance for both landing obligations:
<https://www.gov.uk/government/publications/pelagic-landing-obligation/pelagic-landing-obligation-guidance>
<https://www.gov.uk/government/publications/demersal-landing-obligation-guidance/demersal-landing-obligation-guidance>.

4. New EU bass conservation measures

- 4.1 In recognition of further scientific advice that fishing effort used to target bass needs to be urgently and significantly reduced, the EU superseded its emergency measures taken in 2015, by imposing:
- a 42cm minimum conservation reference size for bass; and
 - further reductions in bass catch limits for both recreational and commercial fishing methods.
- 4.2 Defra has produced online guidance for bass fishing in 2016:
<https://www.gov.uk/government/news/fishing-restrictions-for-bass-in-2016>

5. Inshore Vessel Monitoring Systems

- 5.1 The MMO is leading a project to develop inshore vessel monitoring systems (iVMS) which will assist it and the IFCAs with compliance and enforcement of fishing activities in/near certain sea areas, such as Marine Protected Areas (MPA). By working with iVMS manufacturers/suppliers and IFCAs, it is hoped that approved iVMS will become widely available this year. Cornwall IFCA is one of several IFCAs keen to make a byelaw which will make iVMS compulsory on certain fishing vessels. The Authority had previously chosen to phase in iVMS, beginning with those vessels using bottom-towed gear within the district.
- 5.2 Wide use of iVMS will enable the Authority to better monitor fishing effort in its district and gather data. From the fishermen's perspective, it could demonstrate that sensitive marine flora, fauna and habitats are being avoided and that environmental legislation is being respected.

6. Marine Protected Areas (MPA) in the Cornwall IFCA district

- 6.1 There are eight European Marine Sites (EMS) which are wholly or partly* (as indicated below) situated within the district, in the form of six Special Areas of Conservation (SAC) for habitats and species, and two Special Protection Areas (SPA) for seabirds.
- 6.2 The six SACs in the district are:
- Plymouth Sound and Estuaries SAC*;
 - Start Point to Plymouth Sound and Eddystone SAC*;
 - Fal and Helford SAC;
 - Lizard Point SAC;
 - Land's End and Cape Banks SAC*;
 - River Camel SAC*.
- 6.3 The Closed Areas (European Marine Sites) No.2 Byelaw prohibits or restricts fishing using bottom towed gear in most of the SACs, providing protection for their designated site features. It is hoped that the use of iVMS for vessels using bottom towed gear will become mandatory in the district, thereby assisting the Authority's enforcement activities in all MPAs.
- 6.4 The necessity for any further management measures for other fishing activities in SACs is to be determined by the Authority, by the end of 2016, subject to having received timely site conservation advice packages from Natural England.

- 6.5 The Joint Nature Conservation Committee (JNCC) began a consultation process in January 2016 in respect of a possible SAC for harbour porpoises. The proposed site encompasses all the district off the north coast, east of St Ives. There is no indication as to whether fishing activity significantly interacts with harbour porpoises in this area. Therefore, no plans are currently being made to restrict fishing, in that regard.
- 6.6 The two SPAs in the district are:
- Tamar Estuaries Complex SPA*; and
 - Falmouth Bay to St Austell Bay potential SPA (treated as if designated by the EU).
- 6.7 No site specific regulations are currently in place for the SPAs. Research work is underway by Natural England (NE), with the help of this Authority, to determine whether net fishing activities significantly impact upon the designated over-wintering seabird species of the SPAs. Once NE has published its findings, any requirement to manage fisheries which impact on these species of seabirds, should become clearer.
- 6.8 During the last year, Defra announced that extra features had been added to the conservation objectives of two existing MCZs announced in tranche one, plus a further four MCZs (tranche two) within the district. This means there are a total of nine MCZ situated wholly or partly* within the district, namely:
- Padstow Bay and Surrounds;
 - The Manacles;
 - Upper Fowey and Pont Pill;
 - Whitsand and Looe Bay;
 - Tamar Estuary*;
 - Mounts Bay;
 - Runnel Stone;
 - Newquay and the Gannel; and
 - Hartland Point to Tintagel Point*.

Further MCZ designations (tranche three) are expected from Defra in 2016–17, which may include Cape Bank. This is a particularly large sea area marked out for south-west England.

- 6.9 No site specific regulations are currently in place for any of the designated MCZs. Research work is underway, or has already been carried out, in some MCZs to determine whether fishing activities need to be managed in respect of their conservation objectives. Whitsand and Looe Bay MCZ and The Manacles MCZ have been prioritised within the district, so are therefore more likely to see some form of new fisheries management in 2016-17.

7. Compliance and enforcement strategy

7.1 Background

On 1 April 2011, the Cornwall Inshore Fisheries and Conservation Authority (IFCA) was fully vested under the Marine and Coastal Access Act 2009. Cornwall IFCA took over the fisheries and conservation management responsibilities from the Cornwall Sea Fisheries Committee (CSFC), Devon Sea Fisheries Committee (DSFC) and the Environment Agency (EA), where these organisations had fisheries byelaws within the Cornwall IFCA district.

The Cornwall IFCA district¹ covers all the area of Cornwall Council and the adjacent area of sea out to a distance of six nautical miles from the 1983 baselines². This means that, in many cases, Cornwall IFCA byelaws to manage the exploitation of sea fisheries resources are applied well beyond six nautical miles from the Cornish coast. The most extreme example of this is the Eddystone which, as a baseline point about eight nautical miles offshore, means that some byelaws are applied up to about 14 nautical miles offshore from the main coastline of Cornwall. The northern boundary of the district is a line drawn due west from the Cornwall and Devon county boundary line. The southern boundary line is a complex line which divides Plymouth Sound and the River Tamar between Cornwall IFCA and Devon & Severn IFCA. Byelaws made by Cornwall IFCA do not extend above the tidal limits of any rivers or estuaries. The seaward part of the southern boundary line runs due south from a position close to the western end of the Plymouth Breakwater.

7.2 In addition to enforcement of the byelaws made by Cornwall IFCA, suitably warranted officers may also enforce:

- the byelaws of adjacent IFCAs;
- certain statutory instruments (orders) made by Defra; and
- certain EU regulations.

7.3 Compliance with EU, UK and in particular local fisheries and environmental legislation is the overall aim of the Authority. This aim is best achieved through the adoption of an adaptive co-management approach to fisheries management. Fisheries management only succeeds with an integrated approach encompassing communication, research and enforcement. A key element to achieving high compliance with legislation is by ensuring that those who are potentially affected by it have a real opportunity to engage with the Authority over the local management approach to be taken. By engaging together in the management process, the Authority and stakeholders can get 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, those affected are far more likely to abide by decisions.

7.4 Stakeholders are encouraged to engage with Cornwall IFCA on any inshore fisheries management concerns, both formally and informally. Attendance at the four annual statutory meetings of the Cornwall IFCA Committee is welcomed. The minutes of these meetings are publicly available. Wherever possible, officers will provide information, advice and guidance to stakeholders and the public, as required.

7.5 Regulatory principles

Where Cornwall IFCA undertakes its regulatory functions, it will do so in accordance with the Regulators' Code³ and the Legislative and Regulatory Reform Act 2006⁴ (as amended), which lists that regulators should:

- carry out their activities in a way that supports those they regulate to comply and grow;

¹As defined by The Cornwall Inshore Fisheries and Conservation Authority Order 2010.

²The 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).

³https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf

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

- provide simple and straightforward ways to engage with those they regulate and hear their views;
- base their regulatory activities on risk⁵;
- share information about compliance and risk;
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- ensure that their approach to their regulatory activities is transparent.

7.6 Inshore Fisheries and Conservation Officers (IFCOs) appointed by the Authority are highly trained, competent and adhere to local and national inspection codes of practice.

7.7 Compliance with the law

Cornwall IFCA will use various compliance measures at its disposal in order to try and ensure, where possible, that no party engaged in regulated fishing activity gains an unfair advantage by breaking the law. There are various actions which can be applied to those persons suspected or convicted of breaking fisheries related law. Cornwall IFCA can in most cases decide the way by which it takes action for a suspected fisheries offence from:

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. In many instances, it will be followed up by an advisory letter to emphasise what was said and to provide relevant information relating to the breached law(s). If a person commits another similar offence, the individual involved may face a higher level of enforcement action.

Advisory letter

Where it is believed that a breach of the law has 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 remedies⁶.

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 the regulation which was 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.

Caution

A formal caution may be offered by the Authority as 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 not be accepted.

⁵Risk matrix shown in section 9

⁶Civil remedies are procedures and sanctions, used to prevent or reduce criminal activity as an alternative to using formal court proceedings

Financial administrative penalty

The Authority may issue a financial administrative penalty⁷ (FAP), which may be up to £10,000, as an alternative to criminal prosecution in certain circumstances. A FAP is only offered when the Authority is prepared to instigate legal proceedings and prosecute, should the offer not be accepted. Further information on FAPs is available on the Authority's website.

Prosecution

The ability to undertake criminal prosecutions is essential for 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.

7.8 If a case passes the sufficiency of evidence test, the Authority will decide whether it is appropriate to prosecute, or to issue one of the other options set out above. There are numerous factors to consider in respect of whether it is in the public interest to prosecute a suspected offence. Each case must be considered on its own facts and on its own merits. The following is a non-exhaustive list of factors to be considered:

- 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 also, where applicable, having regard to the objectives of Marine Protected Areas;
- With regard to offences affecting fish and fish stocks, whether recovery species are involved and any issues as to quota status;
- The financial benefit of the offending or other financial aspects of the offence, including the impact on other legitimate operators;
- Whether the offence was committed deliberately or officials were obstructed during the course of the offending / investigation;
- The previous enforcement record of the offender;
- The attitude of the offender 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 and the deterrent effect on others by making an example of the offender.

7.9 Court conviction and sentencing

For most fisheries offences successfully prosecuted in a court, an unlimited fine can be imposed by the court, including on summary conviction by a Magistrates court. There are some offences which, on conviction by a court,

⁷The Sea Fishing (Penalty Notices) (England) Order 2011

are subject to a lesser maximum fine, including intentional obstruction of an officer in the performance of any of the officer's functions (£20 000). Where a person or business is found guilty of an offence, the Authority will likely ask the court that its prosecution costs are met by the defendant. This could amount to many thousands of pounds where a not guilty plea is made and in a defended case, though the Court is at liberty to refuse or limit any costs award.

8. Description of fishing methods and the main regulatory concerns

8.1 Beam trawl

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 beam trawl fisheries.

A byelaw which restricts the maximum vessel length and engine power for trawlers fishing within the district has led to there being few beam trawlers which can do so. Whilst six vessels 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 now rare, probably due to satellite monitoring. A satellite VMS is compulsory on all fishing vessels of 12m or more in length and is a big deterrent to working in prohibited areas.

All trawling methods are prohibited all rivers and estuaries, and this measure is well respected.

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.

8.2 Otter trawl

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 six fishing vessels 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 all rivers and estuaries, and this measure is well respected.

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.

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.

8.3 Scallop dredge

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 and construction 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 smaller boats. Scallop dredging is carried out very widely within the district, and whilst it is mainly concentrated from east of the Lizard to Eddystone rock, there has been increasing fishing effort off the north coast to the north and west of Trevoze Head.

The overall length of boats allowed to fish for shellfish (including scallops) in the district is restricted. Whilst historic rights are granted for five vessels within the 3 to 6 mile limit, none are known to have used it for scallop dredging. National legislation limits vessels to eight dredges per side inside the twelve mile limit and, because of economic considerations, it is therefore rare for the larger class of vessel to work anywhere between the 6 to 12 mile limits. Hence, the likelihood of illegal incursions inside the district by oversized vessels 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 come 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. Last year's investigations which, in some instances, provided for successful legal proceedings to be taken, indicates that continued observance at sea is required.

The Eddystone reefs are within the Start Point to Plymouth Sound and Eddystone SAC, where bottom-towed fishing gear is prohibited by IFCA and MMO byelaws. Evidence of dredging over the edges of prohibited reef areas has resulted in successful actions against masters and owners by way of FAPs. Continued vigilance is needed for a small minority of scallop dredgers which visit the Eddystone reefs area.

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) No.2 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.

8.4 Oyster and mussel dredge

Lightweight dredges are used from traditional Falmouth working boats under sail and rowed haul/tow punts operating within the Fal, none of which may use an engine for fishing. Sail boats generally operate two to four dredges, whilst only one dredge is normally worked from a punt. The dredges do not have digging teeth or tines. They gently pick up shellfish (oysters have delicate shells), where they then drift into a light net bag arrangement at the rear. The dredges have been of a similar pattern and construction for many decades, though the use of stainless steel metalwork for longevity purposes has become common.

The fishery for oysters and mussels is currently managed under the Closed Areas (European Marine Sites) No.2 Byelaw, as amended by the Closed Areas (European Marine Sites) No.2 Byelaw (Amendment) Order 2016, which is expected to be superseded before October 2016 by the Fal Fishery Order 2016. This is a regulating order, with Cornwall IFCA as its grantee. Both the current byelaw and anticipated order require that fishermen pay an annual toll of £165 per dredge, or for hand-gathering, in the Fal Fishery Area.

Fishing times of day and oyster and mussel minimum sizes are among the provisions of the byelaws (and proposed Order) which need to be regularly checked. Whilst the dredge fishing season for oysters is from October to March incl. there is a low amount of oyster dredging on defined oyster lay areas during some months outside that period, which can only go ahead with pre-notification to the Authority. The mussel dredging season is only carried out October to March incl. but hand-gathering for this species is allowed throughout the year by licensed fishermen.

Inspections work begun in October 2014 by Cornwall IFCA for oyster and mussel fisheries in the Fal, indicates good compliance with fisheries legislation.

Main enforcement concerns for oyster and mussel dredging in the district are:

- Fishing for oysters or mussels at a prohibited time of day in respect of the Closed Areas (European Marine Sites) No.2 Byelaw/proposed Fal Fishery Order 2016;
- Fishing for oysters in an exclusion zone in respect of the Closed Areas (European Marine Sites) No.2 Byelaw/proposed Fal Fishery Order 2016; and
- Undersized oysters or mussels in respect of the Closed Areas (European Marine Sites) No.2 Byelaw/proposed Fal Fishery Order 2016.

8.5 Pot

Pots with a wide range of design characteristics 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. Capacity is generally limited according to available deck space for pots and shellfish storage, and vessel stability requirements. A boat which concentrates on potting for the bulk of annual grossings will often use several hundred pots for most of the year, whereas for some larger operations 1000 to 2000 pots per boat is not unusual. Some boats are fitted with sea-water tanks (known as vivier tanks) for live storage of shellfish. Larger boats tend to have them built-in below deck, as the weight of water and shellfish can be many tonnes.

A Cornwall IFCA permit is required for any individual wishing to remove more than two shellfish per day using a boat within the Cornwall IFCA district. It is relevant to the four main commercial crustacean species – lobster, crawfish, edible crab and spider crab. A replacement byelaw was made by the Authority in March 2016, which may be confirmed by Defra this year. If so, it will raise the catch allowance for non-permitted boats to five animals, provided that no more than two are lobster and/or crawfish, combined. Permit holders will be required to report landed crustacean catches, to include velvet crab and green crab. A new monthly statistics form has been developed, which may be completed and sent online. The data will be used to inform future fisheries management for important shellfisheries.

The overall length of boats allowed to fish for shellfish in the district is restricted. However, historic rights are granted for five vessels within the 3 to 6 mile limit, though only one of these particular vessels is known to use pots to target crustacean species.

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 where a fishing vessel is used to take more than two shellfish per day in respect of the Lobster, Crawfish, and Crab Fishing for

Profit Permit byelaw and the proposed Lobster, Crawfish and Crab Fishing Permit byelaw;

- Non-return of shellfish monthly statistics in respect of the Lobster, Crawfish, and Crab Fishing for Profit Permit byelaw and the proposed Lobster, Crawfish and Crab Fishing Permit byelaw;
- Berried lobsters in respect of the Berried Lobsters and Crawfish byelaw;
- V-notched lobsters in respect of the Protection of V-notched Lobsters byelaw and The Lobsters and Crawfish (Prohibition of Fishing and Landing) Order; and
- Detached crab claws in respect of the Parts of Crab byelaw and Commission Regulation EC850/98.

8.6 Net

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. Passive nets are usually set along the seabed with an anchor at each end. Some may only be one or two hundred metres in length, whereas others, when joined together, may form a length of several thousands of metres. Nets of smaller mesh sizes (<70mm) 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 any 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 set for a variety of fin fish species, depending on their seasonal abundance. Crawfish and spider crabs may be targeted using nets, but most bottom set nets used for fin fish are likely to take shellfish as a bycatch. Up to 30kg of accidentally detached edible crab claws and spider crab claws, combined, may be retained per day from animals which are being cleared from nets in the district (75kg from fisheries outside 6 miles).

Under EU regulation, the mesh size of a net must correspond to the fish and shellfish (incl. parts) species which are retained on board or landed, except where a landing obligation must be regarded. A net mesh size range between 70mm and 90mm is prohibited to help protect juvenile bass.

Six areas, which have become known as bass nursery areas, exist within the district's larger river systems. Under an order, when fishing from a boat in these areas, it is prohibited to fish for bass for up to eight months of the year.

Under a byelaw, it is prohibited to set fixed nets within three metres of the sea surface in nine coastal areas. It was made for the protection of salmonids as they migrate around the near shore, to and from the river systems. This has proven to be problematic for fishermen wishing to target sea fish, also 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. Joint working with EA and Police officers, as well as the individual work of these other authorities in river areas, allows good use of limited officer numbers and physical resources, enabling excellent gathering and sharing of intelligence. Regular night patrols are needed to encounter river netting activity, by chance.

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 and Commission Regulation (EC) 850/98;
- Undersized bass in respect of Commission Implementing Regulation (EU) 2015/1316;
- Grant of a permit where a fishing vessel is used to take more than two shellfish per day in respect of the Lobster, Crawfish, and Crab Fishing for Profit Permit byelaw and the proposed Lobster, Crawfish and Crab Fishing Permit byelaw;
- Non-return of shellfish monthly statistics in respect of the Lobster, Crawfish, and Crab Fishing for Profit Permit byelaw and the proposed Lobster, Crawfish and Crab Fishing 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.

8.7 Ring-net or purse-seine

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 and no longer retain fish.

The EU pelagic landing obligation is particularly pertinent to the fish species of mackerel, horse mackerel, herring and sprat, as these are most often caught in the district by these vessels. Sardines (pilchards) and anchovies are not covered by this legislation. A huge area known as the 'Mackerel Box' which encompasses the whole of the district was designed to restrict mackerel catches for certain fishing methods, including ring-netting and purse seining vessels, but it is now clear that higher percentage mackerel catches can now be landed due to imposition of the pelagic landing obligation.

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

8.8 Seine net

Seine nets used off a beach or small boat are most commonly used to take sand eels for use as live or frozen angling bait.

A beach seine 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.

Larger beach seines used for catching bass and mullet are generally owned by a collective of commercial fishermen, who normally work with other fishing gear from licensed fishing boats within the district. The 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.

There are no major fisheries enforcement concerns for seines used in the district.

8.9 Long-line

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

Hook size, bait type and fishing ground normally dictate the species caught and whether they are likely to meet any minimum size requirements.

There are no major fisheries enforcement concerns for long-lining in the district.

8.10 Hand-line

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.

Trolling is another hand-line method, which involves the towing of a hooked lure or bait anywhere from just above the sea-bed to near the sea surface. Bass and pollack are often targeted in this way by small open cove boats.

Hand-lining in its various forms is wide spread around the district for many commercial fishermen and is also popular on a recreational basis. Any undersized or unwanted fish species can normally be released back to the sea alive.

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

- Undersized bass in respect of Commission Implementing Regulation (EU) 2015/1316; and
- Undersized fish in respect of the Specified Fish Sizes byelaw and Commission Regulation (EC) 850/98.

8.11 Rod and line

Fishing using lures or baits is very widespread from boats used at sea and from the coastline of the district, being most common amongst recreational fishermen. It also works well on a commercial basis for 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. The new EU bass 42cm minimum conservation reference size was generally well received by anglers. EU emergency bass regulation has imposed catch and release for recreational fisheries until the end of June, and a single bass per person per day limit for the remainder of 2016.

Undersized or unwanted fish species can normally be removed from hooks and released back to the sea alive. Bass, cod and pollack are the species most likely to be occasionally found undersized.

Six areas, which have become known as bass nursery areas, exist within the district's larger river systems. Under an order, when fishing from a boat in these areas, it is prohibited to fish for bass, or fish for sea fish using sand-eel as bait, for up to eight months of the year.

Main enforcement concerns for angling in the district are:

- Undersized bass in respect of Commission Implementing Regulation (EU) 2015/1316;
- Undersized fish in respect of the Specified Fish Sizes byelaw and Commission Regulation (EC) 850/98; 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 within a bass nursery area, in respect of the Bass (Specified Areas)(Prohibition of Fishing) Order.

8.12 Hand-gathering

Hand-gathering activities occur on the sea coast, in some harbours and within the tidal limits of rivers and estuaries. Shellfish such as oysters, mussels, cockles and winkles are gathered from the shore for both personal use and commercial gain. Fishing for oysters and mussels in a large part of the Fal can only be carried under a licence issued by the Authority.

Worms and green crab are taken from the shore to be used as angling bait, with some collection being on a commercial basis.

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 sea bed area. 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.

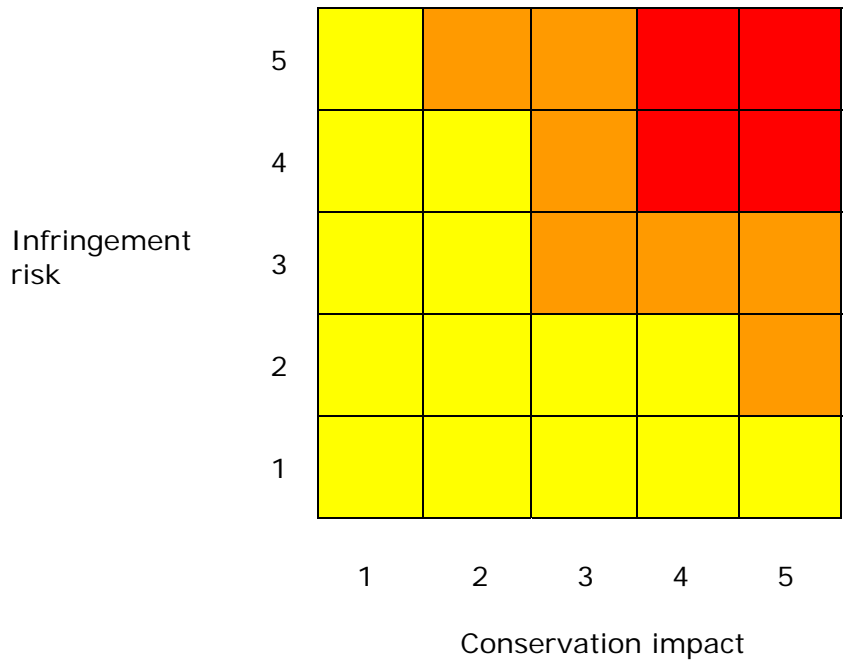
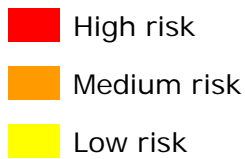
Main enforcement concerns for hand gathering in the district are:

- Licensing of persons gathering oysters or mussels in the Fal in respect of the Closed Areas (European Marine Sites) No.2 Byelaw/proposed Fal Fishery Order 2016; and
- Undersized oysters or mussels in respect of the Closed Areas (European Marine Sites) No.2 Byelaw/proposed Fal Fishery Order 2016.

9. Risk based enforcement

- 9.1 In order to prioritise the work carried out by enforcement officers, four tables have been developed to assess fishing activities and the risk of non-compliance with fisheries legislation (see appendices 1, 2, 3 & 4 below). They have been formulated for each quarter of the year (beginning 1st April) to reflect varying fishing patterns through the year and temporal elements of some legislation, making it simpler to see the priorities for enforcement at a particular time of year.
- 9.2 It is important to recognise that the tables' "regulatory considerations" are not inclusive of every single fishing matter covered by fisheries legislation. They are 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.
- 9.3 Each fishing activity is scored out of five, for both its regulatory infringement risk and conservation impact upon fisheries and the marine environment, within the Cornwall IFCA district. The scoring was carried out by experienced IFCA officers, after careful consideration of their knowledge and relevant facts.
- 9.4 Determining the enforcement risk
Applying the scores to a 5 x 5 matrix system shows how different levels of enforcement risk are evaluated, with colour coding used to highlight the low, medium and high risks. Barring unforeseen or exceptional fishing events, the higher risk activities will be prioritised for enforcement and compliance work.

Where a fisheries offence is investigated by officers and the case is then sent to the Authority's solicitor agent, where the evidence is assessed and public interest test is applied, the enforcement risk will be an important element in deciding which follow up action could reasonably be taken by the Authority. Where a decision is made to prosecute an offence in a court, the enforcement risk is likely to be highlighted to the court, to indicate how the Authority views the seriousness of an infringement.



9.5 2016 - 17 enforcement and compliance priorities

Illegal fishing activities which are the highest priority for enforcement and compliance work are:

- Dredging for scallops in the curfew hours (byelaw) - all year;
- Dredging in SAC prohibited areas of Eddystone reefs (byelaw) - all year;
- Undersized scallops from scallop dredging (EU regulation) - all year;
- Cut-out scallops from scallop dredging (EU regulation) - all year;
- Fixed nets in rivers and estuaries (byelaw) - all year;
- Nets prohibited in Fowey, Camel & Tamar rivers (byelaw) - seasonal/all year
- Fishing for bass from a boat in parts/entire rivers (order) - seasonal/all year.

CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT
APRIL TO JUNE 2016 incl. (1st QUARTER)

Appendix 1

FISHING METHOD	AREA	REGULATORY CONSIDERATION	INFRINGEMENT RISK L - 1,2,3,4,5 - H	CONSERVATION IMPACT L - 1,2,3,4,5 - H	ENFORCEMENT RISK
Beam trawl	Offshore sea area	Vessel length/engine power restricted	2	4	8
		Undersized sea fish prohibited	2	3	6
		Trawl and beam construction restricted	1	4	4
		Cape Banks SAC prohibited	2	4	8
		Eddystone reefs SAC (parts) prohibited	2	4	8
		Falmouth Bay SAC prohibited	1	4	4
		Plymouth Sound SAC prohibited	1	4	4
		Lizard SAC prohibited	1	4	4
	Bass catch limited	1	4	4	
Rivers and estuaries	Fishing method prohibited	1	4	4	
Otter trawl	Offshore sea area	Vessel length/engine power restricted	2	3	6
		Trawl construction restricted	2	2	4
		Undersized sea fish prohibited	2	3	6
		French vessel incursion prohibited	2	4	8
		Cape Bank SAC prohibited	1	4	4
		Falmouth Bay SAC prohibited	1	4	4
		Plymouth Sound SAC prohibited	1	4	4
		Eddystone reefs SAC (parts) prohibited	2	4	8
	Bass catch limited	1	4	4	
Rivers and estuaries	Fishing method prohibited	1	3	3	
Dredge	Offshore sea area	Vessel length restricted	2	5	10
		Number of dredges in use restricted	2	5	10
		Undersized scallops/sea fish prohibited	4	4	16
		Cut-out scallops prohibited	4	4	16
		Dredge construction & tow bar length restricted	3	1	3
		Dredging time of day restricted	4	4	16
		Non bivalve molluscs bycatch limited	2	1	2
		Falmouth Bay SAC prohibited	2	4	8
		Eddystone reefs SAC (parts) prohibited	4	4	16
		Lizard Point SAC prohibited	2	4	8
		Cape Bank SAC prohibited	1	4	4

Dredge cont'd	Rivers and estuaries	Plymouth Sound SAC prohibited	1	4	4
		Tamar, Fal and Helford prohibited	1	5	5
		Licence for using oyster/mussel dredge in Fal Fishery Area (FFA) required	1	1	1
		Dredging for oyster/mussel in FFA using engine prohibited	2	2	4
		Undersized oyster/mussel from FFA prohibited	1	3	3
		Dredging for oyster/mussel in FFA (except on specified lays) prohibited	1	3	3
		Statistics returns re FFA required	3	1	3
Net	Offshore sea area *also rivers/estuaries	St Ives Bay seabird bycatch limited	1	3	3
		Fixed nets (9 defined coastal areas) headline depth restricted	2	3	6
		Manacles / Runnelstone net mesh size restricted	1	4	4
		Parts of crab limited	2	2	4
		Prohibited net mesh size range*	2	3	6
		Catch composition re net mesh size restricted*	3	3	9
		Undersized sea fish prohibited*	2	3	6
		Shellfish permit and application of permit conditions required*	2	1	2
		Bass catch limited	1	4	4
	Rivers and estuaries	Fixed nets prohibited	3	4	12
		Net mesh size range restricted	1	3	3
		Camel, Helford, Fal (parts), Percuil & Fowey (part) bass prohibited (May/June)	3	4	12
		Tamar bass prohibited	2	4	8
		Camel & Fowey (May/June), Tamar all nets prohibited	3	4	12
Pot	Offshore sea area *also rivers/estuaries	Vessel length restricted	1	4	4
		Undersized sea fish prohibited*	3	3	9
		Berried lobsters/crawfish prohibited	3	3	9
		V-notched lobsters/crawfish prohibited	2	2	4
		Parts of crabs limited	2	3	6
		Shellfish permit and application of	3	1	3

		permit conditions required			
Ring net & purse seine	Offshore sea area	Vessel length restricted	1	3	3
		Undersized sea fish prohibited	2	2	4
		Bass catch limited	1	4	4
Seine net (incl. beach seine)	Offshore sea area	Undersized sea fish prohibited	2	2	4
		Prohibited net mesh size range	1	3	3
	Rivers and estuaries	EA permit for sand-eel seine (May/June) required	1	1	1
		Net mesh size for sand-eel seine restricted	1	3	3
Rod & line	Offshore sea area	Undersized sea fish prohibited	2	2	4
	Rivers and estuaries	Recreational bass catch limited	2	2	4
		Commercial bass catch limited	1	2	1
		Camel, Helford, Fal (parts), Percuil & Fowey (part) sand-eel bait & bass prohibited (May/June)	3	3	9
		Tamar sand-eel bait & bass prohibited	3	3	9
Hand-line	Offshore sea area	Undersized sea fish prohibited	1	2	2
	Rivers and estuaries	Recreational bass catch limited	1	2	2
		Commercial bass catch limited	1	2	2
		Camel, Helford, Fal (parts), Percuil & Fowey (part) sand-eel bait & bass prohibited (May/June)	1	3	3
		Tamar sand-eel bait & bass prohibited	1	3	3
Hand-gathering (incl. by diver)	Offshore sea area	Undersized sea fish prohibited	1	2	2
	Rivers and estuaries	Licence for gathering oyster/mussel from Fal Fishery Area (FFA) required	2	2	4
		Undersized oyster/mussel from FFA prohibited	2	3	6
		Daily time period for gathering oysters/mussels from FFA restricted	2	2	4
		Gathering oysters from FFA (except on specified oyster lay areas) prohibited	2	3	6
		Statistics returns re FFA required	3	1	3
		Undersized sea fish prohibited	1	3	3

CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT
JULY TO SEPTEMBER 2016 incl. (2nd QUARTER)

Appendix 2

<u>FISHING METHOD</u>	<u>AREA</u>	<u>REGULATORY CONSIDERATION</u>	<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>
Beam trawl	Offshore sea area	Vessel length/engine power restricted	2	4	8
		Undersized sea fish prohibited	2	3	6
		Trawl and beam construction restricted	1	4	4
		Cape Banks SAC prohibited	1	4	4
		Eddystone reefs SAC (parts) prohibited	2	4	8
		Falmouth Bay SAC prohibited	1	4	4
		Plymouth Sound SAC prohibited	1	4	4
		Lizard SAC prohibited	1	4	4
	Bass catch limited	1	4	4	
Rivers and estuaries	Fishing method prohibited	1	4	4	
Otter trawl	Offshore sea area	Vessel length/engine power restricted	2	3	6
		Trawl construction restricted	2	2	4
		Undersized sea fish prohibited	2	3	6
		French vessel incursion prohibited	2	4	8
		Cape Bank SAC prohibited	1	4	4
		Falmouth Bay SAC prohibited	1	4	4
		Plymouth Sound SAC prohibited	1	4	4
		Eddystone reefs SAC (parts) prohibited	2	4	8
	Bass catch limited	1	4	4	
Rivers and estuaries	Fishing method prohibited	1	3	3	
Dredge	Offshore sea area	Vessel length restricted	2	5	10
		Number of dredges in use restricted	2	5	10
		Undersized scallops/sea fish prohibited	4	4	16
		Cut-out scallops prohibited	4	4	16
		Dredge construction & tow bar length restricted	3	1	3
		Dredging time of day restricted	4	4	16
		Non bivalve molluscs bycatch limited	2	1	2
		Falmouth Bay SAC prohibited	2	4	8
		Eddystone reefs SAC prohibited (parts)	4	4	16
		Lizard Point SAC prohibited	2	4	8
		Cape Bank SAC prohibited	1	4	4

Dredge cont'd	Rivers and estuaries	Plymouth Sound SAC prohibited	1	4	4
		Tamar, Fal and Helford prohibited	1	5	5
		Licence for using oyster/mussel dredge in Fal Fishery Area (FFA) required	1	1	1
		Dredging for oyster/mussel in FFA using engine prohibited	2	2	4
		Undersized oyster/mussel from FFA prohibited	1	3	3
		Dredging for oyster/mussel in FFA (except on specified lays) prohibited	1	3	3
		Statistics returns re FFA required	3	1	3
Net	Offshore sea area *also rivers/estuaries	St Ives Bay seabird bycatch limited	1	3	3
		Fixed nets (9 defined coastal areas) headline depth restricted	2	3	6
		Manacles / Runnelstone net mesh size restricted	1	4	4
		Parts of crab limited	2	2	4
		Prohibited net mesh size range*	2	3	6
		Catch composition re mesh size restricted*	3	3	9
		Undersized sea fish prohibited*	2	3	6
		Shellfish permit and application of permit conditions required*	2	1	2
		Bass catch limited	1	4	4
	Rivers and estuaries	Fixed nets prohibited	3	4	12
		Net mesh size range restricted	1	3	3
		Camel, Helford, Fal (parts), Percuil, Fowey (part) bass prohibited	3	4	12
		Tamar bass prohibited	2	4	8
		Camel, Fowey & Tamar all nets prohibited	3	4	12
Pot	Offshore sea area *also rivers/estuaries	Vessel length restricted	1	4	4
		Undersized sea fish prohibited*	3	3	9
		Berried lobsters/crawfish prohibited	3	3	9
		V-notched lobsters/crawfish prohibited	2	2	4
		Parts of crabs limited	2	3	6
		Shellfish permit and application of permit conditions required	3	1	3

Ring net & purse seine	Offshore sea area	Vessel length restricted	1	3	3
		Undersized sea fish prohibited	2	2	4
		Bass catch limited	1	4	4
Seine net (incl. beach seine)	Offshore sea area	Undersized sea fish prohibited	2	2	4
		Prohibited net mesh size range	1	3	3
	Rivers and estuaries	EA permit for sand-eel seine required	1	1	1
		Net mesh size for sand-eel seine restricted	1	3	3
Rod & line	Offshore sea area	Undersized sea fish prohibited	2	2	4
		Rivers and estuaries	Recreational bass catch limited	2	2
	Commercial bass catch limited	1	2	2	
	Camel, Helford, Fal (parts), Percuil & Fowey (part) sand-eel bait & bass prohibited	3	3	9	
	Tamar sand-eel bait & bass prohibited	3	3	9	
Hand-line	Offshore sea area	Undersized sea fish prohibited	1	2	2
		Rivers and estuaries	Recreational bass catch limited	1	2
	Commercial bass catch limited	1	2	2	
	Camel, Helford, Fal (parts), Percuil & Fowey (part) sand-eel bait & bass prohibited	1	3	3	
	Tamar sand-eel bait & bass prohibited	1	3	3	
Hand-gathering (incl. by diver)	Offshore sea area	Undersized sea fish prohibited	1	2	2
	Rivers and estuaries	Licence for gathering oyster/mussel from Fal Fishery Area (FFA) required	2	1	2
		Undersized oyster/mussel from FFA prohibited	2	3	6
		Daily time period for gathering oysters/mussels from FFA restricted	2	2	4
		Gathering oysters from FFA (except on specified oyster lay areas) prohibited	2	3	6
		Statistics returns re FFA required	3	1	3
		Undersized sea fish prohibited	1	3	3

**CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT
OCTOBER TO DECEMBER 2016 incl. (3rd QUARTER)**

Appendix 3

<u>FISHING METHOD</u>	<u>AREA</u>	<u>REGULATORY CONSIDERATION</u>	<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>
Beam trawl	Offshore sea area	Vessel length/engine power restricted	2	4	8
		Undersized sea fish prohibited	2	3	6
		Trawl and beam construction restricted	1	4	4
		Cape Banks SAC prohibited	1	4	4
		Eddystone reefs SAC (parts) prohibited	2	4	8
		Falmouth Bay SAC prohibited	1	4	4
		Plymouth Sound SAC prohibited	1	4	4
		Lizard SAC prohibited	1	4	4
	Bass catch limited	1	4	4	
Rivers and estuaries	Fishing method prohibited	1	4	4	
Otter trawl	Offshore sea area	Vessel length/engine power restricted	2	3	6
		Trawl construction restricted	2	2	4
		Undersized sea fish prohibited	2	3	6
		French vessel incursion prohibited	2	4	8
		Cape Bank SAC prohibited	1	4	4
		Falmouth Bay SAC prohibited	1	4	4
		Plymouth Sound SAC prohibited	1	4	4
		Eddystone reefs SAC (parts) prohibited	2	4	8
	Bass catch limited	1	4	4	
Rivers and estuaries	Fishing method prohibited	1	3	3	
Dredge	Offshore sea area	Vessel length restricted	2	5	10
		Number of dredges in use restricted	2	5	10
		Undersized scallops/sea fish prohibited	4	4	16
		Cut-out scallops prohibited	4	4	16
		Dredge construction & tow bar length restricted	3	1	3
		Dredging time of day restricted	4	4	16
		Non bivalve molluscs bycatch limited	2	1	2
		Falmouth Bay SAC prohibited	2	4	8
		Eddystone reefs SAC (parts) prohibited	4	4	16
		Lizard Point SAC prohibited	2	4	8
		Cape Bank SAC prohibited	1	4	4

Dredge cont'd	Rivers and estuaries	Plymouth Sound SAC prohibited	1	4	4
		Tamar, Fal and Helford prohibited	1	5	5
		Licence for using oyster/mussel dredge in Fal Fishery Area (FFA) required	1	1	1
		Dredging for oyster/mussel in FFA using engine prohibited	1	2	2
		Undersized oyster/mussel from FFA prohibited	2	3	6
		Daily time period for dredging oyster/mussel from FFA restricted	2	2	4
		Dredging in FFA exclusion zone prohibited	2	4	8
		Shellfish bycatch in FFA limited	2	2	4
		Statistics returns re FFA required	3	1	3
Net	Offshore sea area *also rivers/estuaries	St Ives Bay seabird bycatch limited	2	3	6
		Fixed nets (9 defined coastal areas) headline depth restricted	2	3	6
		Manacles / Runnelstone net mesh size restricted	1	4	4
		Parts of crab limited	2	2	4
		Prohibited mesh size range*	2	3	6
		Catch composition re mesh size restricted*	3	3	9
		Undersized sea fish prohibited*	2	3	6
		Shellfish permit and application of permit conditions required*	2	1	2
		Bass catch limited	1	4	4
	Rivers and estuaries	Fixed nets prohibited	3	4	12
		Net mesh size restricted	1	3	3
		Camel (parts)(except Dec), Helford, Percuil, Fal (parts) & Fowey (part) bass prohibited	3	4	12
		Tamar bass prohibited	2	4	8
		Camel, Fowey & Tamar all nets prohibited	3	4	12
Pot	Offshore sea area	Vessel length restricted	1	4	4
		Undersized sea fish prohibited*	3	3	9
	*also rivers/estuaries	Berried lobsters/crawfish	3	3	9

Pot cont'd		V-notched lobsters/crawfish	2	2	4
		Parts of crabs - limited	2	3	6
		Shellfish permit and conditions	3	1	3
Ring net & purse seine	Offshore sea area	Vessel length restricted	1	3	3
		Undersized sea fish prohibited	2	2	4
		Bass catch limited	1	4	4
Seine net (incl. beach seine)	Offshore sea area	Undersized sea fish prohibited	2	2	4
		Prohibited net mesh size range	1	3	3
	Rivers and estuaries	EA permit for sand-eel seine required	1	1	1
		Net mesh size for sand-eel seine restricted	1	3	3
Rod & line	Offshore sea area Rivers and estuaries	Undersized sea fish prohibited	2	2	4
		Recreational bass catch limited	2	2	4
		Commercial bass catch limited	1	2	2
		Camel, Helford, Fal (parts), Percuil & Fowey (part) sand-eel bait & bass prohibited	3	3	9
		Tamar sand-eel bait & bass prohibited	3	3	9
Hand-line	Offshore sea area Rivers and estuaries	Undersized sea fish prohibited	1	2	2
		Recreational bass catch limited	1	2	2
		Commercial bass catch limited	1	2	2
		Camel, Helford, Fal (parts), Percuil & Fowey (part) sand-eel bait & bass prohibited	1	3	3
		Tamar sand-eel bait & bass prohibited	1	3	3
Hand-gathering (incl. by diver)	Offshore sea area	Undersized sea fish prohibited	1	2	2
	Rivers and estuaries	Licence for gathering oyster/mussel from Fal Fishery Area (FFA) required	2	1	2
		Undersized oyster/mussel from FFA prohibited	2	3	6
		Daily time period for gathering oyster/mussel from FFA restricted	2	2	4
		Statistics returns re FFA required	3	1	3
		Undersized sea fish prohibited	1	3	3

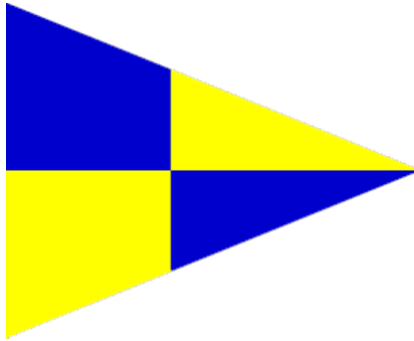
CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT
JANUARY TO MARCH 2017 incl. (4th QUARTER)

Appendix 4

<u>FISHING METHOD</u>	<u>AREA</u>	<u>REGULATORY CONSIDERATION</u>	<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>
Beam trawl	Offshore sea area	Vessel length/engine power restricted	2	4	8
		Undersized sea fish prohibited	2	3	6
		Trawl and beam construction restricted	1	4	4
		Cape Banks SAC prohibited	2	4	8
		Eddystone reefs SAC (parts) prohibited	2	4	8
		Falmouth Bay SAC prohibited	1	4	4
		Plymouth Sound SAC prohibited	1	4	4
		Lizard SAC prohibited	1	4	4
	Bass catch limited	1	4	4	
Rivers and estuaries	Fishing method prohibited	1	4	4	
Otter trawl	Offshore sea area	Vessel length/engine power restricted	2	3	6
		Trawl construction restricted	2	2	4
		Undersized sea fish prohibited	2	3	6
		French vessel incursion prohibited	2	4	8
		Cape Bank SAC prohibited	1	4	4
		Falmouth Bay SAC prohibited	1	4	4
		Plymouth Sound SAC prohibited	1	4	4
		Eddystone reefs SAC (parts) prohibited	2	4	8
	Bass catch limited	1	4	4	
Rivers and estuaries	Fishing method prohibited	1	3	3	
Dredge	Offshore sea area	Vessel length restricted	2	5	10
		Number of dredges in use restricted	2	5	10
		Undersized scallops/sea fish prohibited	4	4	16
		Cut-out scallops prohibited	4	4	16
		Dredge construction & tow bar length restricted	3	1	3
		Dredging time of day restricted	4	4	16
		Non bivalve molluscs bycatch limited	2	1	2
		Falmouth Bay SAC prohibited	2	4	8
		Eddystone reefs SAC (parts) prohibited	4	4	16
		Lizard Point SAC prohibited	2	4	8
		Cape Bank SAC prohibited	1	4	4

Dredge cont'd	Rivers and estuaries	Plymouth Sound SAC prohibited	1	4	4
		Tamar, Fal and Helford prohibited	1	5	5
		Licence for using oyster/mussel dredge in Fal Fishery Area (FFA) required	1	1	1
		Dredging for oyster/mussel in FFA using engine prohibited	1	2	2
		Undersized oyster/mussel from FFA prohibited	2	3	6
		Daily time period for dredging oyster/mussel from FFA restricted	2	2	4
		Dredging in FFA exclusion zone prohibited	2	4	8
		Shellfish bycatch in FFA limited	2	2	4
		Statistics returns re FFA required	3	1	3
Net	Offshore sea area *also rivers/estuaries	St Ives Bay seabird bycatch limited	2	3	6
		Fixed nets (9 defined coastal areas) headline depth restricted	2	3	6
		Manacles / Runnelstone net mesh size restricted	1	4	4
		Parts of crab limited	2	2	4
		Prohibited mesh size range*	2	3	6
		Catch composition re mesh size restricted*	3	3	9
		Undersized sea fish prohibited*	2	3	6
		Shellfish permit and application of permit conditions*	2	1	2
		Bass catch limited	1	4	4
	Rivers and estuaries	Fixed nets prohibited	3	4	12
		Net mesh size restricted	1	3	3
		Tamar bass prohibited	2	4	8
		Tamar all nets prohibited	2	4	8
Pot	Offshore sea area *also rivers/estuaries	Vessel length restricted	1	4	4
		Undersized sea fish prohibited*	3	3	9
		Berried lobsters/crawfish	3	3	9
		V-notched lobsters/crawfish	2	2	4
		Parts of crabs - limited	2	3	6
		Shellfish permit and conditions	3	1	3

Ring net & purse seine	Offshore sea area	Vessel length restricted	1	3	3
		Undersized sea fish prohibited	2	2	4
		Bass catch limited	1	4	4
Seine net (incl. beach seine)	Offshore sea area	Undersized sea fish prohibited	2	2	4
		Prohibited net mesh size range	1	3	3
	Rivers and estuaries	EA permit for sand-eel seine required	1	1	1
		Net mesh size for sand-eel seine restricted	1	3	3
Rod & line	Offshore sea area Rivers and estuaries	Undersized sea fish prohibited	2	2	4
		Recreational bass catch limited	2	2	4
		Commercial bass catch limited	1	2	2
		Tamar bass prohibited	3	3	9
		Tamar sand-eel bait prohibited	3	3	9
Hand-line	Offshore sea area Rivers and estuaries	Undersized sea fish prohibited	1	2	2
		Recreational bass catch limited	1	2	2
		Commercial bass catch limited	1	2	2
		Tamar bass prohibited	3	3	9
		Tamar sand-eel bait prohibited	1	3	3
Hand-gathering (incl. by diver)	Offshore sea area	Undersized sea fish prohibited	1	2	2
	Rivers and estuaries	Licence for gathering oyster/mussel from Fal Fishery Area (FFA) required	2	1	2
		Undersized oyster/mussel from FFA prohibited	2	3	6
		Daily time period for gathering oyster/mussel from FFA restricted	2	2	4
		Statistics returns re FFA required	3	1	3
		Undersized sea fish prohibited	1	3	3



Produced and published May 2016 by:

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