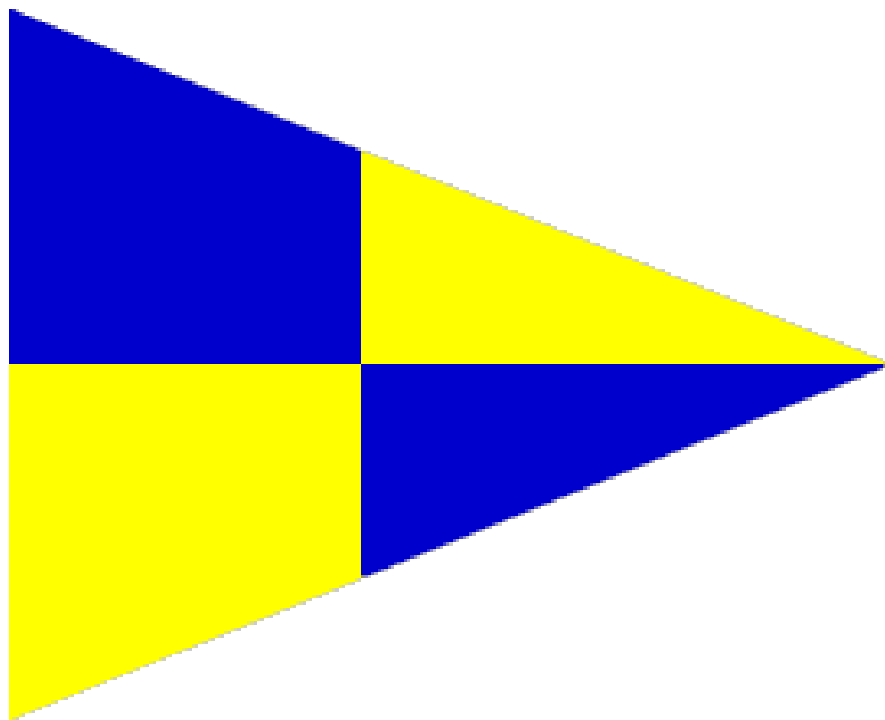




Inshore Fisheries and  
Conservation Authority



Enforcement Plan 2017 - 2018



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## CORNWALL IFCA ENFORCEMENT PLAN 2017 - 2018

### **1. Overview of fisheries enforcement 2016 - 2017**

- 1.1 The enforcement team was fully staffed by the same warranted officers throughout the whole of last year. They attended training courses in respect of their enforcement and investigative work remit, as well as on a new national approach to information and intelligence sharing between fisheries authorities and other UK law enforcement organisations.
- 1.2 Close liaison was maintained with local Environment Agency (EA) and Marine Management Organisation (MMO) enforcement officers during the year. The continued co-location of offices with the MMO proved very beneficial in respect of sharing information and the understanding and organising of inspections and enforcement work.
- 1.3 Contacts were maintained with several other marine enforcement organisations with fishing interests, including Cornwall Port Health Authority (PHA) and the Maritime and Coastguard Agency (MCA). Using information provided by this and other authorities, the MCA was able to take proceedings against an individual commercial fisherman, which resulted in a fifteen month prison sentence being handed down by the Court. Cornwall PHA was provided with information which allowed it to engage with shellfish hand-gatherers operating in some intertidal river areas, where advice was subsequently provided to persons who may have intended to sell untested or non-depurated shellfish for human consumption.
- 1.4 Enforcement of EU fisheries legislation was problematic for IFCAs, due to Defra's revocation of a statutory instrument (SI) which included a provision for enforcement of EU legislation. Therefore, inspections and investigations work in the last year was constrained by the lack of adequate IFCO powers, meaning that some potential fishing offences could not be directly checked. Officers were able to relay suspected EU offences to the MMO for it to take action. Cornwall IFCA byelaws and various SIs were enforced as normal.
- 1.5 The enforcement of legacy netting byelaws was also subject to legal issues, due to complications with their adoption under the Marine and Coastal Access Act. This led to a reduction in net fishing inspections and enforcement work within the district's river systems.
- 1.6 From April 2016 to March 2017, there were twelve serious infringements of fisheries legislation which led to the compilation of full case files; four fewer than in the previous year. This is likely to be down to a combination of reasons, such as the legislative issues referred to above and a deterrent effect caused by the greater fines being imposed for illegal fishing by courts in Cornwall and other parts of the UK, which have sometimes resulted in fines and costs amounting to tens of thousands of pounds.
- 1.7 In terms of enforcement work priorities, illegal scallop dredger activity within the district continued to give most causes for concern. Officers investigated several breaches of the byelaws which impose a twelve hour night-time curfew for scallop dredging and prohibit the use of bottom towed gear in European Marine Sites. Numerous reports of illegal acts of cutting out scallops on board vessels also contributed to maintaining scallop dredgers at the top of the risk-based enforcement strategy throughout 2016-17.

- 1.8 With the enacting of the Lobster, Crawfish and Crab Fishing Permit Byelaw 2016, a refreshed approach was taken in respect of compliance with a statutory permit condition which requires shellfish permit holders to make monthly catch and fishing effort returns. Anyone missing the fifteen day deadline was swiftly being prompted via telephone and letters from enforcement officers. Those ignoring this approach were issued with either an advisory letter or warning letter, depending on the circumstances, or in the most serious of cases, offered a caution.

## **2. Cornwall IFCA byelaws and regulations**

- 2.1 The Lobster, Crawfish and Crab Fishing Permit Byelaw was enacted at the end of 2016, replacing a similar legacy byelaw. The main differences in the new byelaw are a slightly higher allowance in the numbers of shellfish which may be taken before a permit is required, and the opportunity for this authority to apply flexible permit conditions, should the need be identified. New monthly returns forms have been developed to make it simpler for fishermen to enter their fishing data on paper. Cornwall IFCA will also accept emailed returns using the same form downloaded from the website, as well as via an app which can be downloaded to a smart phone or tablet. The app is designed to allow shellfish catch and fishing effort data to be entered daily and then submitted simultaneously to IFCAs and the MMO at the end of the month, with an automatic reminder to do so being one of the many beneficial features. However, the MMO is continuing to only accept its MSAR1 monthly shellfish returns forms at this time. The app developer will require payment of a fee from fishermen who choose to use the app.
- 2.2 Cornwall IFCA made its first byelaw to further the conservation objectives of a Marine Conservation Zone (MCZ) in 2016 for the Manacles MCZ, which was enacted in April 2017. The Manacles Marine Conservation Zone (Fishing Restrictions) Byelaw prohibits bottom towed gear throughout the entire MCZ to protect certain features of the marine environment.
- 2.3 In 2016, Cornwall IFCA made two new byelaws which have yet to be confirmed by Defra:
- River and Estuarine Fishing Nets Byelaw which prohibits the use of all nets which are known to be used commercially, to balance the different needs of persons engaged in the exploitation of sea fisheries resources; and
  - Whitsand and Looe Bay Marine Conservation Zone (Fishing Restrictions) Byelaw which prohibits bottom towed gear, to protect certain features of the marine environment.

Defra is expected to make decisions on whether to confirm these byelaws during 2017.

- 2.4 For several years, the Cornwall IFCA Byelaw Working Group (BWG) has been developing a new byelaw for restricting the use of fixed nets along the coast to protect migrating salmonids. It is envisaged that the byelaw could impose similar restrictions to the legacy Fixed Engines Byelaw and one of the Camel Fishery District Byelaws. Informal consultation with stakeholders got underway in March 2017 and the Environment Agency has been asked to provide any relevant data it may have in respect of migrating salmonids and any interactions with fishing nets. If the BWG receives clear evidence in

support of making such a byelaw, it could make a recommendation for Cornwall IFCA to do so during 2017.

- 2.5 Over the last two years, there has been a new demand for potting for wrasse in the Cornwall IFCA district, where they are landed alive, exported to Scotland and introduced into salmon aquaculture cages to predate on sea lice infestations. Similar fisheries have also begun in the Devon & Severn IFCA and Southern IFCA districts. Officers from all three IFCAs will work together to look at appropriate management which may be needed to ensure that wrasse fishing is sustainable. In due course, the Cornwall IFCA BWG will consider whether a new byelaw is needed to manage a directed wrasse fishery in the Cornwall IFCA district.
- 2.6 Hartland Point to Tintagel Marine Conservation Zone (MCZ) is the next MCZ which will be considered for fisheries management by Cornwall IFCA. Some of the site's benthic flora and fauna features have been given a "recover" conservation objective. Because the site includes waters outside of six miles and to the north of the Cornwall IFCA district, the MMO and Devon & Severn IFCA are working with this Authority to decide appropriate management options. Wide consultation will be needed with the many fishermen who may use fishing gear such as trawls, dredges, pots and nets within the MCZ.
- 2.7 Fal oyster and mussel fishermen were working under the Fal Fishery Order 2016 during the last season which began on 1<sup>st</sup> October 2016. Native oysters were not so prevalent, as compared to previous years, and some fishermen had therefore wanted to exploit an abundant stock of variegated scallops (locally known as "queenies"). However, under the regulations they were limited as to the amount that could be taken with their oyster and mussel catches. A desire was also expressed to take and sell Pacific oysters, similarly limited by regulations. As a consequence, new and amended regulations have been drafted, in the hope that they can be confirmed by Defra in time for the fishing season in October 2017.
- 2.8 Cornwall IFCA worked closely with the Cornish Sardine Management Association to develop a new Code of Conduct (CoC) for its members, which include all the owners of Cornish based sardine ring-net vessels and the three processors which take the fish. Adherence to the CoC is likely to mean that new byelaws for ring-net fishing are not needed, although a reduction of the current ring-net vessel length (18.28m under a byelaw) to 15 metres could be proposed without affecting any of the current fleet.
- 2.9 In addition to the byelaws already being developed by Cornwall IFCA, there is a plan to work towards a comprehensive suite of new byelaws to manage its crustacean fisheries, which will include minimum sizes and other shellfish capture conditions. New byelaws for other distinct fisheries will follow on afterwards.
- 2.10 The risk-based enforcement plan described below in part 9 only takes account of fisheries legislation which is enacted. Therefore, new byelaws and regulations referred to above, if confirmed by Defra during the year, may lead to different enforcement priorities.

### **3. EU landing obligations (discard bans)**

- 3.1 The pelagic landing obligation has been implemented for over two years, requiring that 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 any non-pelagic species which are subject to a quota or catch limit and where they are not subject to a fishing prohibition, when caught at the same time, must also be landed. Undersized fish which are not under EU quota or catch limitation must continue to be returned to the sea.
- 3.2 2017 is the second year out of three for phasing in the demersal landing obligation. The species now subject to the landing obligation in the south west (ICES area VII) are hake, haddock, pollack, whiting, sole, megrim, plaice and nephrops although the requirement to retain them all irrespective of size, depends on the type of fishing gear used to catch them, the sea area fished in and in some cases, a particular fishing track record. 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/landing-obligation-discard-ban-2017-guidance/landing-obligation-general-requirements-guidance-2017>

### **4. New EU bass conservation measures**

- 4.1 In January 2017, the EU took further steps to conserve north east Atlantic bass stocks by ruling that bass could only be taken by commercial fishing vessels having a track record of bass landings between 01.07.15 and 30.09.16 (authorised by the MMO in England) using the following gears:
- Fixed nets – up to 250kg bass per month as an unavoidable bycatch when targeting other species;
  - Hooks and lines – up to 10 tonnes during 2017, but prohibited to take any bass in February and March;
  - Demersal trawls and seines – up to 3% of all marine organisms retained on board per day as an unavoidable bycatch, up to 400kg per month.

Only one type of fishing gear per fishing trip is allowed when retaining bass on board. No commercial fishing for bass is allowed from the shore.

Recreational anglers fishing from the shore or a vessel must release any bass caught in the first half of 2017, and are limited to one bass per person per day from 1<sup>st</sup> July until the end of the year.

These measures supplement the EU 42cm minimum conservation reference size for bass, introduced in 2015.

- 4.2 Defra has produced online guidance for bass fishing in 2017:  
<https://www.gov.uk/government/publications/bass-fishing-guidance/bass-fishing-guidance>



## **5. Inshore Vessel Monitoring Systems**

- 5.1 The MMO undertook a comprehensive testing program on new inshore vessel monitoring systems (iVMS), culminating in three devices obtaining MMO type approval during 2016.
- 5.2 Work is underway to bring in suitable legislation which will make iVMS mandatory on all under 12 metre commercial fishing vessels. With all the over 12 metre vessels already having to fit a VMS system, this would ensure that all commercial fishing activity from vessels can be fully monitored. It will help inform such matters as marine planning and greatly assist the making of appropriate new fishing regulations, including IFCA byelaws.
- 5.3 EU funding through EMFF will be made available to fishermen to purchase and fit iVMS units on commercial fishing vessels. The operational and transmission costs are not fundable and will require a private contract arrangement between an individual vessel owner and an iVMS supplier.
- 5.4 Devon and Severn IFCA is working with the charity Common Seas on an EMFF bid to have iVMS fitted on fishing vessels using towed gears within its district. Several of these are Cornish owned/based boats. Cornwall IFCA is hoping to follow their lead, again in conjunction with Common Seas, in respect of having iVMS fitted to all vessels using bottom towed gear in its district. In the short term, at least, Cornwall IFCA will not have a byelaw which would make any iVMS a mandatory requirement. However, it is hoped that fishermen will take advantage of 100% funding while it is available for this particular initiative.

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

- 6.1 Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Marine Conservation Zones (MCZ) now cover two-thirds of the sea area in the Cornwall IFCA district.
- 6.2 Seven 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;
  - Bristol Channel Approaches SAC; and
  - River Camel SAC.
- 6.3 Two SPAs in the district are:
- Tamar Estuaries Complex SPA; and
  - Falmouth Bay to St Austell Bay SPA.
- 6.4 Nine MCZ in the district are:
- 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.

During 2017, it is possible that Defra may designate more MCZs in England (tranche three), which may include two more in the Cornwall IFCA district - Cape Bank MCZ and Camel Estuary MCZ.

- 6.5 The Whitsand and Looe Bay Marine Conservation Zone (Fishing Restrictions) Byelaw 2017 was made by Cornwall IFCA during 2016. If it is approved by Defra (as made), it will prohibit the use of all bottom towed fishing gear throughout the Whitsand and Looe Bay MCZ.

## **7. Compliance and enforcement strategy**

- 7.1 Cornwall IFCA has published its compliance and enforcement strategy on its website:

<https://secure.toolkitfiles.co.uk/clients/17099/sitedata/Policy/Compliance-strategy.pdf>

- 7.2 The Cornwall IFCA district<sup>1</sup> covers all the area of Cornwall Council and the adjacent area of sea out to a distance of six nautical miles from the 1983 baselines<sup>2</sup>. This means that Cornwall IFCA byelaws to manage the exploitation of sea fisheries resources are in many cases, applied well beyond six nautical miles from the Cornish coast. The most extreme example of this is around the Eddystone rocks because they form a baseline at about eight nautical miles offshore, meaning that the district extends to about 14 nautical miles offshore from the Cornwall coastline. 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, extending due south from close to the end of the Plymouth Breakwater. Cornwall IFCA byelaws do not extend above the tidal limits of any rivers or estuaries.

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

- the byelaws of adjacent IFCAs;
- certain SIs made by Defra; and
- certain EU regulations.

- 7.4 To resolve the situation referred to above in paragraph 1.4, Defra has announced it will make a new SI, though it is believed that it will not be enacted until the summer 2017. Therefore, until this happens, inspections and investigations work carried out by officers will sometimes have to be limited. Meanwhile, IFCOs detecting a suspected EU offence will pass evidence to the MMO in order for it to consider further investigation.

- 7.5 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

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<sup>1</sup> As defined by The Cornwall Inshore Fisheries and Conservation Authority Order 2010

<sup>2</sup> 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)

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.

- 7.6 Stakeholders are encouraged to engage with Cornwall IFCA officers and Members on inshore fisheries management concerns. Attendance at the four annual statutory meetings of the Cornwall IFCA 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.
- 7.7 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 remedies<sup>3</sup>.

#### 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.

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<sup>3</sup> Civil 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 penalty<sup>4</sup> (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 the investigation of a suspected offence 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 Where fisheries offences are successfully prosecuted in a court, the sentence of the court can range from a conditional discharge to an unlimited fine. This includes summary convictions by a Magistrates court. There are some

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<sup>4</sup> The Sea Fishing (Penalty Notices) (England) Order 2011

offences which, on conviction by the court, 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(s).

## **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 over 18.28m overall length or over 221kW engine power 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.

All trawling methods are 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.

EU emergency bass regulation for 2017 has imposed a 3% unavoidable bass bycatch limit for qualifying vessels using demersal trawls, up to a maximum of 400kg bass per month.

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 Trevoise 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 intelligence received 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 and court prosecutions. 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 managed under the Fal Fishery Order 2016. This is a regulating order, with Cornwall IFCA as its grantee. Fishermen must 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 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.

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 Fal Fishery Order 2016;
- Fishing for oysters in an exclusion zone in respect of the Fal Fishery Order 2016; and
- Undersized oysters or mussels in respect of the 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, cuttlefish and prawns. Small boats may work them singly, but more commonly the pots are roped together in strings of six to eighty. Fishing effort is generally limited by the available deck space for carrying pots, catch 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 for vessel stability, as the weight of water and shellfish can be many tonnes.

Under a byelaw, a Cornwall IFCA permit is required for any individual wishing to use a boat to remove more than five shellfish per day within the Cornwall IFCA district. However, no more than a total of two lobsters or crawfish may be included within the five shellfish. The byelaw is in respect of the four main commercial crustacean species – lobster, crawfish, edible crab and spider crab. Permit holders are required to report their landings of these crustacean catches each month, and also include figures for any velvet crab and green crab. A new monthly statistics form was developed for 2017, 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.

Defra is considering amending an existing order which prohibits fishing for or landing of v-notched lobsters and crawfish, by prohibiting fishing for or landing of berried lobsters and crawfish.

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 five shellfish per day in respect of the Lobster, Crawfish, and Crab Fishing Permit byelaw;
- Non-return of shellfish monthly statistics in respect of the 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 crustacean species as a bycatch. Up to 30kg of accidentally detached edible crab claws and spider crab claws, combined weight, 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 species (incl. parts) 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. Defra is considering making a new order to provide better protection for bass.

EU emergency bass regulation for 2017 has imposed a monthly 250kg bass bycatch limit for qualifying vessels using fixed gillnets to target other fish species. No commercial fishing for bass from the shore is allowed.

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 as well as the individual work of these other authorities in river areas, allows best use of limited officer numbers and physical resources. Night-time patrols are usually needed to encounter illegal river netting activity.

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;
- Monthly catch allowance for bass under Council Regulation (EU) 2017/127;
- Grant of a permit where a fishing vessel is used to take more than five shellfish per day in respect of the Lobster, Crawfish and Crab Fishing Permit byelaw;
- Non-return of shellfish monthly statistics in respect of the Lobster, Crawfish and Crab Fishing Permit byelaw;
- Fishing for bass from a boat in a certain period of the year within a bass nursery area in respect of the Bass (Specified Areas)(Prohibition of Fishing) Order;
- Netting in the River Camel and River Fowey from May to December incl. in respect of the SW1 Prohibition of Nets byelaw;
- 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 vessels 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 brailed or pumped into the vessel's tanks or deck containers.

All the ring-net vessels fishing in the district are members of the Cornish Sardine Management Association (CSMA). It has a Code of Conduct which limits matters such as vessel numbers, sardine catch levels and net headline length. Local sardine processors are members of the CSMA and they will only take locally caught sardines from vessels complying with the Code of Conduct.

The EU pelagic landing obligation is pertinent to the fish species of mackerel, horse mackerel, herring and sprat, which may sometimes be included within ring-net catches in the district. Sardines (pilchards) and anchovies are not covered by this legislation. A very large area known as the 'Mackerel Box', which encompasses the whole of the district, was designed to restrict mackerel catches for certain fishing methods, including by ring-netting and purse seining vessels. However, the pelagic landing obligation has provided a way for vessels to retain a higher percentage of mackerel in their catches.

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 person who is using a sand eel seine in the River Camel or River Fowey is required to have a licence, currently issued by the Environment Agency.

Larger beach seine nets are occasionally used and require a team of people, sometimes using a 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. They are usually owned by a collective of commercial fishermen for catching bass and grey mullet, when shoals are spotted inshore.

EU emergency bass regulation for 2017 has imposed a 3% unavoidable bass bycatch limit for qualifying vessels using demersal seines, up to a maximum of 400kg bass per month. No commercial fishing for bass from the shore is allowed.

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, and would normally be set from a fishing vessel, although they are very occasionally set on beaches at low tide. Nowadays, they are rarely used anywhere, as 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.

EU emergency bass regulation for 2017 has imposed a 10 tonne bass annual limit for qualifying vessels using hooks and lines (with a prohibition on taking bass in February and March). No commercial fishing for bass from the shore is allowed.

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.

EU emergency bass regulation for 2017 has imposed a 10 tonne bass annual limit for qualifying vessels using hooks and lines (with a prohibition on taking bass in February and March). No commercial fishing for bass from the shore is allowed.

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;
- Annual catch allowance for bass under Council Regulation (EU) 2017/127; and
- Undersized fish in respect of the Specified Fish Sizes byelaw and Commission Regulation (EC) 850/98.

#### 8.11 Rod and line

Angling from boats and from the coastline with lures or baits is very widespread in the district, being most common amongst recreational fishermen. It is also carried out on a commercial basis by fishermen who tend to target species such as bass or pollack, most often 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 relatively 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 2017, and a single bass per person per day limit for the remainder of the year. No commercial fishing for bass from the shore is allowed.

Undersized or unwanted fish species can normally be removed from hooks and released back to the sea alive. Bass, cod and pollack are among the species which are 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 between seven and twelve 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;
- Daily catch allowance (incl. zero) for bass in respect of recreational fishing under Council Regulation (EU) 2017/127; and
- Fishing for bass from a boat, or any sea fish from a boat using sand eels as bait, for a certain 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.

Marine 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 may deploy from a small boat to hand-gather sedentary species such as scallops or razor clams from a suitable sea bed area. Commercial divers may sort out legal sized individuals as they work, before placing them into large sacks and boats, for carriage ashore. Few persons are engaged in either scallop or razor clam diving in Cornwall, as commercially viable sites are limited by factors such as water depth and sufficient animal density for a given maximum bottom time for a diver. However, it is possible for dived areas to be significantly impacted in discreet areas, if fishing is concentrated.

Main enforcement concerns for hand gathering in the district are:

- Licensing of persons gathering oysters or mussels in the Fal in respect of the Fal Fishery Order 2016;
- Undersized oysters or mussels in respect of the Fal Fishery Order 2016; and
- Undersized fish in respect of the Specified Fish Sizes byelaw and Commission Regulation (EC) 850/98.

## **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 1<sup>st</sup> 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.

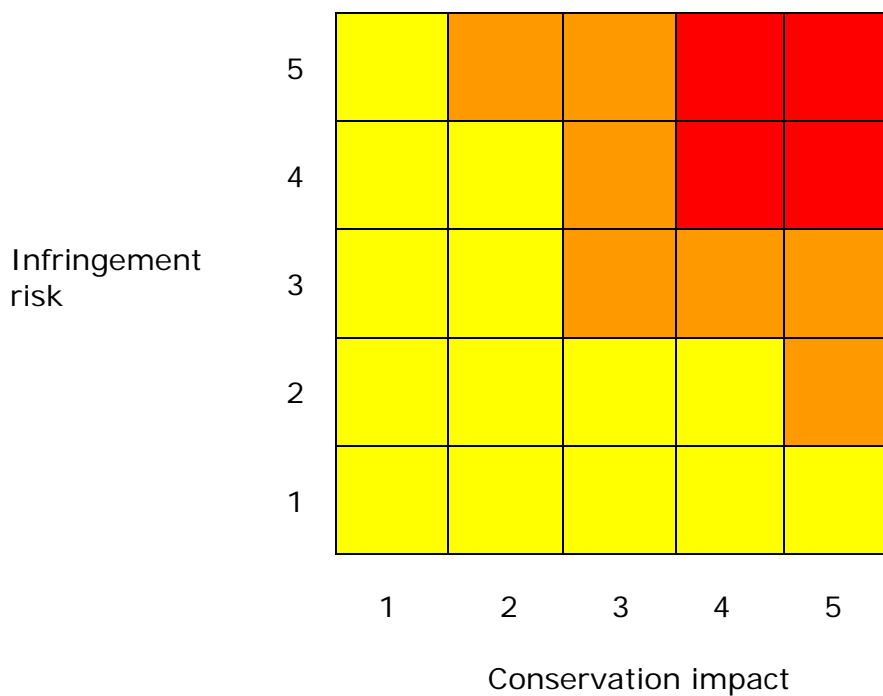
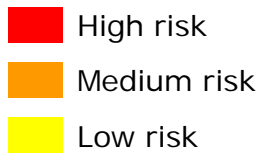
9.3 Each fishing activity is scored out of five, for both its regulatory infringement risk and conservation impact upon fisheries and the marine environment, within the Cornwall IFCA district (1=low to 5=high). The scoring was carried out by experienced IFCA officers, after careful consideration of their knowledge of historic and recent events.

### 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.

9.5 At the conclusion of an investigation into a fisheries offence, the enforcement risk is an important element in deciding which follow up action will be taken by the Authority. Where a decision is made to prosecute an offence in the court, the enforcement risk is likely to be highlighted, to indicate how the Authority views the seriousness of an infringement.



9.6 2017 - 18 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 Eddystone reefs SAC prohibited areas (byelaw) - all year;
- Undersized scallops from scallop dredging (EU regulation) - all year;
- Cut-out scallops from scallop dredging (EU regulation) - all year;
- Nets prohibited in Fowey and Camel rivers (byelaw) – May to Dec incl.;
- Fishing for bass from a boat in certain larger rivers (SI) – May to Nov/Dec incl. or all year; and
- Non-return of monthly crustacean catches and related fishing effort data (byelaw) – all year.

**CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT**  
**APRIL TO JUNE 2017 incl. (1<sup>st</sup> QUARTER)**

**Appendix 1**

<b><u>FISHING METHOD</u></b>	<b><u>AREA</u></b>	<b><u>REGULATORY CONSIDERATION</u></b>	<b><u>INFRINGEMENT RISK</u></b> L - 1,2,3,4,5 - H	<b><u>CONSERVATION IMPACT</u></b> L - 1,2,3,4,5 - H	<b><u>ENFORCEMENT RISK</u></b>
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	1	5	5
		Number of dredges in use restricted	1	5	5
		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 scallops 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		Plymouth Sound SAC prohibited	1	4	4		
		Manacles MCZ prohibited	1	4	4		
	Rivers and estuaries	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	3	3		
		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		
		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*	5	1	5		
		Bass catch limited	2	4	8		
	Rivers and estuaries	Net mesh size range restricted	1	3	3		
		Camel, Helford, Fal (parts), Percuil & Fowey (part) bass prohibited (May/June)	3	4	12		
		Tamar bass using boat prohibited	2	4	8		
		Camel, Fowey (May/June) 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 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*		5	1	5		



Ring net & purse seine	Offshore sea area	Vessel length restricted	1	3	3
		Rivers and estuaries	Undersized sea fish prohibited	2	2
		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
		Bass catch limited	1	4	4
	Rivers and estuaries	EA permit for sand-eel seine in Camel and Fowey required (May/June)	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	2	2	4
		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
		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 2017 incl. (2<sup>nd</sup> QUARTER)**

**Appendix 2**

<b><u>FISHING METHOD</u></b>	<b><u>AREA</u></b>	<b><u>REGULATORY CONSIDERATION</u></b>	<b><u>INFRINGEMENT RISK</u></b> L - 1,2,3,4,5 - H	<b><u>CONSERVATION IMPACT</u></b> L - 1,2,3,4,5 - H	<b><u>ENFORCEMENT RISK</u></b>
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	1	5	5
		Number of dredges in use restricted	1	5	5
		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 scallops 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		Plymouth Sound SAC prohibited	1	4	4
		Manacles MCZ prohibited	1	4	4
	Rivers and estuaries	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	3	3
		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*	5	1	5
		Bass catch limited	2	4	8
	Rivers and estuaries	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 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
		Rivers and estuaries	Undersized sea fish prohibited	2	2
		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
		Bass catch limited	1	4	4
	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	2	2	4
		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 2017 incl. (3<sup>rd</sup> QUARTER)**

**Appendix 3**

<b><u>FISHING METHOD</u></b>	<b><u>AREA</u></b>	<b><u>REGULATORY CONSIDERATION</u></b>	<b><u>INFRINGEMENT RISK</u></b> L - 1,2,3,4,5 - H	<b><u>CONSERVATION IMPACT</u></b> L - 1,2,3,4,5 - H	<b><u>ENFORCEMENT RISK</u></b>
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	1	5	5
		Number of dredges in use restricted	1	5	5
		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 scallops 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		Plymouth Sound SAC prohibited	1	4	4
		Manacles MCZ prohibited	2	4	8
	Rivers and estuaries	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	3	3
		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*	5	1	5
		Bass catch limited	2	4	8
	Rivers and estuaries	Net mesh size restricted	1	3	3
		Camel (Oct/Nov only), Helford, Percuil, Fal (parts) & Fowey (part) bass prohibited	3	4	12
		Tamar bass prohibited	2	4	8
		Camel, Fowey 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
		V-notched lobsters/crawfish	2	2	4

Pot cont'd		Parts of crabs - limited	2	3	6
		Shellfish permit and application of permit conditions required*	5	1	5
Ring net & purse seine	Offshore sea area Rivers and estuaries	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
		Bass catch limited	1	4	4
	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	2	2	4
		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 2018 incl. (4<sup>th</sup> QUARTER)**

**Appendix 4**

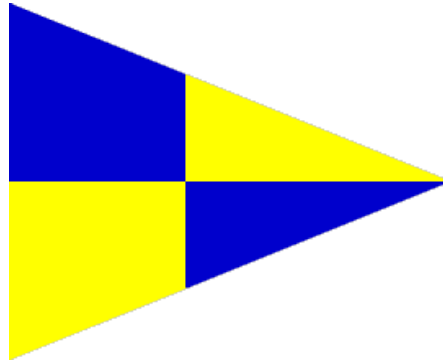
<b><u>FISHING METHOD</u></b>	<b><u>AREA</u></b>	<b><u>REGULATORY CONSIDERATION</u></b>	<b><u>INFRINGEMENT RISK</u></b> L - 1,2,3,4,5 - H	<b><u>CONSERVATION IMPACT</u></b> L - 1,2,3,4,5 - H	<b><u>ENFORCEMENT RISK</u></b>
Beam trawl	Offshore sea area	Vessel length/engine power restricted	2	4	8
		Undersized 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	1	5	5
		Number of dredges in use restricted	1	5	5
		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 scallops 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		Plymouth Sound SAC prohibited	1	4	4
		Manacles MCZ prohibited	2	4	8
	Rivers and estuaries	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	3	3
		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*	5	1	5
		Bass catch limited	2	4	8
	Rivers and estuaries	Net mesh size restricted	1	3	3
		Tamar bass 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 application of permit conditions required*	5	1	5

Ring net & purse seine	Offshore sea area	Vessel length restricted	1	3	3
		Rivers and estuaries	Undersized sea fish prohibited	2	2
		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
		Bass catch limited	1	4	4
	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	2	2	4
		Tamar bass prohibited	3	3	9
		Tamar sand-eel bait 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
		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





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