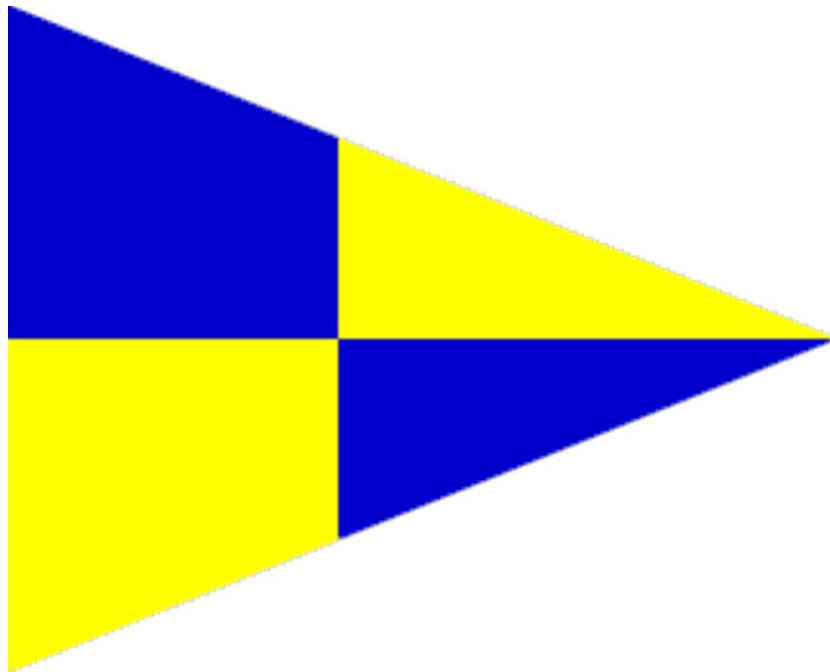




Inshore Fisheries and
Conservation Authority



Enforcement Plan 2019 - 2020

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CORNWALL IFCA ENFORCEMENT PLAN 2019 - 2020

1. Overview of fisheries enforcement 2018 - 2019

- 1.1 The Cornwall IFCA enforcement team has remained with the same six officers for over five years, with two of them having over 25 years' experience each as fishery officers in this district. Everyone in the team is competent in all aspects of day to day enforcement work, planning and leading inspections and investigations and able to take command of our rigid inflatable boats (RIB) used for fishing vessel boardings and inshore/river patrols. Over the last three decades, we have been very fortunate to have had such a low turnover of enforcement officers, meaning that officers in post have been able to learn a great deal about how inshore Cornish fisheries operate and understand the business and needs of local fishermen. This has enabled them to understand how best to approach our compliance and enforcement work, across the wide and diverse fisheries that exist in our district.
- 1.2 Close liaison was maintained with local enforcement officers of the Environment Agency (EA) and Marine Management Organisation (MMO). The EA were involved on a number of joint patrols in our rivers and inshore waters and their assistance was greatly appreciated on a number of occasions, particularly where wide area observation was needed to locate a particular fishing activity. In preparation for Brexit, towards the end of the year, the MMO requested to undertake patrol work at sea with most of the IFCAs. However, in Cornwall this was only begun in March 2019 following the development of a new Memorandum of Agreement between ourselves and the MMO, setting out the terms of any MMO charter work involving the patrol vessel Saint Piran and our RIBs.
- 1.3 Contacts were maintained with several other marine enforcement organisations with fishing interests, including Cornwall Port Health Authority (PHA) the Maritime and Coastguard Agency (MCA) and Devon and Cornwall Constabulary. Liaison with the PHA was mainly concentrated around the Fal oyster and mussel fisheries, particularly in respect of water classification and oyster lays/storage areas. We are aware that water classification for razor clam fishing was also being considered at various new locations in the district. The assistance of a Police dive team was greatly appreciated during investigative work involving suspected illegal fishing gear being dropped onto the seabed. Additionally, Police support to engage with a person known to be violent and obstructive was also a great help to our officers.
- 1.4 After a three and a half year period waiting for Defra to re-instate the power for IFC Officers to enforce EU legislation, the Sea Fishing (Enforcement) Regulations 2018 was enacted in August 2018. Whilst the enforcement of the main EU technical legislation, such as for minimum fish sizes, fishing gear construction and prohibited fishing methods could once again be carried out, the regulation also specified a host of other EU legislation that can now be enforced, which hitherto had never been included within the remit of IFCAs.
- 1.5 This period was the first full year since confirmation of the River and Estuarine Fishing Nets Byelaw. It is impossible to judge whether it has dissuaded fishermen from using the fixed and drift nets that have the potential to catch large numbers of sea fish in rivers, but it is notable that

there were very few reported incidences of illegal net fishing in the rivers and none were encountered during our patrols.

- 1.6 From April 2018 to March 2019, there were 18 serious infringements of fisheries legislation which led to the compilation of full case files; three more than in the previous year. 29 individuals and companies were investigated, with the majority of offences involving fishing for crustaceans or scallops. Most cases were disposed of by way of prosecutions in the Court, financial administrative penalties or written warnings.

2. Cornwall IFCA byelaws and regulations developments

- 2.1 The Live Wrasse Fishing (Limited Permit) Byelaw was enacted in February 2019, allowing this year's wrasse fishery to get underway with the maximum five permits issued to successful permit applicants. Monitoring of wrasse fishing activity will be required to check for any non-compliance with the byelaw, which introduces a number of technical measures for the fish and fishing gear, as well as prohibited areas to set wrasse pots.
- 2.2 The Whitsand and Looe Bay Marine Conservation Zone (Restricted Fishing) Byelaw was enacted in February 2019, requiring that no bottom towed gear shall be used in most of the area of the Whitsand and Looe Bay MCZ. A small trawler and research vessel are expected to sometimes be bottom trawling in a small area of the unaffected part of the MCZ, so appropriate monitoring of that fishing activity will need to be undertaken to check that it is compliant with the byelaw.
- 2.3 Byelaw development work remains underway in respect of the Environment Agency's (EA) identified need to protect salmon and sea trout from certain nets used off the Cornish coast. A new byelaw restricting the use of various types of net should assist the EA with implementation of its national five point approach for salmon, as set out for the period 2016-21. Further consultation work with stakeholders will be undertaken in 2019, which could lead to the making of a new byelaw later in the year. At this time, it is too early to know the extent of net fishing restrictions under the proposed byelaw and, therefore, the enforcement risk(s) that will help determine our enforcement priorities and workload.
- 2.4 The seabird bycatch trigger figure set under the St Ives Bay Gill Net Fishery Byelaw is likely to be a focus of attention for Cornwall IFCA and other authorities later in 2019, following the reporting of a national seabird census and seabird bycatch work. It is possible that the 20 year old seabird bycatch trigger figure may be amended, but it too early to say to what extent and whether there will be a need for increased monitoring of nets used in St Ives Bay and any need to adjust our usual level of compliance and enforcement work.
- 2.5 Within two years of designation of Marine Conservation Zones (MCZ), Defra expects public authorities to make timely and pragmatic decisions to ensure their conservation objectives are achieved, while allowing sustainable use of marine resources. Work is underway in respect of assessing the susceptibility of features of the Hartland Point to Tintagel MCZ from fishing, but it is not clear that a byelaw is needed to manage any fishing activity occurring in the area. The presence of spiny lobsters (crawfish) within the Manacles MCZ and the Padstow Bay and Surrounds MCZ and the fishing

activities which may cause their mortality is being assessed, and may lead to fishing restrictions under byelaws. However, such byelaws are unlikely to be made in the next year. Similarly, assessing the presence of sea grass habitat and fishing activities within the Mounts Bay MCZ is work in progress, but is not expected to impinge on this year's enforcement work.

- 2.6 In 2018, the Authority agreed to formulate a legislative program of work. In addition to the byelaw development work already underway, a crustacean management plan will begin in 2019. It will involve all aspects of commercial crustacean fisheries in the district, in order to inform the future management of fishing for all the relevant lobster, crawfish and crab species. It is anticipated that the plan will highlight how crustacean fisheries should be managed, including through new byelaws that could be made by the Authority within the next few years.

3. EU landing obligations (discard bans)

- 3.1 From the beginning of 2019, the pelagic landing obligation and the demersal landing obligation were fully implemented. The basic premise is that all sea fish caught that are subject to EU quota must be landed, apart from where the EU has allowed exemptions for fishermen to discard fish under certain circumstances. Landed undersized fish cannot be marketed for the purpose of human consumption. Undersized fish which are not under EU quota must continue to be returned to the sea.
- 3.2 The landing obligations are extremely complex and have a bearing over some previous EU and UK legislation, including IFCA byelaws. It is inevitable that many fishermen will be confused by the legislation, requiring a pragmatic approach to identified issues in terms of enforcement by all fisheries enforcement bodies. An educational period for fishermen is needed to try and ensure fishermen understand how the landing obligations are applied to the fish they may catch by a particular fishing method and the gear type used, in relation to the area fished.
- 3.3 Defra has produced online guidance for the landing obligations:
<https://www.gov.uk/government/publications/landing-obligation-2019-rules-and-regulations>

4. New EU bass conservation measures

- 4.1 For the fourth year in succession, the EU imposed emergency measures to protect north east Atlantic bass stocks. It again ruled that limited numbers of bass could only be taken by commercial fishing vessels having a track record of bass landings between 01 July 2015 and 30 September 2016 using hook and line, fixed nets, trawls and/or seines. The track record is determined by the MMO in England. Monthly and annual allowances for commercially retaining and landing bass are complex, depending on the sea area fished and gear type(s) employed. No commercial fishing for bass is allowed from the shore. In 2019, a recreational angler fishing from the shore or from a vessel without bass entitlement is entitled to retain and land one bass per day from 01 April to 31 October 2019, inclusive. These measures supplement the 42cm minimum conservation reference size for bass, introduced by the EU in 2015 and applied to both recreational and commercial fishermen.

- 4.2 Defra has produced online guidance for bass fishing in 2019:
<https://www.gov.uk/government/publications/bass-industry-guidance-2019/bass-fishing-guidance-2019#commercial-bass-fishing>

5. Inshore Vessel Monitoring Systems

- 5.1 It remains the intention of Defra to introduce a Statutory Instrument (SI) which will make inshore vessel monitoring systems (IVMS) mandatory on all under 12m commercial fishing vessels in English territorial waters (12nm limit), by 2022. With all the 12m and over vessels in the EU already having to fit a VMS system, this would ensure that all commercial fishing vessel activity in England can be fully monitored, ahead of the stated intention of the EU to introduce similar monitoring for all Member States' fishing vessels. IVMS data will help inform such matters as marine planning and greatly assist the development of appropriate new fishing regulations, including IFCA byelaws. It will also provide a means to trace the source of fish, which may become vital for fish exports to Europe if the UK leaves the EU.
- 5.2 In England, different type approved IVMS devices will be available for fishermen to choose from and operate under a contract with their preferred device supplier. 100% funding is available through the MMO for the initial purchase and fitting of an IVMS unit. Air-time transmission costs are to be met by individual IVMS owners.

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

- 6.1 European Marine Sites which include Special Areas of Conservation (SAC) and Special Protection Areas (SPA) for seabirds and, in addition, Marine Conservation Zones (MCZ) designated by Defra, cover two-thirds of the marine area of 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 MCZs 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.

By July 2019, it is anticipated that Defra will designate further new MCZs in England (tranche three), which may include three more within the Cornwall IFCA district.

7. Compliance and enforcement strategy

7.1 The Authority's compliance and enforcement strategy is published on its website:

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

7.2 The Cornwall IFCA district¹ covers all the area under the governance of Cornwall Council, plus the adjacent area of sea out to a distance of six nautical miles from the 1983 baselines². This means the Authority's byelaws that 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. The Environment Agency is responsible for managing all public fisheries beyond the tidal limits, as well as fisheries for freshwater and migratory species within the six mile limit.

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
- specified EU regulations.

7.4 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.

7.5 Stakeholders are encouraged to engage with Cornwall IFCA officers and Members on any matter of concern for inshore fisheries management. Attendance at the four annual statutory meetings of the Cornwall IFCA is

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

² 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)

welcomed. The minutes of these meetings are publicly available on the Cornwall IFCA website. Wherever possible, officers will provide information, advice and guidance to stakeholders and the public, as required.

- 7.6 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 that can be applied to those persons suspected or convicted of breaking fisheries related law. Cornwall IFCA officers will decide the appropriate action to take in relation to a suspected fisheries offence, with various disposal options being available to the Authority:

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 as a reminder of the need to obey the law. This may be sent without prejudice to other purely civil remedies³.

Written warning

Where there is clear evidence that an offence has been committed but it is not appropriate to implement formal legal proceedings, a written warning letter may be sent to a regulated person and/or business, outlining the alleged offence, when it occurred and the regulation that 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.

Simple caution

A simple 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.

Financial administrative penalty

The Authority may issue a financial administrative penalty⁴ (FAP), which may be up to £10,000, as an alternative to criminal prosecution proceedings, 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

³ Civil remedies are procedures and sanctions, used to prevent or reduce criminal activity as an alternative to using formal court proceedings

⁴ The Sea Fishing (Penalty Notices) (England) Order 2011

The ability to undertake criminal prosecution proceedings 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, simple 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 prosecution 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 proposed 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.

7.7 If the investigation of a suspected offence passes the sufficiency of evidence test, the Authority will decide whether it is appropriate to prosecute in the Court, 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 conservation 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;
- Whether officials were obstructed during the course of the offending and/or investigation;
- Any previous conviction and other enforcement action record for 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, the deterrent effect on others by making an example of the offender.

7.8 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 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 (max. £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.

Trawling is prohibited under a byelaw in 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.

Trawling is prohibited under a byelaw 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.

For 2018, EU emergency bass regulation imposed a 1% bass unavoidable daily bycatch limit for qualifying vessels using demersal trawls, up to a maximum of 100kg 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 from 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 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 exploit grounds around the Eddystone reefs.

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; 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.

Limited daily fishing times, and oyster and mussel minimum sizes are among the provisions of the Order which need to be regularly checked. Whilst the fishing season for oysters is from October to March incl. there is a low amount of native oyster dredging on specified lay areas during some months outside that period, although that can only go ahead with pre-notification to the Authority. The mussel dredging season is only from October to March incl. though hand-gathering for this species is allowed throughout the year by licensed fishermen.

In addition to native oysters and mussels, licensed fishermen may also dredge for queen scallops, Pacific oysters and other molluscan shellfish from the Fal Fishery Area, in accordance with the regulating order.

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, live wrasse and prawns. Small boats may work pots 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 typical inshore boat which concentrates on potting for the majority of a year will often set several hundred pots, with some larger operations using 1000 to 2000 pots. 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 total 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 from within the Cornwall IFCA district, involving the species of lobster, crawfish, edible crab and spider crab. However, no more than a total of two lobsters or crawfish may be included within the five shellfish. Permit holders are required to report their landings of shellfish each month, including figures for any velvet crab and green crab. A new monthly statistics form was developed for 2017, which permit holders must submit by post, online or via a smartphone/computer app. The data will be used to inform future appropriate management of inshore 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, although only one of these particular vessels is known to use pots to target crustacean species.

In 2017, Defra introduced a ban on the landing of berried lobsters and crawfish in England, which should mean boats fishing outside of the Cornwall IFCA district have to comply similarly with those that were already prohibited under a byelaw from removing such animals from the district.

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 and The Lobsters and Crawfish (Prohibition of Fishing and Landing) Order as amended by The Lobsters and Crawfish (Prohibition of Fishing and Landing) (Amendment) (England) Order;

- 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. Ebb nets and sand eel seine nets may be used in rivers and estuaries under Cornwall IFCA byelaw permit schemes requiring that require an annual submission of fishing statistics.

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 between eight and twelve months of the year. Defra has consulted on making a new Order to provide better protection for bass.

For 2018, EU emergency bass regulation has imposed an annual unavoidable bycatch limit of 1.2 tonnes for qualifying vessels using fixed gillnets. Retention of bass caught in a net set from the shore is prohibited.

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, historically there has been regular, 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 netting activity in rivers. With Cornwall IFCA having introduced a new byelaw in 2018, further restricting the use and carriage of nets in rivers, incidents of illegal netting may reduce.

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;
- Catch restrictions for bass under Council Regulation (EU) 2018/120;
- 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;
- Illegal drift and fixed nets used in rivers in respect of the River and Estuarine Fishing Nets 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;
- 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 of the Celtic Sea and English Channel, known as the 'Mackerel Box', encompasses the whole of the sea area of the district and was designed to restrict mackerel catches to 15% for certain fishing methods, including by ring-netting and purse seining vessels. However, the pelagic landing obligation allows vessels to retain all the mackerel in their catches when they pursue a pelagic species subject to quota.

Main enforcement concern for ring-netting in the district is the mackerel bycatch when targeting sardines in respect of Commission Regulation (EC) 850/98.

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. Sand eel seines may only be used in rivers and estuaries under a permit issued by the Authority. An annual catch return is required from permit holders.

Larger beach seine nets are occasionally used and require a team of people, sometimes using a rowing boat, to trap fish in the shallows 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 close inshore.

For 2018, EU emergency bass regulation imposed a 1% bass unavoidable daily bycatch limit for qualifying vessels using seines, up to a maximum of 180kg bass per month. Retention of bass caught in a seine net set from the shore is prohibited.

There are no major fisheries enforcement concerns for seine nets 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.

For 2018, EU emergency bass regulation has imposed a 5 tonne bass annual limit for qualifying vessels using hooks and lines. Retention of bass caught by long-lines set from the shore is prohibited.

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.

For 2018, EU emergency bass regulation has imposed a 5 tonne bass annual limit for qualifying vessels using hooks and lines. Retention of bass caught by hook and line fishing from the shore is prohibited.

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) 2018/120; 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.

For 2018, EU emergency bass regulation for hook and line fishing has imposed:

- Catch and release for any bass caught by recreational fishermen;
- Prohibition of commercial fishing for bass from the shore; and
- A 5 tonne bass annual limit for qualifying vessels using hook and line;

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;
- Catch restrictions for bass in respect of Council Regulation (EU) 2018/120; 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. However, in a large area of the Fal, oysters and mussels can only be taken under a licence issued by the Authority.

In general, bi-valve molluscs harvested for human consumption must come from classified harvesting areas, where the Food Standards Agency (FSA) has statutory responsibility for ensuring that monitoring and classification programmes are in place to meet legal requirements.

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 benthic 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 the district, with commercially viable sites being limited by factors such as the amount of animals present and water depth which limits divers' submersion time at the seabed. However, it is possible for dived areas to be significantly impacted in discreet areas, if fishing is concentrated. Electrical fishing equipment is prohibited, except under a fishing licence dispensation against EU regulation. However, such activity is suspected of being clandestinely being carried out in the district.

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;
- Use of electrical fishing equipment in respect of Commission Regulation (EC) 850/98; and
- Undersized fish in respect of the Specified Fish Sizes byelaw and Commission Regulation (EC) 850/98.

9. Risk based enforcement

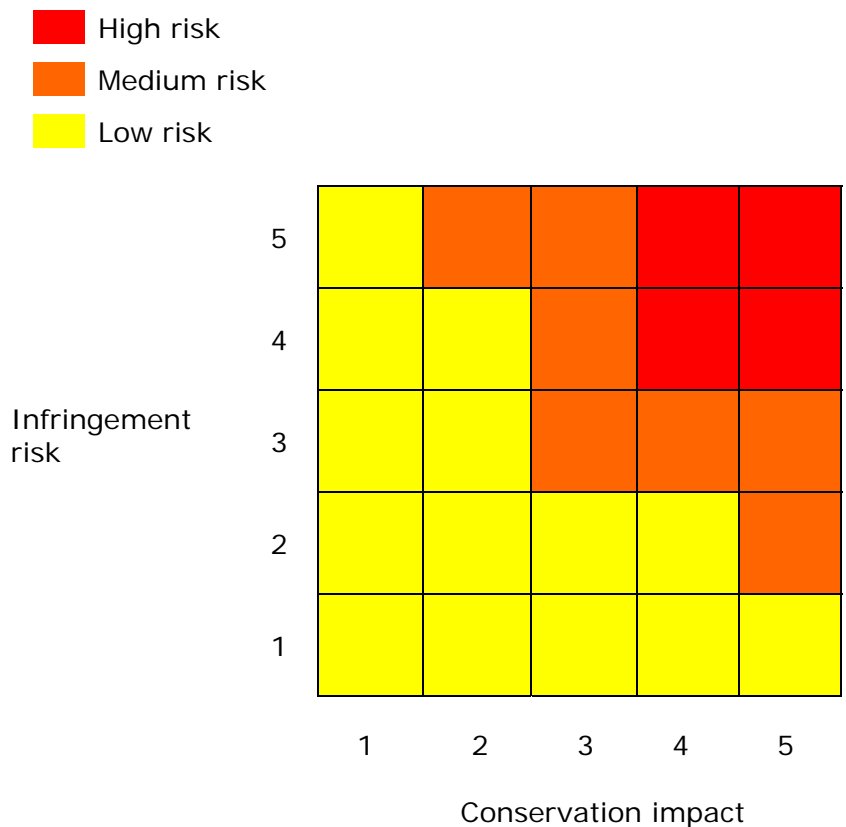
9.1 In order to prioritise the work carried out by enforcement officers, four tables have been developed to assess fishing activities and the risk of non-compliance with fisheries legislation (see appendices 1, 2, 3 & 4 below). They have been formulated for each quarter of the year (beginning 1st April) 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. The tables only take account of enacted fisheries legislation. Therefore, new byelaws referred to above, if confirmed by Defra during the year, may lead to different enforcement priorities.

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 2019 - 20 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;

- Berried lobsters/crawfish (byelaw and SI) – all year;
- Nets prohibited in rivers (byelaw) – all year;
- Fishing for bass from a boat in larger rivers – May to Nov/Dec incl. or all year in Tamar (SI); and
- Non-return of monthly crustacean catches and related fishing effort data (byelaw) – all year.

CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT
APRIL TO JUNE 2019 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 non-quota 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
		Manacles MCZ prohibited. Whitsand & Looe Bay MCZ (part) 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 non-quota 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
		Manacles MCZ prohibited.	1	4	4
		Whitsand & Looe Bay MCZ (part) prohibited	2	4	8
		Bass catch limited	1	4	4
		Rivers and estuaries	Fishing method prohibited	1	3
Dredge	Offshore sea area	Vessel length restricted	1	5	5
		Number of dredges in use restricted	1	5	5
		Undersized scallops/non quota 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. Whitsand & Looe Bay MCZ (part) prohibited	2	4	8
	Rivers and estuaries	Fal and Helford prohibited except re Fal RO	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	1	3	3
		Undersized non-quota sea fish prohibited*	2	3	6
		Shellfish permit and application of permit conditions required*	3	3	9
		Bass catch* – fixed net limited, drift net prohibited	2	4	8
	Rivers and estuaries	Camel, Helford, Fal (parts), Percuil & Fowey (part) bass using boat prohibited (May/June)	3	4	12
		Tamar bass using boat prohibited	2	4	8
		Camel, Fowey, Fal, Helford, Tamar drift and most fixed nets prohibited	3	4	12
Pot	Offshore sea area *also rivers/estuaries	Vessel length restricted	1	4	4
		Undersized non-quota sea fish prohibited*	3	3	9
		Berried lobsters/crawfish prohibited	4	3	12
		V-notched lobsters/crawfish prohibited	2	2	4
		Parts of crabs limited	2	3	6
		Shellfish permit and application of permit conditions required*	3	3	9
		Live wrasse permit required	2	2	4
		Live wrasse pot construction and prohibited areas	2	3	6
Ring net & purse seine (pelagic)	Offshore sea area	Vessel length restricted	1	3	3
		Undersized non-quota sea fish prohibited	2	2	4
		Bass catch prohibited	2	4	8

Seine net (incl. beach seine)	Offshore sea area	Undersized non-quota sea fish prohibited	2	2	4
		Prohibited net mesh size range	1	3	3
		Bass catch limited	1	4	4
	Rivers and estuaries	Permit for sand-eel seine required	1	1	1
		Net mesh size for sand-eel seine restricted	1	3	3
Ebb net	Rivers and estuaries	Permit required	1	1	1
		Net dimensions and vessel length restricted	1	1	1
Rod & line	Offshore sea area	Undersized sea fish (rec. angling) prohibited	2	2	4
		Rivers and estuaries	Recreational bass retention limited	3	2
	Rivers and estuaries	Commercial bass retention from shore fishing prohibited	2	2	4
		Commercial bass retention from boat fishing limited	2	2	4
		Camel, Helford, Fal (parts), Percuil & Fowey (part) using boat - sand-eel bait & bass prohibited (May/June)	3	3	9
		Tamar using boat - sand-eel bait & bass prohibited	3	3	9
Hand-line	Offshore sea area	Undersized non-quota sea fish prohibited	1	2	2
		Rivers and estuaries	Recreational bass retention limited	2	2
	Rivers and estuaries	Commercial bass retention from boat fishing limited	1	2	2
		Camel, Helford, Fal (parts), Percuil & Fowey (part) using boat - sand-eel as bait & bass prohibited (May/June)	1	3	3
		Tamar using boat - sand-eel bait & bass prohibited	1	3	3
Hand-gathering (incl. by diver)	Offshore sea area Rivers and estuaries	Undersized non-quota sea fish prohibited	1	2	2
		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
		Electrical fishing equipment prohibited	4	2	8

CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT
JULY TO SEPTEMBER 2019 incl. (2nd QUARTER)

Appendix 2

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 non-quota 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
		Manacles MCZ prohibited. Whitsand & Looe Bay MCZ (part) 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 non-quota 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
		Manacles MCZ prohibited	1	4	4
		Whitsand & Looe Bay MCZ (part) 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/non-quota 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.	2	4	8
		Whitsand & Looe Bay MCZ (part) prohibited	1	4	4
	Rivers and estuaries	Fal and Helford prohibited except re Fal RO	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	1	3	3
		Undersized non-quota sea fish prohibited*	2	3	6
		Shellfish permit and application of permit conditions required*	3	3	9
		Bass bycatch* – fixed net limited, drift net prohibited	2	4	8
	Rivers and estuaries	Camel, Helford, Fal (parts), Percuil, Fowey (part) bass using boat prohibited	3	4	12
		Tamar bass using boat prohibited	2	4	8
		Camel, Fowey, Fal, Helford, Tamar drift and most fixed nets prohibited	3	4	12
Pot	Offshore sea area *also rivers/estuaries	Vessel length restricted	1	4	4
		Undersized non-quota sea fish prohibited*	3	3	9
		Berried lobsters/crawfish prohibited	4	3	12
		V-notched lobsters/crawfish prohibited	2	2	4
		Parts of crabs limited	2	3	6
		Shellfish permit and application of permit conditions required*	3	3	9
		Live wrasse permit required	2	2	4
		Live wrasse pot construction and prohibited areas	2	3	6
Ring net & purse seine (pelagic)	Offshore sea area	Vessel length restricted	1	3	3
		Undersized non-quota sea fish prohibited	2	2	4
		Bass catch prohibited	2	4	8
Seine net	Offshore sea area	Undersized non-quota sea fish prohibited	2	2	4

(incl. beach seine)		Prohibited net mesh size range	1	3	3
		Bass catch limited	1	4	4
	Rivers and estuaries	Permit for sand-eel seine required	1	1	1
		Net mesh size for sand-eel seine restricted	1	3	3
Ebb net	Rivers and estuaries	Permit required	1	1	1
		Net dimensions and vessel length restricted	1	1	1
Rod & line	Offshore sea area	Undersized sea fish (re. angling) prohibited	2	2	4
		Rivers and estuaries	Recreational bass retention limited	3	2
	Rivers and estuaries	Commercial bass retention from shore prohibited	2	2	4
		Commercial bass retention from boat fishing limited	2	2	4
		Camel, Helford, Fal (parts), Percuil & Fowey (part) using boat - sand-eel bait & bass prohibited	3	3	9
		Tamar using boat - sand-eel bait & bass prohibited	3	3	9
Hand-line	Offshore sea area	Undersized non-quota sea fish prohibited	1	2	2
		Rivers and estuaries	Recreational bass retention limited	2	2
	Rivers and estuaries	Commercial bass retention from boat fishing limited	1	2	2
		Camel, Helford, Fal (parts), Percuil & Fowey (part) using boat - sand-eel bait & bass prohibited	1	3	3
		Tamar using boat - sand-eel bait & bass prohibited	1	3	3
Hand-gathering (incl. by diver)	Offshore sea area	Undersized non-quota sea fish prohibited	1	2	2
		Rivers and estuaries	Licence for gathering oyster/mussel from Fal Fishery Area (FFA) required	2	1
	Rivers and estuaries	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
		Electrical fishing equipment prohibited	4	2	8

**CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT
OCTOBER TO DECEMBER 2019 incl. (3rd QUARTER)**

Appendix 3

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 non-quota 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
		Manacles MCZ prohibited. Whitsand & Looe Bay MCZ (part) 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 non-quota 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
		Manacles MCZ prohibited	1	4	4
		Whitsand & Looe Bay MCZ (part) prohibited	2	4	8
		Bass catch limited	1	4	4
		Rivers and estuaries	Fishing method prohibited	1	3
Dredge	Offshore sea area	Vessel length restricted	1	5	5
		Number of dredges in use restricted	1	5	5
		Undersized scallops/non-quota 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
		Whitsand & Looe Bay MCZ (part) prohibited	1	4	4
	Rivers and estuaries	Fal and Helford prohibited except re Fal RO	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 in FFA restricted	2	2	4
		Dredging in FFA exclusion zone prohibited	2	4	8
Statistics returns re FFA required	3	1	3		
Net	Offshore sea area *also rivers/estuaries	St Ives Bay seabird bycatch limited	2	3	6
		Manacles / Runnelstone net mesh size restricted	1	4	4
		Parts of crab limited	2	2	4
		Prohibited mesh size range	1	3	3
		Undersized non-quota sea fish prohibited*	2	3	6
		Shellfish permit and application of permit conditions required*	3	3	9
		Bass bycatch* – fixed net limited, drift net prohibited	2	4	8
	Rivers and estuaries	Camel (Oct/Nov only), Helford, Percuil, Fal (parts) & Fowey (part) bass using boat prohibited	3	4	12
		Tamar bass using boat prohibited	3	4	12
Camel, Fowey, Fal, Helford, Tamar drift and most fixed nets prohibited		3	4	12	
Pot	Offshore sea area *also rivers/estuaries	Vessel length restricted	1	4	4
		Undersized non-quota 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*	3	3	9
		Live wrasse permit required	2	2	4
Live wrasse pot construction and prohibited areas	2	3	6		
Ring net & purse seine (pelagic)	Offshore sea area	Vessel length restricted	1	3	3
		Undersized non-quota sea fish prohibited	2	2	4
		Bass catch prohibited	2	4	8

Seine net (incl. beach seine)	Offshore sea area	Undersized non-quota sea fish prohibited	2	2	4
		Prohibited net mesh size range	1	3	3
		Bass catch limited	1	4	4
	Rivers and estuaries	Permit for sand-eel seine required	1	1	1
		Net mesh size for sand-eel seine restricted	1	3	3
Ebb net	Rivers and estuaries	Permit required	1	1	1
		Net dimensions and vessel length restricted	1	1	1
Rod & line	Offshore sea area	Undersized sea fish (rec. angling) prohibited	2	2	4
	Rivers and estuaries	Recreational bass retention limited Oct, prohibited Nov/Dec	3	2	6
		Commercial bass retention from shore fishing prohibited	2	2	4
		Commercial bass retention from boat fishing limited	2	2	4
		Camel, Helford, Fal (parts), Percuil & Fowey (part) using boat - sand-eel bait & bass prohibited	3	3	9
		Tamar using boat - sand-eel bait & bass prohibited	3	3	9
Hand-line	Offshore sea area	Undersized non-quota sea fish prohibited	1	2	2
	Rivers and estuaries	Recreational bass retention limited Oct, prohibited Nov/Dec	2	2	4
		Commercial bass retention from boat fishing limited	1	2	2
		Camel, Helford, Fal (parts), Percuil & Fowey (part) using boat - sand-eel bait & bass prohibited	1	3	3
		Tamar using boat - sand-eel bait & bass prohibited	1	3	3
Hand- gathering (incl. by diver)	Offshore sea area	Undersized non-quota 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
		Electrical fishing equipment prohibited	4	2	8

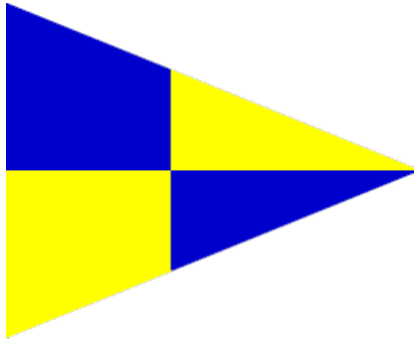
**CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT
JANUARY TO MARCH 2020 incl. (4th QUARTER)**

Appendix 4

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 non-quota 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
		Manacles MCZ	1	4	4
		Whitsand & Looe Bay MCZ (part) prohibited	1	4	4
		Bass catch limited (possibly Feb to Mar)	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 non-quota 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
		Manacles MCZ	1	4	4
		Whitsand & Looe Bay MCZ (part) prohibited	2	4	8
		Bass catch limited (possibly Feb to Mar)	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/non-quota 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
		Whitsand & Looe Bay MCZ (part) prohibited	1	4	4
	Rivers and estuaries	Fal and Helford prohibited except re Fal RO	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 in FFA prohibited	2	3	6
		Daily time period for dredging oyster/mussel in 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
		Manacles / Runnelstone net mesh size restricted	1	4	4
		Parts of crab limited	2	2	4
		Prohibited mesh size range	1	3	3
		Undersized non-quota sea fish prohibited*	2	3	6
		Shellfish permit and application of permit conditions*	3	3	9
		Bass bycatch* – fixed net limited (possibly Jan, prohibited Feb to Mar), drift net prohibited	2	4	8
	Rivers and estuaries	Tamar bass using boat prohibited	2	4	8
Pot	Offshore sea area *also rivers/estuaries	Vessel length restricted	1	4	4
		Undersized non-quota sea fish prohibited*	3	3	9
		Berried lobsters/crawfish	4	3	12
		V-notched lobsters/crawfish	2	2	4
		Parts of crabs - limited	2	3	6
		Shellfish permit and application of permit conditions required*	3	3	9
		Live wrasse permit required	2	2	4
		Live wrasse pot construction and prohibited areas	2	3	6
Ring net & purse seine (pelagic)	Offshore sea area	Vessel length restricted	1	3	3
		Undersized sea fish prohibited	2	2	4
		Bass catch prohibited	2	4	8
Seine net (incl. beach seine)	Offshore sea area	Undersized non-quota sea fish prohibited	2	2	4
		Prohibited net mesh size range	1	3	3
		Bass catch limited (possibly Jan only)	1	4	4

	Rivers and estuaries	Permit for sand-eel seine required	1	1	1
		Net mesh size for sand-eel seine restricted	1	3	3
Ebb net	Rivers and estuaries	Permit required	1	1	1
		Net dimensions and vessel length restricted	1	1	1
Rod & line	Offshore sea area Rivers and estuaries	Undersized sea fish (rec. angling) prohibited	2	2	4
		Recreational bass retention prohibited (possibly Jan to Mar)	3	2	6
		Commercial bass retention from shore fishing prohibited	2	2	4
		Commercial bass retention from boat fishing limited (possibly Feb to Mar)	2	2	4
		Tamar using boat – sand-eel bait & bass prohibited	3	3	9
Hand-line	Offshore sea area Rivers and estuaries	Undersized non-quota sea fish prohibited	1	2	2
		Recreational bass retention prohibited (possibly Jan to Mar)	2	2	4
		Commercial bass retention from boat fishing limited (possibly Jan only)	1	2	2
		Tamar using boat – sand-eel bait & bass prohibited	3	3	9
Hand-gathering (incl. by diver)	Offshore sea area Rivers and estuaries	Undersized non-quota sea fish prohibited	1	2	2
		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
		Electrical fishing equipment prohibited	4	2	8



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