

**Enforcement Plan 2023 - 2024**



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## **CORNWALL IFCA ENFORCEMENT PLAN 2023 - 2024**

### **1 Overview of fisheries enforcement 2022 - 2023**

- 1.1 With the Cornwall IFCA enforcement team no longer being subject to Covid-19 working restrictions, overall compliance and inspections work returned to the pre-pandemic level. Officers visited all the fishing ports in Cornwall where many landings of mainly shellfish were checked. The main patrol vessel and our standalone RIB were used to patrol the whole district and facilitate inspections at sea. At times of inclement weather, or when it was necessary to complete work using computers, officers could choose whether to work from home or use the office in Hayle.
- 1.2 During the summer 2022, with the two newer enforcement officers having been issued with warrants, the enforcement team was almost back to its full capacity for the first time in about three years. However, this was a short-lived situation, with the Senior Enforcement Officer resigning in October 2022. Following a recruitment process to fill this position, one of our enforcement officers was promoted. This left an enforcement officer vacancy which was filled by a new officer who commenced work in February 2023. Practical and theory training for the new officer was begun immediately, with a view to reaching the standard of knowledge and skills required to become a warranted enforcement officer. This is expected to take about one year to achieve.
- 1.3 The fishing industry continued to suffer high fuel costs, but this was partially offset by strong prices paid for many species of fish and shellfish. Scallop dredgers were the sector most affected by the fuel situation and this led some to switch over to trawling which used less diesel. Helpfully, several fin-fish species regularly achieved premium prices in comparison to scallop prices that remained largely flat. A lack of edible crabs for the potters resulted in greater targeting of lobsters, including within the district and during winter months when many of the females were berried (egg bearing).
- 1.4 Enforcement officers were regularly in touch with local Environment Agency (EA) and Marine Management Organisation (MMO) enforcement officers, sharing information about suspected fishing offences, plans to investigate them and the results of investigations. Occasional joint working was carried out with the EA in respect of similar concerns over illegal netting within some of the larger Cornish rivers and estuaries. Communications with Cornwall Port Health Authority (PHA), Maritime and Coastguard Agency (MCA) and Devon and Cornwall Police were also undertaken to share information and resolve matters relating to commercial fishing business.
- 1.5 In May 2022, Cornwall IFCA had an electro-fishing investigation concluded in the Court; believed to be a first for any English fisheries authority. Despite pleading not guilty to various charges, the owner of the fishing vessel used to conduct the electro-fishing operation was found guilty and fined. In another electro-fishing prosecution case, the master and owner of the fishing vessel pleaded guilty to a number of charges. Sentencing was set to go ahead in April 2023, once the assets of the defendants were known to the Court. In yet another Cornwall IFCA prosecution involving electro-fishing for

razor clams, a three week Crown Court trial that was due to go ahead in the summer 2022, did not proceed when defence lawyers failed to attend the court. As a consequence, the Judge ordered the trial to be postponed until June 2023.

- 1.6 A number of serious investigations into illegal fishing were conducted by the authority during 2022-23. Most of them were in relation to illegal catches of crustacean species, including berried lobsters found on board or in landings of the catch. The majority of the Cornwall IFCA cases were dealt with by offering financial administrative penalties which were all accepted by the suspects, or through court proceedings which in every instance resulted in the suspects being convicted and sentenced to pay fines and the authority's costs.

## **2 Cornwall IFCA byelaws and other regulatory developments**

- 2.1 Analysis of data received by Cornwall IFCA under its shellfish permit scheme showed that in recent years there had been a decline in landings of edible crabs and a significant rise in the landings of lobsters. The larger number of landed lobsters was principally down to over-winter fishing by the larger vivier potters working on the inshore grounds. Towards the end of 2022, officers deemed the situation to require urgent attention and a plan to introduce an emergency byelaw to prohibit over 12m vivier potters from operating in the district was put forward to the authority. However, it was not supported by the majority of Cornwall IFCA members which led to abandonment of the proposal.
- 2.2 In view of shellfish fishing effort and catch data statistics, Cornwall IFCA will move forward through 2023 with an aim to make a standard byelaw which will manage potting effort for crabs and lobsters within its district. The fishing industry will be consulted and this, together with byelaw making progress, will be reported to meetings of the Authority. It is anticipated that the whole process of consulting, developing and making a byelaw, before submitting it to Defra for confirmation, will take at least a year.
- 2.3 The Lands End and Cape Bank Special Area of Conservation (SAC) straddles the Cornwall IFCA district boundary line and, as a consequence, certain fishing activities are managed under both Cornwall IFCA and MMO byelaws. Under a national plan to amend the fisheries management regime for this and other such straddling marine protected areas, during 2023 Cornwall IFCA is expecting to take over fisheries management of the Cape Bank area from the MMO. This will require amendment to the Cornwall Closed Areas (European Marine Sites) No.2 byelaw. No additional measures to restrict fishing are planned in this process, therefore the existing prohibition on the use of bottom towed gear within the SAC would simply continue.
- 2.4 In February 2023, Defra announced its plans to introduce three pilot Highly Protected Marine Areas (HPMA) in England that are due to be designated by 6<sup>th</sup> July 2023. None of these sites are located within the Cornwall IFCA district. HPMAs are areas of the sea designated for the protection and recovery of marine ecosystems. They aim to prohibit extractive, destructive, and depositional uses, allowing only non-damaging levels of other activities to the extent permitted by international law. By setting aside some areas of sea with high levels of protection, HPMAs will allow nature to recover to a more natural state, allowing ecosystems to thrive.

- 2.5 During 2023-24, Cornwall IFCA expects to complete a suite of monitoring and control plans for all the Marine Protected Areas within its district. They will set out how fishing activity occurring in these sites is to be assessed and monitored. The forthcoming evidence of fishing in the MPAs will allow Cornwall IFCA to make informed decisions about whether any fisheries management is required to protect the designated site features.
- 2.6 A Crustacean Management Review Plan is under development and may be published by the Authority in 2023-24. This will present up to date information about the uptake of lobsters, crawfish and crabs resulting from potting and netting activity in the district over several decades, largely relying upon the monthly statistics submitted to Cornwall IFCA by hundreds of shellfish permit holders. From the findings of the report, in addition to the aforementioned plan to bring forward a byelaw to curb potting effort, the Authority may consider it desirable to make further changes to the management of fishing for the commercially important crustacean species within the district, which could potentially be done under new and/or amended byelaws. Consultation with the fishing industry will be carried out with respect to the development of any byelaw.
- 2.7 Cornwall IFCA has closely followed the development of a number of national Fisheries Management Plans (FMP). Defra will be reviewing the three frontrunners in 2023, which include the Crab and Lobster FMP and the English and Welsh Scallop FMP. It remains to be seen whether IFCAs will be required to undertake their own management of these fisheries in support of the FMPs.
- 2.8 National regulations for commercial and recreational bass fishing have become better aligned, with both sectors to be prohibited from retaining any bass during February and March months. Small uplifts in bass catch limits were granted across all relevant sectors of the commercial fishing industry.
- 2.9 The Retained EU Law (Revocation and Reform) Bill has required Defra to consider which EU laws should be kept, updated, replaced or revoked. There is no information to indicate any immediate effect on fisheries management at the local level, but Cornwall IFCA will be watching for any announcements that may require its comment or input.

### **3 Remote vessel monitoring systems**

- 3.1 The MMO and Defra have planned that the compulsory operation of vessel monitoring systems (VMS) by fishing vessels of 12m or more in length will be extended to every licensed fishing by the end of 2023. The necessary legislation for this is expected to be enacted by the autumn. The roll out of suitable VMS devices for under 12m vessels based in England is ongoing, with a grants of up to £650 available to fishermen once their approved devices are fitted and operational.
- 3.2 IFCAs have access to VMS data relevant to their districts, including adjacent areas. This greatly enhances the capacity to monitor commercial fishing activity, which in turn helps with the assessment of enforcement risks and enables more directed enforcement by officers. The data is invaluable to inshore fisheries management, providing excellent evidence with which to justify or test the efficacy of current byelaws, as well as help with the development of any newly proposed byelaws.

## 4 Marine Protected Areas within the Cornwall IFCA district

### 4.1 Marine Protected Areas (MPA) include:

- European Marine Sites (EMS) which in turn include Special Areas of Conservation (SAC) and Special Protection Areas (SPA) for seabirds;
- Marine Conservation Zones (MCZ) designated by Defra.

Together, they cover approximately two-thirds of the marine area of the Cornwall IFCA district. Mapping of these areas and other related information can be found online at <https://jncc.gov.uk/our-work/marine-protected-area-mapper/>.

### 4.2 Seven SACs located 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.

### 4.3 Two SPAs located in the district are:

- Tamar Estuaries Complex SPA; and
- Falmouth Bay to St Austell Bay SPA.

### 4.4 Twelve MCZs located in the district are:

- Padstow Bay and Surrounds;
- Helford Estuary;
- The Manacles;
- Upper Fowey and Pont Pill;
- Whitsand and Looe Bay;
- Tamar Estuary;
- Mounts Bay;
- Runnel Stone;
- Cape Bank;
- Camel Estuary;
- Newquay and the Gannel; and
- Hartland Point to Tintagel Point.

### 4.5 Sites of Special Scientific Interest (SSSI) are designated at a number of coastal locations around Cornwall which are largely terrestrial. Natural England assumes responsibility for furthering the conservation objectives of such areas.

## 5 Cornwall IFCA enforcement resources and assets

5.1 The Cornwall IFCA enforcement team currently consists of six personnel who are warranted enforcement officers, responsible for carrying out regular patrols and inspections throughout the county of Cornwall and at sea out to six nautical miles from the baselines. In addition, the master of the patrol vessel Saint Piran holds a warrant and may assist with enforcement work when the vessel is not at sea. Officers have a wide range of statutory powers at their disposal, allowing them to conduct inspections and investigate any suspected fisheries offences.

5.2 In view of Cornwall IFCA not having a legal services department, an independent legal advisor is engaged as necessary, to ensure that following



an investigation of a serious offence and where it is likely that formal action will be required, the evidential and public interest tests are met. The legal advisor advises on the appropriate action to dispose of an investigation. Any decision to take legal proceedings rests with the Chief Officer who has the delegated power to prosecute on behalf of the Authority.

- 5.2 Saint Piran is the main patrol vessel owned and used by the Authority, commissioned in 2000. It is a 27m semi-displacement aluminium vessel with twin 1,350HP diesel engines, which carries a daughter 6.5m rigid inflatable boat (RIB) which can be launched quickly and used to embark officers onto fishing vessels to conduct inspections work.
- 5.3 In addition to the RIB carried aboard the Saint Piran, another similar RIB is stored ashore on a road trailer. This 6.8m RIB is mainly used in the rivers and around the near-coast, including at night. If the Saint Piran RIB is out of commission, the two RIBs may be swapped about to maintain the potential for sea-going patrols and inspections work.
- 5.4 Two marine engineers are essential to service and maintain the numerous mechanical and electrical systems on board Saint Piran, as well as carry out work on the two diesel-engine powered RIBs. Their primary task is to keep the patrol vessels certified as seaworthy and in a state of readiness for patrolling but may also be called upon to assist with maintenance of the twin diesel-engined survey vessel owned by the Authority.
- 5.5 The enforcement team uses leased service vehicles to carry out port inspections around the county. They include a powerful 4x4 that can tow the trailered RIB to various suitable launch sites which are in proximity to fisheries and fishing activities of interest.

## **6 Compliance and enforcement strategy**

- 6.1 The Authority's compliance and enforcement strategy is published on its website:  
<https://secure.toolkitfiles.co.uk/clients/17099/sitedata/Policy/Compliance-stratagy.pdf>
- 6.2 The Cornwall IFCA district<sup>1</sup> 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 baselines<sup>2</sup>. 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 near Marsland Mouth. 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 western 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

<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)

fisheries above the tidal limits, as well as fisheries for freshwater and migratory species within the six mile limit.

- 6.3 In addition to enforcement of the byelaws made by Cornwall IFCA, suitably warranted officers may also enforce:
- the byelaws of the adjacent IFCAs – Isles of Scilly IFCA and Devon & Severn IFCA;
  - parts of the Salmon and Freshwater Fisheries Act 1975;
  - certain Statutory Instruments (Orders) and Regulations made by Defra; and
  - certain EU regulations that have been retained and brought into UK law, following the UK withdrawal from the EU.
- 6.4 Compliance with UK and, in particular, local fisheries and marine 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. It is recognised that fisheries management can usually only succeed where there is an integrated approach encompassing communication with stakeholders, appropriate research and enforcement. A key element to achieving high compliance with legislation is to try and ensure 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 each other's requirements and those of other potentially 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.
- 6.5 Stakeholders are encouraged to engage with Cornwall IFCA officers and members of Cornwall IFCA on any matter of concern for inshore fisheries management. Attendance at the four annual statutory public meetings of the Authority is welcomed and questions from the public can be asked if provided in writing at least three days in advance of the meeting. Minutes of these meetings are publicly available on the Cornwall IFCA website. Whenever possible, officers will aim to provide information, advice and guidance to stakeholders and the public, as required.
- 6.6 Cornwall IFCA will use various compliance measures at its disposal in order to try and ensure that, where possible, 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 remedies<sup>3</sup>.

#### 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 penalty<sup>4</sup> (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

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 wrongdoing 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.

- 6.7 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

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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

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

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.

6.8 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. 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).

## **7 Description of fishing methods and the main regulatory concerns**

### **7.1 Beam trawls**

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 seabed. The beam ends have very robust steel shoes or skids and/or rollers to hold the beam off the seabed 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 rigged at the leading edge may also be used to scare fish up from the seabed and into the following net.

A beam trawl is used to target benthic species and, within 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 and flat fish species, 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 that may do so. Whilst five vessels retain historic trawling rights to work inside the 3 to 6 mile zone (including otter trawling covered below), only three have taken the opportunity to beam trawl there in recent years.

Beam trawling is prohibited in a number of SACs and MCZs within the district. However, most of these areas are not suited to bottom towed gear

because they contain significant areas of exposed rock that would likely damage and hitch a trawl.

Trawling is prohibited under a byelaw in all rivers and estuaries and this measure is well respected.

For 2023, Defra has prescribed that an authorised and licensed vessel using a trawl net in the English or Welsh zones may retain an unavoidable by-catch of bass not exceeding 3.8 tonnes per calendar year and 5% of the weight of the total catches of marine organisms on board caught by that vessel per fishing trip. Larger bass catches are usually more common in the offshore waters of the English Channel, where mature and spawning fish aggregate during the winter months.

Main enforcement concerns for beam trawling in the district are:

- Fishing inside the 6 mile limit by vessels that are over 18.28m overall length or over 221kW engine power in respect of the Trawling byelaw; and
- Undersized fish in respect of the Specified Fish Sizes byelaw.

## 7.2 Otter trawls

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, otter trawls are most commonly towed along the seabed (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 and this has become the normal operation for a number of vessels. Whilst triple-rig or multi-rig trawls are used by some vessels, it is not commonplace within the district.

Only four fishing vessels have retained historic rights to trawl inside the 3 to 6 mile zone. However, they rarely if ever take advantage of this potential benefit.

Otter trawling along the seabed (bottom towed gear) is prohibited in a number of SACs and MCZs within the district, but most of these areas are not suited to bottom trawling. This is because they may contain significant areas of exposed rock that would likely damage and hitch a trawl, creating a natural deterrent in respect of a vessel's economic viability. Mid-water trawling may occur within any marine protected area as the activity has negligible effect on any current conservation objectives for these sites.

Trawling is prohibited under a byelaw in all rivers and estuaries and this measure is well respected.

For 2023, Defra has prescribed that an authorised and licensed vessel using a trawl net in the English or Welsh zones may retain an unavoidable by-catch of bass not exceeding 3.8 tonnes per calendar year and 5% of the weight of the total catches of marine organisms on board caught by that vessel per fishing trip. Larger bass catches are usually more common in the offshore waters of the English Channel, where mature and spawning fish aggregate during the winter months.

Main enforcement concerns for otter trawling in the district are:

- Undersized fish in respect of the Specified Fish Sizes byelaw; and

- Using bottom towed gear in the Whitsand and Looe Bay MCZ.

### 7.3 Scallop dredges

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 seabed as it is towed along by a steel warp run from the towing vessel's deck winch. Each dredge trailing from the beam is in direct contact with seabed, having a spring-loaded tooth bar at its leading edge which accommodates several steel teeth or tines that scrape 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 an increased level of fishing effort off the north coast, mostly to the north and west of Trevoise Head and often outwith of the district.

The overall length of boats allowed to fish for shellfish (including scallops) in the district is restricted. Whilst historic rights are currently granted for four 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.

Scallop minimum size requires regular checking on all dredging vessels. Many successful prosecutions have been taken for undersized scallops, which includes several for very experienced skippers. Inaccurate measuring gauges and high crew turn-around/inexperience on these vessels are often given as excuses for poor measuring standards and the retention of a valuable bulk product. Almost all scallops will survive dredge capture and undersized should simply 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 judge 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.

There is a 7pm to 7am curfew time for using dredges to remove scallops from the district and this requires regular monitoring to assess whether vessels are complying. Curfew hours breaches are among the most frequently reported matters by fishermen who may have seen or heard that the allowed working hours have been exceeded. The curfew hours were introduced to reduce fishing effort in the district, and it is a crucial restriction that requires frequent sea-going patrols and remote monitoring to reduce the level of non-compliance.

The use of bottom towed gear, such as scallop dredges, is prohibited in numerous SACs within the district. The rocky nature of most of the SACs is a natural barrier to such activity. However, the Eddystone reefs located within the Start Point to Plymouth Sound and Eddystone SAC have significant area

of sandy seabed, heavily populated with scallops. Scallop dredger incursions into these difficult to manage offshore areas have, on numerous occasions, been evidenced by sea-going patrols and remote monitoring. This matter is the highest risk for compliance and enforcement within the district and born out by the high number of FAPs and successful prosecutions carried out by Cornwall IFCA. Continued vigilance is required around the Eddystone reefs.

Main enforcement concerns for scallop dredging in the district are:

- Fishing in prohibited zones of a European Marine Site in respect of the Closed Areas (European Marine Sites) No.2 byelaw;
- 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 Regulation (EU) 2019/1241;
- Cut-out scallops in respect of Regulation (EU) 2013/1380;
- 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.

#### 7.4 Oyster and mussel dredges

Lightweight dredges are used from traditional Falmouth working boats under sail and rowed haul/tow punts operating within part of the Fal. These vessels must not use an engine during 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. The dredges gently lift shellfish up from the seabed (native oysters have delicate shell edges), where they fall back into a light net bag arrangement at the rear. The dredges have been of a similar pattern and construction for many decades. In recent years, the population of variegated scallops known locally as "queenies" has significantly increased and become the bulk of most molluscan catches from the Fal.

The molluscan fisheries in the Fal are managed under the Fal Fishery Order 2016, which is a Defra regulating order that assigns Cornwall IFCA as its grantee. Cornwall IFCA has made regulations under the order. The order and regulation set out various fishing conditions and restrictions and prescribe that a fixed annual toll of £165 per dredge and for hand-gathering is payable to Cornwall IFCA.

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. some fishermen may dredge for oysters on specified lay areas outside that period, although that can only go ahead if the Authority is informed in advance. The mussel dredging season is only from October to March incl. but 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 the Fal Fishery Area for other molluscan species such as queenies and Pacific oysters, in accordance with the regulating order.

Main enforcement concerns for fishing in the Fal Fishery Area are:

- Dredging for oysters and mussels at a prohibited time of day in respect of the Fal Fishery Order 2016;
- Dredging for shellfish 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.

## 7.5 Pots

Pots with a wide range of design characteristics are set on the seabed for several crustacean species, cuttlefish, live wrasse and prawns. The smallest boats may choose to 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 that concentrates on potting for the majority of a year will often set several hundred pots, typically hauled and shot back over two or three days. Larger vessels may have 1000 to 2000 pots on the grounds though many, if not all, may be outside of the district. Some vessels are designed or fitted with recirculating sea-water tanks, known as vivier tanks, for improved storage of the shellfish which must be kept alive. 10 to 15 tonnes shellfish holding capacity is commonplace for the largest modern potting vessels.

Under a Cornwall IFCA byelaw, a 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. The data is primarily used to inform appropriate management decisions for shellfisheries within the district.

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

Under Cornwall IFCA byelaws, the minimum sizes for edible crabs, spider crabs, lobsters and crawfish taken from the district are the largest in Europe. Despite industry calls for Defra to introduce the same minimum sizes in all southwest England waters, no action has been taken, leaving the Authority with a significant enforcement problem regarding vessels that operate both within and outwith of 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 Regulation (EU) 2013/1380;
- Undersized spider crabs in respect of the Spider Crabs byelaw, The Undersized Spider Crabs Order and Regulation (EU) 2013/1380;
- Undersized lobsters in respect of the Lobster byelaw, The Undersized Lobsters Order and Regulation (EU) 2013/1380;
- Non-permitted vessel 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 Regulation (EU) 2019/1241.

## 7.6 Nets

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 having 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 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 also 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).

The default minimum mesh size of nets is 120mm, but exemptions are provided for certain species, e.g. bass (100mm), mackerel (50mm). Nets with a mesh size range between 70mm and 90mm are 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.

For 2023, Defra has prescribed that an authorised licensed vessel using fixed gill nets in the English or Welsh zones, may retain a by-catch of bass not exceeding 1.6 tonnes per year.

A wide variety of netting restrictions to protect sea fish and salmonids are applied in all the rivers. Where bass and grey mullet are well known to concentrate, historically there has been regular and deliberate illegal netting to take such high value and/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.

Main enforcement concerns for netting in the district are:

- Undersized spider crabs in respect of the Spider Crabs byelaw, The Undersized Spider Crabs Order and Regulation (EU) 2013/1380;
- Undersized fish in respect of the Specified Fish Sizes byelaw and Regulation (EU) 2013/1380;
- Weight of edible crab and spider crab claws removed whilst clearing nets in respect of the Parts of Crab byelaw;
- Undersized bass in respect of Commission Implementing Regulation (EU) 2015/1316;
- Catch restrictions for bass under The Sea Fisheries (Amendment) Regulations 2022;
- Non-permitted vessel 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 during a prohibited time of the year within a bass nursery area in respect of the Bass (Specified Areas)(Prohibition of Fishing) Order; and
- Prohibited net mesh size range in respect of Regulation (EU) 2019/1241.

#### 7.7 Ring-nets and purse-seines

A small number of vessels use a single net, with the 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 then, as the net is hauled alongside, fish are brailed or pumped into the vessel's tanks or on-deck fish containers and pounds.

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 catches and net headline length. Local sardine processors are also members of the CSMA. Fishermen and processors work together to meet the requirements of the Marine Stewardship Council (MSC) in respect of sardines which may be landed and labelled as MSC accredited Cornish Sardines.

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 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 another pelagic quota species.

Bass authorisations are not available for vessels using ring-nets.

There are no major fisheries enforcement concerns for seine nets used in the district, but their potential impact on the ecologically of important sea grass meadows in inshore waters is currently being assessed by the Authority.

### 7.8 Seine nets

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 on occasions when shoals are spotted close inshore and where the tide, surf and weather allow.

For 2023, Defra has prescribed that an authorised and licensed vessel using a seine net in the English or Welsh zones, may retain an unavoidable by-catch of bass not exceeding 3.8 tonnes per calendar year and 5% of the weight of the total catches of marine organisms on board caught by that vessel per fishing trip. Under bass regulations, ring nets are not included in the seine nets category.

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

### 7.9 Long-lines

Lines of hooks are used to target a variety of benthic species and are normally shot away and hauled from a fishing vessel. Very occasionally in this district, they may be set on beaches at low tide. Nowadays, longlines are rarely used in Cornish waters, as this method of fishing is often not commercially viable, with most of the potential target species likely to be more efficiently and effectively caught using nets.

Hook size, bait type and fishing ground normally dictate the species caught and whether they are likely to meet any minimum size requirements. Hooks and bait are not regulated, other than sandeels which are prohibited to be used as bait when fishing from a boat in a bass nursery area.

For 2023, Defra has prescribed that an authorised licensed vessel using hooks and lines in the English or Welsh zones may retain up to 6.2 tonnes of bass per calendar year. Recreational fishermen are limited to two bass each per day.

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

### 7.10 Hand-lines

A variety artificial and natural lures or baits are used to attract fish onto hooks which are normally 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 accurately controls the fishing operation.

By dropping multi-hooked lines down from the side(s) of a boat, species such as mackerel, pollack and squid may be taken in potentially high numbers.

Whilst the weight of fish may sometimes be low, the condition of hand-lined fish often attracts a premium price from buyers.

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

For 2023, Defra has prescribed that an authorised licensed vessel using hooks and lines in the English or Welsh zones may retain up to 6.2 tonnes of bass per calendar year.

Hand-lining in its various forms is widespread around the district for many commercial fishermen and is also popular on a recreational basis. Undersized or unwanted fish can often be released back to the sea alive.

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

- Undersized fish in respect of the Specified Fish Sizes byelaw and Regulation (EU) 2013/1380.

#### 7.11 Rod and line

Angling from boats and from the coastline with lures or baits is very widespread in the district and most commonly undertaken by recreational fishermen. Multiple rods may potentially be used per person. Where angling is carried out on a commercial basis, it tends to be from a boat, with species such as bass or pollack often being the target species. Charter angling vessels based all around the county, take passengers on fishing trips that often involve wreck/reef sites to catch a range of gadoid species. Angling for mackerel is also popular. In recent years, the arrival of greater quantities of blue fin tuna to southwest waters has attracted many persons aboard private and charter boats to pursue the species, including through official catch and release programs.

Recreational anglers who are members of angling clubs or organisations often abide by their own members' rules in respect of retaining fish by a minimum length or weight.

For 2023, Defra has prescribed that an authorised licensed vessel using hooks and lines in the English or Welsh zones may retain up to 6.2 tonnes of bass per calendar year.

Six areas, commonly referred to as bass nursery areas, exist within the district's larger river systems where bass receive extra protection. An order prescribes that when fishing from a boat, it is prohibited to fish for bass or to fish for any 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 Regulation (EU) 2013/1380; and
- Fishing for bass from a boat, or for 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.

### 7.12 Hand-gathering

Hand-gathering activities occur along the coast, including within some harbours, 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 a statutory responsibility to ensure that monitoring and classification programmes are in place to meet shellfish hygiene 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 boat in order to hand-gather sedentary benthic species, such as scallops or razor clams, from a suitable seabed area. 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 the fishing is concentrated and prolonged. Whilst the use of electrical fishing equipment is prohibited for both recreational and commercial fishermen, this activity was the subject of many investigations that began from mid-2018 and remain ongoing, with legal proceedings underway.

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 Regulation (EU) 2019/1241; and
- Undersized fish in respect of the Specified Fish Sizes byelaw and Regulation (EU) 2013/1380.

## **8 Risk based enforcement**

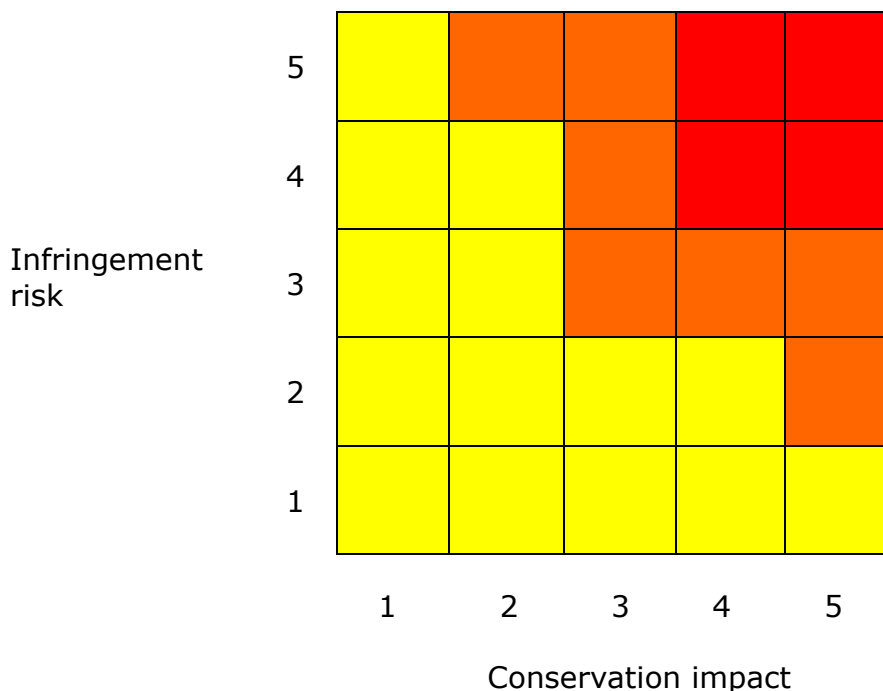
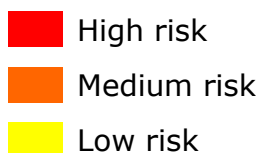
- 8.1 In order to prioritise the work carried out by enforcement officers, four spreadsheets have been developed to assess fishing activities and the risk of non-compliance with fisheries legislation (see appendices 1, 2, 3 & 4 below). They have been formulated for each quarter of the year (beginning 1<sup>st</sup> April) to reflect varying fishing patterns through the year and temporal elements of some legislation, enabling the variable priorities for enforcement to be clear for each quarter of the year.
- 8.2 It is important to recognise that the four spreadsheets do not include every single fishing matter covered by fisheries legislation. They concentrate on the main fishing activities expected within the district and the consequent enforcement and compliance risks.
- 8.3 Each fishing activity is assessed for both its regulatory infringement risk and conservation impact upon fisheries and the marine environment, relevant to the Cornwall IFCA district (score 1=low; 5=high). The scoring draws upon

officers' knowledge of fishing activities and the past or expected regulatory breaches.

#### 8.4 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.

8.5 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 the Court, to indicate how the Authority views the seriousness of an infringement.



#### 8.6 Cornwall IFCA enforcement and compliance priorities 2023 - 24

Illegal fishing activities that present as the highest priority for enforcement and compliance work are:

- Berried lobsters (byelaw and SI) – all year;
- Dredging in the prohibited areas of the Eddystone reefs SAC (byelaw) - all year;
- Dredging for scallops in the curfew hours (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 rivers (byelaw) – all year;

- Fishing for bass from a boat in larger rivers – May to Nov/Dec incl. or all year in the 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 2023 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 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	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



Dredge cont'd		Cape Bank SAC prohibited	1	4	4
		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	Offshore sea area	Vessel length restricted	1	3	3
		Undersized non-quota sea fish prohibited	2	2	4

(pelagic)		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	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 (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	4
		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	Undersized non-quota 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
		Electrical fishing equipment prohibited	2	2	4

**CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT**  
**JULY TO SEPTEMBER 2023 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 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
	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

Dredge cont'd		Cape Bank SAC prohibited	1	4	4
		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	Offshore sea area	Vessel length restricted	1	3	3
		Undersized non-quota sea fish prohibited	2	2	4

(pelagic)		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 Rivers and estuaries	Undersized sea fish (re. angling) prohibited	2	2	4
		Recreational bass retention limited	3	2	6
		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 Rivers and estuaries	Undersized non-quota sea fish prohibited	1	2	2
		Recreational bass retention limited	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 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 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	2	2	4

**CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT  
OCTOBER TO DECEMBER 2023 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 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
	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

Dredge cont'd		Cape Bank SAC prohibited	1	4	4
		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	4	4	16
		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 Rivers and estuaries	Undersized sea fish (rec. angling) prohibited	2	2	4
		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 Rivers and estuaries	Undersized non-quota sea fish prohibited	1	2	2
		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 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	2	2	4
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**CORNWALL IFCA DISTRICT - RISK BASED ENFORCEMENT  
JANUARY TO MARCH 2024 incl. (4<sup>th</sup> QUARTER)**

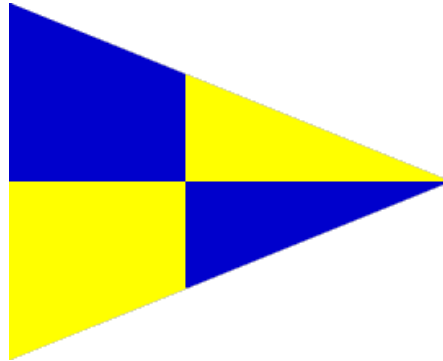
**Appendix 4**

<b>FISHING METHOD</b>	<b>AREA</b>	<b>REGULATORY CONSIDERATION</b>	<b>INFRINGEMENT RISK L - 1,2,3,4,5 - H</b>	<b>CONSERVATION IMPACT L - 1,2,3,4,5 - H</b>	<b>ENFORCEMENT RISK</b>
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

Dredge cont'd		Cape Bank SAC prohibited	1	4	4
		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	4	16
		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	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 (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	2	2	4





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