



Compliance & Enforcement Team Strategy

April 2024 – March 2025



Document Control

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Section 1.0 Purpose

The Authority is committed to a fair, effective and proportionate enforcement regime. A Compliance and Enforcement Framework (CEF) sets out the Authority's approach to achieving compliance and provides information about the general principles the Authority will follow and our enforcement actions available. The CEF establishes a framework from which risk-based enforcement plans may be developed in the form of a Compliance Risk Register (CRR). For access to these documents please follow the link to the Southern IFCA Website: [Compliance & Enforcement : Southern IFCA \(southern-ifca.gov.uk\)](https://southern-ifca.gov.uk)

The Compliance & Enforcement Team (CET) Strategy sets out the priorities for the team for the period April 2024 to March 2025, feeding directly from the Delivery Priorities identified in Southern IFCA's Annual Strategic Plan for April 2024 to March 2025. In addition the Strategy captures the 'Business as Usual' which is delivered by the Compliance & Enforcement Team in its everyday working practice.

Section 2.0 Introduction to Compliance & Enforcement

Southern Inshore Fisheries and Conservation Authority (IFCA) undertake compliance and enforcement activities throughout its District. Information and evidence are gathered to provide a sound base to underpin the decision-making processes of the Authority. This ensures that the Authority fulfils its functions as described under the Marine and Coastal Access Act (MaCAA) 2009, ensuring successful and sustainable governance of the inshore marine environment.

To deliver the Southern IFCA objectives and fulfil the Authorities functions as a competent management body, the Southern IFCA recognises the need to align its work to a strategic vision. With many competing objectives, it is important the Authority maintains a strategic overview in their delivery. This proactive way of working, with the recognition of the need to maintain a capacity for reactive and emerging work and incoming challenges, will provide a template for the Authority moving forward.

The Marine element of the Authorities District covers all tidal waters extending to six nautical miles from the 1983 baselines. The east and west seaward boundaries are established from a line drawn south from the point at which the limits of county boundaries of East Hampshire and West Dorset extend seaward; in Lyme Bay and Chichester Harbour respectively. The terrestrial and intertidal element of the District includes the entire counties of the constituent local

authorities of Hampshire, Dorset, Isle of Wight, Portsmouth and Southampton City Councils and Bournemouth, Christchurch & Poole Council. In undertaking its regulatory responsibilities, the Authority starts from the position that the vast majority of the community, organisations and industries using the marine area are compliant with the regulations and controls that affects them. The Authority works to try to ensure that all parties understand what rules apply to their particular industry (or part thereof), and also the rationale for the regulation being necessary. Where stakeholders are not aware of the rules that apply to them, or require further information to ensure they are compliant, guidance is provided and/or assistance to raise awareness, where possible, this is a first step to achieving compliance.

Full compliance with 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. The key to achieving high compliance is to ensure that those who are potentially affected have a real opportunity to engage with the Authority over the local management approach taken.

The strategic delivery for April 2024 to March 2025, as presented in this strategy, will enable the Authority to be more transparent with delivery partners, stakeholders and the wider community through anticipation of shared goals, objectives, and encouragement to seek future collaborative opportunities.

2.1 The Compliance & Enforcement Team

The Southern IFCA's CET have the responsibility for the compliance and enforcement throughout the District to ensure a viable industry whilst supporting local communities who are reliant upon sea fisheries resources is an important component for the protection of our fisheries. The IFCA has a duty to maintain a balance between socio-economics and environmental benefits seeking to ensure healthy and sustainable fisheries when developing regulations.

An effective Compliance Programme will include the development, implementation, and adherence to standardised operational policies and procedures. Through internal monitoring and auditing, Officer Code of Conduct for Inspections and safeguards outline the Authorities expectation of employees. The Code also explains the obligations of people being inspected. Officers are professionally trained in enforcement standards through an accredited training program and receive specific training **IFCA Success Criteria 4 "IFCAs have appropriate governance in place and staff are trained and professional"**. In addition, Officers are required to have a comprehensive knowledge of complex legislation that is set out in Southern IFCA Byelaws, National and EU regulations.

Officers from the CET engage with industry on a daily basis and carry out compliance inspections where necessary on all commercial and recreational fishing activities on shore and at sea which include commercial premises. These inspections are conducted through land and sea-based patrols throughout the District. The Authority has a fleet of three patrol vessels which are uniquely designed to suit the areas they are located in and are strategically based across the District.

These can be taken to sea at any time of day or night, all three vessels have boarding capabilities. The CET also have access to a fleet of pool vehicles to carry out operations on the coast.

For the purpose of engagement, the District has been split into three areas and five when allocating resources for deployment and operational delivery, The west is from Kimmeridge to Lyme Regis (Dorset Devon border), the centre Kimmeridge to Mudeford and covers Poole Harbour and the East is from Mudeford to Chichester Harbour Emsworth Channel (Hampshire Sussex border) and includes the Isle of Wight. Each area has a lead and supporting officers.

Officers wear Body Worn Cameras (BWC), which can provide several benefits. These include enhanced contemporaneous evidence capture, that may be used to support the Authority and/or other enforcement agency prosecutions, resulting in early guilty pleas. The cameras may deter acts of aggression or verbal and physical abuse towards officers and can also inform more appropriate sentencing. An audio & visual recording of an incident can show exactly what happened and what was said, help to avoid disputes, reduce the time taken to establish important facts and clearly show the facts on many matters. The use of BWCs supports transparency, trust, and confidence in the Southern IFCA and community. All evidence is stored in accordance with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

2.1.1 IFCO Powers

Under 166 of MaCAA Inshore Fisheries and Conservation Officers (IFCOs) common enforcement powers are conferred by sections 245 to 261 and fisheries enforcement powers conferred by sections 264,268,269 and 289 of MaCAA.

IFCOs have these powers for the purposes of enforcing:

- Any byelaws made under section 155 or 157 of MaCAA for the district (or having effect as if so made); Sections 1 to 3, 5 and 6 of the Sea Fish (Conservation) Act 1967 (c.84) and any Orders made under any of those sections;
- Any provision made by or under an Order under section 1 of the Sea Fisheries (Shellfish) Act 1967 (c.83);
- Any provisions of, or any rights conferred by, section 7 of that Act;
- Any byelaws made under section 129 or 132 of MaCAA;
- Section 140 of MaCAA;
- The Sea Fishing (Enforcement) Regulations 2018 (SI 849/18) (The Sea Fishing (Enforcement) (Amendment) Regulations 2020

3.0 Operational Assets

3.1 Current Marine Assets

The Authority has three Fisheries Patrol Vessels (FPVs) which facilitate the compliance and enforcement of regulations throughout the District. When at sea these vessels conduct intelligence led operational patrols, support stakeholder engagement and conduct and support limited survey work.

The Southern IFCA FPV fleet currently consists of two purpose built patrol vessels, FPV Endeavour is 5.7m special build aluminium vessel with very shallow water capability and has a collapsing wind shield and 'A' frame to enable the vessel to manoeuvre under low bridges in Poole Harbour, currently based in Poole Harbour, FPV Protector is a RHIB (Rigid Hulled Inflatable Boat) and is currently stored on a trailer at Portland and deployable anywhere within the District, both FPVs have thermal imaging camera capability that can record for evidential purposes, both vessels have rapid response capabilities. Regular monthly maintenance ensures all marine assets are fully operational. The Senior IFCO for Marine Operations is responsible for the Safety Management Systems in place for the marine assets and compliance with coding requirements. There is a recent change to coding requirements which will affect current ways of working through the introduction of Work Boat Code Edition 3, in 2024 the CET will be implementing the code and aligning Southern IFCA operations and working with other IFCAs to ensure requirements of the new code are met.

3.1.2 C&E DELIVERY PRIORITY: Introduction of FPV Vigilant and associated new ways of working

The procurement of the Cabin RHIB future proofs the Authority should there be a change in current jurisdiction which is 0-6nm. Now the UK is an independent coastal state there may be changes to the roles and responsibilities for the IFCAs post transitional period, both in terms of changes to District baselines and jurisdiction of territorial waters (0-12nm), as well as changes to fisheries management through delivery of the Fisheries Act 2020, Southern IFCA also has made a Potting Byelaw currently with the MMO Byelaw Team, equipment such as a Pot Hauler may be required to effectively enforce such regulations. The vessels do not currently have this capability and the procurement of a specifically designed vessel will be considered in the future as part of the comprehensive on-going review of Southern IFCAs marine assets which is informed by the Authorities duties, again this may be subject to change as a result of the UK becoming an Independent Coastal State, the review includes replacement programmes and disposals of assets, currently scheduled is a replacement of FPV Protector in 2024/25.

FPV Vigilant will have the ability to haul recreational pots as well as a suite of the latest electronic equipment to enforce the increased spatial restrictions proposed under the Bottom Towed Gear Byelaw 2023 and district wide measures for Gear Marking under the Net Fishing Byelaw, **in April 2024 the CETs main focus will be operationalising the asset as well as focussing on-going support, maintenance and training to ensure a efficient and effective introduction of FPV Vigilant.**

3.1.3 Pool Vehicles

In addition to the marine assets Southern IFCA also owns a fleet of patrol vehicles which consist of two trucks (4x4) that have towing capability and two vans, all vehicles are operated in line with the Southern IFCA vehicle policy. In relation to the Authority vehicles the CET work closely with the Business Services Team (BST) to ensure effective management of these assets.

As part of the UK Governments commitment to be Net Zero by 2050 and paying particular attention to the reduction of vehicle emissions Southern IFCA will be looking to contribute to achieving the policy goals by reviewing the existing fleet of vehicles in conjunction with new ways of working through implementation of FPV Vigilant, this is already underway but will continue in April 2024, the Authority will consider Southern IFCA's commitment to reducing its carbon footprint.

3.1.4 Drones

To complement our operational activity, a drone was procured in early 2022. A drone is defined by the Civil Aviation Authority as an Unmanned Aerial System (UAS) or Small Unmanned Aircraft (SUA). They are typically miniature aircraft controlled from the ground by a pilot and can have various camera attachments with recording capabilities.

The use of drones is now widely used across law enforcement agencies throughout the country for the detection of crimes and collating evidence for offences. They can be used in dynamic environments and can be deployed as a fast response to monitor, record and evidence illegal activity as well as being used for routine observations and checks. It has the ability to record positions using an onboard GPS and further features such as thermal imaging and zoom functions. This can aid in the proof of offences detected and used to support legal proceedings as evidence in courts.

The drone is operated by a trained remote pilot with additional officers to act as observers to avoid the risk of collisions, especially during the hours of darkness.

There is opportunities for the drone to carry out survey work with the Authorities Fisheries Research and Policy Team (RPT) who also gather evidence for fisheries management development. Further opportunities are being explored in working with other enforcement agencies and creating revenue which will help towards the running cost and officer time.

The drone aids compliance in gathering crucial evidence for the following activities throughout the District:

- Spatial closures
- MPAs
- Areas associated with previous non-compliance
- Illegal gear being deployed or discarded
- Locating discarded shellfish, fish and gear
- Provide additional evidence to support VMS data

- Monitoring of IFCA Codes of Practice

Officers will need to continue to familiarise and develop themselves with drone operations, further training will take place accruing flying time. In April 2024 the CET are upgrading some of the hardware to further its operations in more inclement weather whether giving the team a wider operating envelope. The CET will also explore and develop Southern IFCA's "at sea" drone operations collaborating with partners and increasing our drone capabilities in offshore operations.

Section 4.0 Delivering IFCA Success Criteria 2 via Business As Usual

The Compliance and Enforcement Team have the following functions primarily support *IFCA Success Criteria 2 "IFCAs implement a fair, effective and proportionate enforcement regime"* this is set out as a delivery priority in the Annual Strategic Plan 2024/2025, the Deputy Chief Officer of the CET will submit a quarterly Compliance Reports to the Authority meeting. This report contains information relating to our enforcement activity for the reporting period in statistical format for inspections, patrols and offences detected and a quarterly summary of key enforcement operations and activities.

4.1 Intelligence Led-Risk Based Enforcement (ILRBE)

4.1.1 Intelligence

Intelligence reports (IRs) are the Authority's method of recording, storing, collating and the dissemination of intelligence that complement our risk-based approach. Additional intelligence together with access to the UK Fisheries Monitoring, Control and Surveillance System (MCSS) and Vessel Monitoring System (VMS) is maximising the efficient use of resources and reflects the current issues on the ground and is being utilised in preparing weekly operational plans. Collating and storing of IRs is centralised through the Marine Management Organisation (MMO) Intelligence Team. IFCAs follow the National Intelligence Model and have incorporated a tasking and coordination process to inform tactical responses to priorities and emerging trends.

When collecting relevant information, Officers should record the following information before submitting to the Intelligence Officer:

- **Who** – the person(s) carrying out possible illegal activity or boat and any other connections i.e. person/name and address, date of birth, vessel PLN and name, who is master/owners name, vehicle being used etc.
- **What** – has happened/happening i.e. record what has been observed (Illegal activity or damage) or said, description of vessel or vehicle, what clothes are being worn etc.
- **Where** – place. Inside a Marine Protected Area (MPA) or prohibited area i.e. Lat/long, landing port other references if not known, record GPS etc.
- **Why** – purpose behind the illegal activity i.e. type of activity taking place, are they selling commercially and to who etc.
- **When** – did the activity happen? i.e. time, date, length of time spent fishing etc.
- **How** – did they carry out the illegal activity? How do you know? i.e. what is being used to carry out the illegal activity, net pot, hand gathering etc.

The reporting Officer will evaluate information received and complete the IR in line with the SOP and submit to the Intel Officer. The information is then risk assessed, and then sanitised (details are removed that explicitly or indirectly identifies the source of the information) to protect the origin of the information. The IR is then disseminated to the officers, MMO Intelligence Team and relevant agencies and recorded on an internal log.

4.1.2 Tactical Coordination Group (TCG)

The TCG process provides managers with a decision-making mechanism in which to manage their business both strategically and tactically. Decisions based on a full understanding of the problems faced enables the DCO to prioritise the deployment of resources at their disposal.

Southern IFCA's TCG meets every two weeks and is informed by the Tactical Assessment (the document which supports the meeting). The Lead intelligence Officer or Intelligence Officer shall be responsible for the preparation of the tactical assessment document. Southern IFCA is also represented at two regional TCGs with external agencies that is coordinated by the MMO.

The TCG reflects on the previous two weeks priorities and considers identified emerging issues or specific problems and proposes tactical activity for the next period. It ensures that the resources are aligned to the priorities. Additional priorities can be set, or specific intelligence requirements may be needed. The group decides when appropriate tactical action will be taken and by whom.

The tactical group can also commission intelligence products such as Problem and Subject Profiles that can add value to priorities and operational plans and when required.

Several supporting documents are available to the TCG to assist with decision making.

- Problem profiles
- Compliance Directions
- Seasonal priorities
- Operational Orders

4.1.3 Risk Based Approach

Defra provided guidance to Southern IFCA on the establishment of a common enforcement framework and in particular, on applying risk-based enforcement principles and methods. Southern IFCA is committed to the adoption of a risk-based approach to enforcement and Members have agreed the process and principles to apply that method. Outcomes of risk assessments for specified areas within the District have been used to develop a Compliance Risk Register containing compliance and enforcement strategic priorities to inform operational plans developed through a Tactical Coordination Group.

The Register has been developed using an evidence-based approach. An analysis of risk from the perspective of the marine resource allows the process to be informed by the available scientific evidence. Where further information is required, this may be addressed through Southern IFCA's RPT Strategy.

Where high risks are identified through the Register, these will be considered and feed into the Tactical Co-ordination Group process which will support the objectives to manage those risks. These objectives will include enforcement and education and will be reported on at regular intervals. Where the risks are lower, there will be an increased focus upon awareness and engagement as described in the Southern IFCA CEF.

The development of the CRR allows the Officers to be clear about the Authority's compliance priorities, they are required to set objectives to reduce high and monitor medium risks in their daily work. The Register is a "live document" which will be reviewed regularly by Managers and Members and informed by information recorded in the Southern IFCA's intelligence systems. Updates will be applied to the Register when necessary throughout the year, this will be fully reviewed in 2024 to reflect recently introduced management measures.

4.1.4 Investigations

Southern IFCA is committed to achieving fair, effective and proportionate enforcement. The Compliance and Enforcement Framework (CEF) sets out the Authority's approach to compliance and enforcement and details the general principles the Authority will follow and the enforcement actions available.

Southern IFCA has a procedure that is consistent around all ten IFCAs regarding actions to be taken with breaches of legislation. This is covered in the CEF.

The Authority will attempt to use an adaptive co-management approach, where compliance is achieved through engagement, understanding and advice. Where compliance is not achieved by this approach, the Authority has a range of enforcement actions available to it that are listed below, these can be found in the CEF document:

- Verbal Warning
- Advisory Letter
- Official Written Warning
- Simple Caution
- Financial Administrative Penalty
- Prosecutions

4.1.5 Investigation Process

Statutory requirements are set out in the Police and Criminal Evidence (PACE) Act 1984, the Marine & Coastal Access Act 2009 and the Criminal Procedure and Investigations Act 1996 (CPIA) Codes of Practice regarding how investigations should be conducted, including how to record, retain and disclose evidence or material obtained during an offence or subsequent investigation. There are also requirements for specific roles and responsibilities including the Officer in Charge (OIC), exhibits and disclosure officers.

When offences are detected, Officers will gather the necessary evidence and contemporaneously record this in their official pocket notebooks. There is a requirement to securely download photographs or camera footage to be processed and formatted ready for exhibiting. The responsibility of preparing a case file rests with the OIC of the case. Statements will be included along with all the other relevant MG forms (MG forms are a set of standardised forms issued by the CPS so that all enforcement agencies work to the same standards). This also contains the case summary that is a concise summary of facts which should cover the evidentiary points to prove. When complete, the Senior IFCO Investigations will prepare a decision log and action plan with a recommendation for any enforcement sanction. The recommendation will be reviewed by the DCO CET and subsequently be signed off by the CEO and Chairman. If a prosecution is not required it could be dealt with by way of a Financial Administrative Penalty (FAP), Official Written Warning (OWW) or Advisory Letter (AL) as per the CEF. Officers are permitted to use discretion and may issue verbal warnings or advisory letters when dealing with minor infringements. Officers will consult with and seek the advice of the DCO CET accordingly.

Case file lists, actions and outcomes will be maintained by the Senior IFCO Investigations and statistics will be included in quarterly compliance reports. Press releases will be considered on a case-by-case basis and approved by the DCO and CEO.

5.0 Byelaw Development & Implementing New Byelaws

It is important that Compliance officers have a good understanding of the work that is carried out by the RPT who seek to improve the sustainability of marine fisheries and environment. The CET & RPT work collaboratively with community engagement to provide accurate communication to stakeholders. The focus is on sustainability of Southern IFCA's fisheries activity in the commercial and recreational sectors and to support local communities. It is important that the DCO from the CET is in attendance at working groups and Authority meetings where management interventions are being developed in order to contribute to the practicalities of compliance and enforcement of that legislation. During 2024/ 2025 The DCO from the CET will attend all internal working groups as the management measures are progressed and are outlined in the Annual Strategic Plan 2024-2025 and referred to in the RPT Strategy.

5.1 C&E DELIVERY PRIORITY: Inshore Pot Fishing Byelaw (PFB) Implementation

The Pot Fishing Byelaw has been submitted to the Marine Management Organisation for Quality Assurance. Only once the Byelaw has completed this stage and been signed off by the Secretary of State will it come into effect. A transition period is important to educate and advise stakeholders, recreational fishers

and the industry prior to the Inshore Potting Byelaw being enforced. Communication will be through social media, educational materials such as information leaflets and direct engage with those to which the legislation applies. The industry will also be provided with free metal gauges for measuring shellfish and crustacean species.

5.2 Bottom Towed Fishing Gear Byelaw (BTFGB) 2023 Implementation

The Bottom Towed Gear Fishing Byelaw has been submitted to the Marine Management Organisation for Quality Assurance. Only once the Byelaw has completed this stage and been signed off by the Secretary of State will it come into effect. The BTFGB is contributing to the Defra 2024 timeline for management within Marine Protected Areas, Once signed there will be targeted communication, patrol work within the new and amended closure areas with the Bottom Towed Gear Fleet to ensure compliance from when the Byelaw comes into effect, there will be no transition period for this Byelaw.

6.0 Monitoring, Control and Enforcement of Existing Measures

6.1 Byelaws

Under the MaCAA 2009 it is an offence to contravene Southern IFCA byelaws by all those who target sea fish within the Authority's District. These byelaws govern what sea fish may be taken, where and using which equipment. Failure to comply with these byelaws may lead to prosecution.

The byelaws have been written solely for the management, sustainability and protection of the marine environment for the District. The Authority has a suite of byelaws including legacy byelaws that were transferred under Section 6 of MaCAA 2009 (Transitional and Saving Provisions) Order 2011 made by Southern Sea Fisheries Committee (SFC) to the Southern IFCA for those parts of the District that were previously regulated by Southern SFC. Officers require a good knowledge and understanding of these byelaws and must be aware of points to prove when carrying out compliance inspections and detecting infringements. The Authority's byelaws can be found on the Authority website [All Regulations : Southern IFCA \(southern-ifca.gov.uk\)](https://www.southern-ifca.gov.uk/all-regulations)

6.1.2 Permit Fisheries

Compliance Solent Dredge Permit Byelaw

The Solent Dredge Permit Byelaw (SDPB) is a single coherent management tool developed to govern fishing activities within the Solent bivalve fisheries, to allow for adaptive and flexible management, underpinned and directed by the best available evidence.

There has been an established scallop fishery in the Osborne Bay area, running east as far as No-Man's Fort of the Solent for number of years. However, since 2019 the fishing effort has increased. A Bottom Towed Fishing Gear Byelaw (BTFGB) protects a Marine Protected Area (MPA) to the South East of the Isle of Wight and running parallel to the shore in Osborne Bay and part of Ryde Spit, prohibiting BTFG which includes scallop dredging.

The native oyster fishery which is currently closed means that no Category B permits have been issued under the scheme due to low levels of sustainable stock density. There is also a clam fishery in the Harbour areas during winter months. Most vessel's participating in the Solent fishery are on a smaller scale, predominantly under 10m. CET will continue to work closely with the SDP holder facilitating engagement, ensuring compliance and assisting the RPT with an enhanced survey Programme.

Compliance with Poole Harbour Dredge Permit Byelaw

The clam and cockle dredge permit fishery in Poole Harbour is managed through PHDP Byelaw. Within the Byelaw the permit allows a flexible approach to management which can be reviewed in line with sustainability and nature conservation of the marine environment.

The season runs from 25th May 2024 to 23rd of December 2025 both days inclusive. There are additional sensitive areas that have temporal and spatial closures at key times of the year. These are listed in the PHDP conditions.

There is a permit requirement for the PHDP holders to supply a catch return form on quantities of shellfish caught for each day of the month. The form requires the permit holders to record information including weight of catch, details of the area where the shellfish were caught and which Merchants purchased the catch and, when it was sold. In addition, any interactions with endangered, threatened and protected species have to be recorded. It is a compliance requirement as a permit condition to return this catch return form by the 14th of every month. Officers will liaise with the Permitting Officer to ensure that catch returns have been received and fully completed by this date and action any formal proceeding if the deadline are missed in line with the CEF.

Each year the PHD permit is issued to applicants providing they have met the criteria set out in the Access Policy. Officers will need to inspect dredge configuration at the beginning of the season for compliance with the permit conditions and to monitor and record any dredge modifications for the RPT.

Compliance Net Fishing Byelaw

The Southern IFCA Net Fishing Byelaw introduces various measures to regulate fishing with nets. The Byelaw was developed following the Authority's decision to review and develop regulations for the District's harbours and estuarine waters in order to support the use of these areas as essential fish habitats, to provide protection to migratory salmonids as they transit through these areas, to balance the social and economic benefits of net fishers and to further the Conservation Objectives of Designated Sites. One of the types of management introduced by the Byelaw are Net Permit Areas, within these Permit Areas conditions are set that the CET will ensure compliance with. The Net Fishing Byelaw also introduces a district wide gear marking requirement and a number of prohibited and restricted areas.

6.1.3 Permit Database

Development of an online platform which will administer a permitting function for Southern IFCA for the permit fisheries, the aim is to reduce the administration functions with manual processing, provide a use friendly platform for fishermen working in permitted fisheries reducing the paperwork burden and provide data downloads for the fishermen. A review of this area of work is set to go ahead in April 2024.

6.1.4 Other Regulations

National and EU Legislation

In addition to Southern IFCA Byelaws, fishing activity is also regulated through National Legislation. The MMO provides information in the form of the “Blue Book” which contains all relevant fisheries legislation and can be found on the following website [Fishing regulations: The Blue Book - GOV.UK \(www.gov.uk\)](http://www.gov.uk) in particular Council Regulation EC 2019/1241 which can be found in the following link [Technical Conservation 2019 - Rules and regulations - GOV.UK \(www.gov.uk\)](http://www.gov.uk) The enforcement of National legislation is conducted by Southern Inshore Fisheries and Conservation Officers (IFCO's), Marine Enforcement Officers (MEOs), Royal Navy personnel and other officials that have been warranted to conduct enforcement operations.

Poole Harbour Several Order Lease Conditions

There has been a Fishery Order in Poole Harbour since 1915, this gives the Authority the ability to manage aquaculture fishing activity in a defined area set out in the Poole Harbour Fishery Order 2015 (PHFO) and Management Plan (MP). The PHFO is severed from the public right to fish. This means nobody other than the leaseholders are allowed to remove shellfish of any kind from the defined leased beds. The MP is a requirement of the PHFO and stipulates that the Authority must manage the fishery area in accordance with the MP which outlines the extent of the Order and the management of activity within this defined area. Poole Harbour has one of the largest farmed Pacific oyster beds in the UK.

Lease conditions should be complied with by lease holders daily during their farming operations. Officers can check that lease holders are being compliant in line with their signed Business Plan and Summary Statements and with the conditions set out on the Southern IFCA Poole Fishery Order 2015 MP. A copy of the MP and PHFO can be found on the Authorities website and can be accessed by the links below: [Aquaculture : Southern IFCA \(southern-ifca.gov.uk\)](http://southern-ifca.gov.uk)

CET will ensure that the lease holders are compliant with their Summary Statements, Business Plans and MP when laying, harvesting and cleaning leased ground. Inspections will be carried out on the leased ground, to check that the shellfish stipulated in their Business Plans and Summary Statements, is the same as on their leased ground. To check the vessels being used are compliant with the lease agreement and Business Plans. To process dispensation applications that are issued on a yearly basis and that the rent for the beds are paid within the stipulated time set out in their leases.

Compliance with Poole Harbour Several Order Biosecurity Measures Plan

Under the Poole Fishery Order 2015 Southern IFCA is registered and authorised to operate an Aquaculture Production Business or (APB) under the Aquatic Animal Health (England and Wales) Regulations 2009.

The Biosecurity Measures Plan (BMP) is a live document which records the annual movement of shellfish seed coming onto the leased ground and monitors the shellfish leaving the aquaculture beds. When seed shellfish is imported from outside of the UK, CET Officers have a responsibility to ensure that the correct information to inform CEFAS (Fish Health Inspectorate (FHI), has been entered through the Import of Products, Animals, Food and Feed System (IPAFFS). An Aquatic Animal Health notification form (AAH1) has to be submitted ahead of any import from Jersey, Guernsey, Isle of Man and Northern Ireland (i.e. within UK but outside of GB) and AAH2 form notification on new sources of imported shellfish. These forms notify CEFAS, five days in advance of any planned import of molluscs that are susceptible to, or vectors of, the diseases that are covered in Council Directives and a schedule of the Aquatic Animal and Health (England & Wales) Regulations 2009. This also covers any unexplained or unusual mortalities. The notifiable diseases are divided into three categories (Exotic, Non-Exotic & Emerging) in the table below and are listed in the BMP. The BMP can be inspected at any time by CEFAS to ensure compliance with the APB by checking any imports, movement, and mortality of shellfish within the UK.

The Authority is notified once a year by CEFAS, who carry out a regulatory compliance inspection of the APB and BMP. CEFAS FHI cross check all the Shellfish movements in and out of the Poole APB and verify these have been recorded correctly.

6.1.5 Byelaw Dispensations

The Authority's byelaws must be complied with by all those targeting sea fisheries resources. There may be occasions when someone or an organisation requires access to areas or carryout fishing activity for restocking or scientific research. In these circumstances and where the byelaw permits, applicants are required to submit a request to the Southern IFCA for a dispensation from a condition to comply with a particular byelaw.

Applicants are required to submit a dispensation request form, informing the Authority which byelaw they would wish to have an exemption from. The request for a derogation sets out the criteria and obligations (from which byelaw, location, supporting maps, time, vessel details, gear description, details of the activity and any mitigation to minimise impact) the applicant must complete as part of the process and must include sufficient information to enable Officers to make an informed decision before issuing any dispensation.

Each request is assessed individually on its merits in terms of the likely effect on the fishery and environment. In its assessment the Authority, having regard for its principal objective and its statutory duties, will consider, amongst other things, the impacts as set out in the application. If the Southern IFCA is satisfied that the information provided by the applicant meets the minimum requirements and considers the dispensation request is justified, then the Authority will issue a relief from the relevant byelaws applied for in the dispensation.

The applicant is required to justify the dispensation request in terms of both specific circumstances and exceptional duration. Applicants are advised to give as much notice as possible when making dispensation requests, as there may be a requirement for more information if there is not enough to satisfy the granting of a dispensation and any special conditions.

When applications are received the Deputy Chief Officer (DCO) will consider and process applications providing the applicant has demonstrated the following:

That there is NO:

- Significant risks associated with the non-compliance
- Avoidable adverse impacts (immediately or in the longer term)
- Additional measures that could be taken to further mitigate the impact
- Outstanding objections from other parties who are materially affected by the non-compliance
- Competitive advantages to the applicant arising from the dispensation

6.1.6 Monitoring Codes of Practice

The CET will monitor compliance with codes of practice that the Authority introduces in line with its risk-based intelligence led approach, where a breach of the code is detected this will be logged utilising the intelligence reporting system and will be shared with the RPT for consideration of management interventions. The CET will also continue to collect key monitoring data for example fishing vessel sightings and inspection reports which will support the successful monitoring of Codes of Practice. The CET will also look to engage and communicate codes of practice with the industry in key areas.

6.1.7 Monitoring and Control Plans

The Authority have introduced two Monitoring and Control Plans one as part of Netting Review to accompany the NFB and associated Net Fishing Permits. This plan considers sites within the District which have been found to have a low functional linkage to a Special Area of Conservation (SAC), where Atlantic salmon are either a primary or qualifying feature of the SAC, or a Site of Special Scientific Interest (SSSI) where Atlantic salmon and/or sea trout are a notified feature or component of the SSSI. These areas are subject to a permitted ring net fishery or a bottom set net fishery (in specified areas within the Net Permit Area only) under the provisions of the Net Fishing Byelaw. The annual management of the permitted net fishery will be informed by the plan, this will ensure that the Authority are using the best available evidence regarding understandings of interactions between net fishing practices and migratory salmonids within the District's harbours and estuaries. The Authority also has a Monitoring and Control Plan in place for the live Wrasse Fishery Guidance for any person commercially targeting this species, it is a voluntary management measure to monitor the fishery and protect the long-term sustainability of wrasse populations within the Southern IFCA District. There is a requirement for CET Officers to gather information to feed into both Monitoring and Control Plans in place by the RPT that inform future potential management.

7.0 Community and Stakeholder Engagement

The delivery of the IFCA Vision is fundamental to successful compliance and co-operation of stakeholders from the recreational sea angling and commercial fishing sectors. CET Officers attend meetings with the local community including Angling and Commercial Associations and other community forums. In addition, Officers work with partner enforcement agencies such as the Police, Environment Agency, Environmental Health and MMO. The objectives for communicating with stakeholders from all sectors is to raise awareness, identify issues and to gather information that informs the development of inshore fisheries management measures. Collaboration and community participation are principles that are entrenched across the entire characteristics of the Southern IFCA model.

The Authorities Communication Plan sets out how Southern IFCA will approach communication and aspects of engagement with the community and stakeholders. It aims to ensure that people understand how as an organisation we plan to engage with others to help us make the right decisions for delivering the vision. The CET have a responsibility to communicate up to date information on current legislation. There is a key message that runs through all the work areas regarding communication and engagement with all stakeholder sectors, which is evident through this strategy.

The Compliance and Enforcement Framework and Compliance Risk Register that supports this strategy, ensures a consistent and transparent approach across the CET work stream. This includes all stages of operational delivery and accountability, during any of the CETs decision-making. Part of the process of introducing new Byelaws is ensure adequate training is provided to the Officers. This will allow Officers to be fully aware of the legislation when communicating with stakeholders from the recreational and commercial sectors. Additional supporting documentation such as FAQs and posters will be utilised to inform industry (commercial and recreational) and stakeholders during implementation periods.

Southern IFCA Officers continually engage with stakeholders, local organisations and the general public through land and sea patrols, attending meetings, giving presentations, lectures and displaying educational information. It is vital for Officers to keep the fishing industry updated and advised of any changes. This also includes other stakeholders and members of the public on matters such as updates to management measures, current and relevant regulations relating to the District that includes Officers from the CET attending key stakeholder groups and events.

Stakeholder engagement is important for gaining trust from the commercial and recreational sectors in the work Southern IFCA carries out, communicating to all stakeholders and maximising better compliance whether it be voluntary or a legal requirement. Information is communicated through the following methods listed below:

- Land patrols

- Sea Patrols
- Attending Sea Angling and Commercial fishermen's Associations and public meetings
- Communication Packages
- Stakeholder Meetings
- Open days
- Information stands
- Website updates

7.1 Fishing Gear Restrictions & Seasonal Changes

Southern IFCA will increase engagement with industry during seasonal changes through several methods, including stakeholder engagement, social media, and engagement with commercial and recreational fishers. Educational materials and information leaflets will be produced and circulated through industry prior to the date of the change where appropriate.

8.0 Working in Partnership

8.1 Joint Fisheries Statement (JFS)

Southern IFCA will need to have regard to the Fisheries Act 2020 and therefore the JFS [Joint Fisheries Statement \(JFS\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/joint-fisheries-statement) in relation to Fisheries Monitoring and Enforcement, The JFS states that;

- Fisheries enforcement provides an assurance of compliance leading to a higher confidence level of the data for fisheries products removed from UK waters. Accurate data allows for robust analysis that supports the scientific evidence objective.
- The national fisheries authorities will work together to continue to deliver on the UK's commitment to sustainable fishing by ensuring effective enforcement of fishing by all vessels in UK waters and UK vessels, wherever they may be fishing in the world. Where appropriate, the fisheries enforcement authorities will cooperate and collaborate to assure compliance with their respective regulations.
- Each national fisheries authority will regulate and enforce fisheries using methods that are appropriate and proportionate to their respective waters and fisheries. The introduction of any new monitoring or surveillance regime will be proportionate and based on the best available evidence.
- Fisheries enforcement authorities will work together where appropriate to ensure enforcement meets the requirements of the legislation in place and the legal framework under which they operate, ensuring where feasible, a consistency in approach and simplification of existing procedures.
- Fisheries enforcement authorities will carry out enforcement that is intelligence led, risk-based or is required by the UK's international obligations. Enforcement of the respective regulations will be in line with applicable guidelines for regulators.

- Effective fisheries monitoring and enforcement is the key requirement to ensure we are aware of which vessels fish in UK waters, when they are in UK waters and how much catch is removed from UK waters. This supports all of the fisheries objectives, with particular emphasis on the sustainability and precautionary objectives.

8.1.2 Working with other Fisheries Regulators

- Having knowledge of partnership regulations when carrying out compliance work is invaluable, as other infringements maybe detected during inspections and observations. Other regulators that Southern IFCA Officers work with can be seen in the table below, planned joint working for 2024/25 and priority areas are described in the right hand column:

Regulator	Background	Planned work for 2024-2025
Marine Management Organisation (MMO)	MMO is a non-departmental public body established under the Marine and Coastal Access Act 2009 to ensure marine activities are carried out sustainably	Joint compliance patrols with a focus on engagement & compliance checks in key priority fisheries with a focus on catch data. National Inshore Marine Enforcement Group (NIMEG) task and finish groups including delivery of JFS. *NEW* The introduction of CLUE an integrated intelligence system.
Environment Agency (EA)	A non-departmental public body responsible to the Department of Environment, Food and Rural Affairs (DEFRA). For rivers and out to 6 miles on migratory species	Cross warranting arrangements in place. Particular focus on Netting activity within estuarine & Harbour areas within the IFCA District. Joint work utilising Drones for monitoring purposes.
Dorset and Hampshire Police	Marine Sections and Rural Crime Teams	Support Operation Seabird & Operation Seagoing.
Marine Coastguard Agency (MCA)	Marine Surveyors	Recording and reporting the wearing of PFDs.
Port Health Officers (PHO)	Environmental Health Officers from all constitute Authorities	Joint patrols and inspections of premises, information shared regarding non-compliance with shellfish classifications.
UK Border Force (UKBF)	Enforcement Officers	Joint patrols and reporting possible infringements detected. Engagement through NMIC/ JMOCC.
Gang Labour and Abuse Authority (GLAA)	Enforcement Officers	Joint patrols and reporting possible infringements detected particular focus on shore gathering.
National Food Crime Unit (NFCU)	Enforcement Team	Information sharing.

Centre for Environment Fisheries and Aquaculture Science (CEFAS)	Fish Health Inspectorate (FHI)	Joint inspections of shellfish being stored and exported. Joint work on biosecurity in Poole Harbour.
UK Immigration	Enforcement Officers	Joint work on shore patrols with particular focus on shore gathering.
Harbour Authorities	Harbour Masters & Staff	Joint work where fishing regulations overlap including the marking of fishing gear.

8.1.3 Marine Control and Surveillance System (MCSS)

Southern IFCA have joint access to upload records of physical inspections onto a national data base called MCSS. The system is facilitated by the MMO and CEFAS and uses International Council for the Exploration of the Sea (ICES) rectangular areas as a way of recording fishing effort. ICES is a leading multi-disciplinary scientific forum for the exchange of information and ideas on all aspects of marine data pertaining to the North Atlantic. Southern IFCA’s District covers ICES rectangular areas VIId and VIIe highlighted in blue on the map below. The information uploaded onto the system are sightings from FPVs, sightings from the Drone, physical inspections of vessels, vehicles, premises or person(s). All the data is stored on a secure system and protected under the DPA 1998 and GDPR. Infringement and prosecution outcomes are also uploaded on to the database. There is a guidance book provided by CEFAS on how to upload and search for data. This guidance stipulates what information can be accessed and used for in line with DPA and GDPR legislation.

8.1.4 CLUE

CLUE is an integrated intelligence and investigation management software system, procurement has been completed by the MMO, Southern IFCA will be working with others IFCAs, MMO, Global Marine and Welsh Government to develop and roll out the cross government system in 2024. The system will ensure compliance with GDPR requirements as well as delivery of ILRBE which includes alignment to the National Intelligence Model (NIM). The system, will also provide an electronic platform for investigation and incident management, all functionality is designed to remove duplication of effort as well as enhancing the information IFCOs and Government partners can access on the coast, ensuring that operational officers have the right information at the right time.

9.0 Pilot Projects

9.1 C&E DELIVERY PRIORITY: Remote Electronic Monitoring (REM) and use of Artificial Intelligence (AI)

Southern IFCA through working in partnership and collaborating with Devon and Severn IFCA and Industry have initially implemented REM devices on two vessels within the district operating in Lyme Bay, where cameras, GPS (Global Positioning System) and gear sensors have been installed as an initial phase, this is with the view to enhance our confidence within the current spatial restrictions and further Southern IFCAs understanding of fishing vessels using Bottom Towed Gear within Marine Protected Areas (MPAs).

Post this phase anticipated April 2024 Southern IFCA will look at a small scale trial of REM systems across other vessels within the district predominantly within MPAs. CET are going to explore the use of REM for vessels in the Netting (Harbour and Estuarine areas of Southampton and Christchurch) and the Potting fleet, where the use of REM cameras incorporating AI could support Pot Limits proposed under the Pot Fishing Byelaw, and on Netting vessels where specific requirements of Salmonid management within MPAs are set out via the monitoring and control plan within the Net Fishing Byelaw the application AI and the camera systems has the potential to determine the identification of Salmonid species and where vessels interact (or not) with Salmonids within the MPAs. Southern IFCA will also consider deployment of REM on a trial basis in other fisheries such as the Poole Harbour Dredge Permit fishery.

Southern IFCA have set of aims for this project which is as follows: to evaluate how technologies can improve management interventions through enhanced monitoring of fishing activities within the inshore fleet (<12m vessels), to demonstrate how technologies can improve access to fisheries by changing management measures, to demonstrate how much data can be generated from on board technologies, to demonstrate the cost and monitoring effectiveness of technologies compared to the current approach and to demonstrate opportunities for vessel owners when their vessels are at sea.

Finally Southern IFCAs ambition through the REM and AI projects is to inform national discussions and further the outcomes and development of the Fisheries Management Plans seeking novel low cost initiative solutions to both evidence collation and control and enforcement, working with and collaborating with Defra and other partners including the Fishing Industry.



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