

**NWIFCA Technical, Science and Byelaw
Sub-Committee**

10th May 2016: 10:00 a.m.

**AGENDA
ITEM NO.**

7

LEVEN COCKLE FISHERY REPORT

Purpose of Report: To provide an update on the enforcement and compliance at the Leven Cockle fishery.

Recommendation: The report is received

Context

1. The report below is intended to update members on the enforcement aspects of the Leven cockle fishery.
2. The report covers from the 11th February survey to the closure of the fishery on the 30th April.

Pre-Authorisation

Time line pre the fishery opening	<ul style="list-style-type: none">• The area was surveyed on the bed on the 11th Feb.• Representation from the industry (craams, jumbos and limited days) was incorporated into a recommendation to the TSB on the 25th Feb• The science team dealt with queries from some members of the TSB on the 3rd March• The proposal went to the full authority for discussion on the 11th March – with opening date set for the 4th April• 16th March mutli-agency enforcment meeting• 23rd March full enforcement/science team meeting held for full briefing
Consultation with the Industry	<ul style="list-style-type: none">• As stated above representation from industry was directly incorporated into the TSB recommendations• Byelaw 3 review stakeholder meetings were utilised to discuss the fishery with industry – specifically at Heversham (1st March) and Liverpool (2nd March)• The local patch IFCO was specifically asked to consult with the industry patrolling the area

Opening the Fishery

3. The opening date of the 4th April was agreed by the Authority at the quarterly meeting on the 11th March with the Authority agreeing to the two week planning period requested by officers.
4. The rationale for requesting the two week period is outlined below:
 - A lag to allow planning before opening such a fishery is standard and considered essential to ensure compliance with the authorisation and that the fishery runs well
 - A cockle fishery with such “fine scale” enforcment requirements had never been attempted by the IFCA before

- The likelihood of press coverage within the context of Morecambe Bay being open for the first time since 2008 – joint press releases were required to be drafted etc.
 - Allow effective communication with the whole industry prior to opening
 - Allow effective communications with other stakeholders in the area – such as land owners
 - Allow some administrative time for permits to be renewed
 - Other agencies (and IFCA officers) had specific concerns about opening the fisheries at or just before Easter
5. The rationale for the tides that were opened was as follows:
- The Authority agreed that the fishery should be open 4 days per week
 - There was extensive representation from the industry that the fishery should be open over week-ends to allow access to the live market
 - Opening on the 4th April to close 4 days later on Thursday 7th April – thus precluding access to the live market. Therefore the fishery was opened initially for 7 days
 - Tides were selected for the practicalities of to ensure compliance could be monitored
 - One tide (Friday 8th April) was moved at the request of the MCA
6. Authority approval was sought on the 8th April for an extension to 7 days per week (all other restrictions remained) – this was supported and it should be emphasised that this meant that the fishery was open every day from the 4th April to the 30th April.

Multi-Agency Approach

7. As is standard with the management of Cockle fisheries a multi-agency enforcement group was established that consisted of:
- IFCA officers – Head of Enforcement (HoE) as chair
 - South Lakes District Council Environmental Health
 - MMO and GLA, Cumbria police
8. The HoE also liaised with other government agencies and advised on what was expected from the fishery and whether there was any merit in attending.

Media Coverage

9. The fishery received the following media coverage outlined below:
- A report on BBC North West Tonight
 - The BBC One show filmed on the 19th April – not yet transmitted
 - Other local media
10. The media coverage seen was balanced and representative of the both the IFCAs and the industry's standpoints as well as the nature and scale of the fishery.

Closure of the Fishery

11. The opening of the fishery was on the basis that the fishery would run until the start of the closed season on the 1st May – with the possibility of an extension for the first two weeks of May.
12. The fishery was closed on the 30th April.

Compliance Summary

13. The table below breaks the authorisation down into its separate elements along with how compliance was monitored/achieved.
14. Annex A outlines all sanctions used during the fishery and Annex B give a daily account of IFCA presence and industry attendance.

Compliance with the Authorisation

Element of the Authorisation	Monitoring/Achieving Compliance	Compliance
Permit holders only	<ul style="list-style-type: none"> 85 permit holders had permits at opening of the fishery 10 renewed prior to the fishery opening There was a general concern about compliance with the permit renewal – a regular issue in September each year There were indirect/direct threats of non-compliance with Byelaw 3 in the run into the fishery – regarding unpermitted gathering not permit renewal <p>IFCOs were deployed to check permits formally on opening and then monitor later in the fishery – see attendance record in Annex B</p>	<ul style="list-style-type: none"> No unpermitted gathering was detected Given the monitoring levels it is reasonably safe to say that no unpermitted activity occurred 3 verbal warning for not being in possession of their permit were issued on the first day
Open/closed tides	<ul style="list-style-type: none"> Previous experience (Foulnaze) showed that access to the fishery prior to opening was a possibility <p>Local IFCOs conducted regular monitoring of the area - specifically being tasked over the weekend prior to the fishery opening</p>	<ul style="list-style-type: none"> No activity on the closed tides was detected Very low probability of non-compliance with the closed tides
Craam only and jumbo size	<ul style="list-style-type: none"> No previous experience with these types of measures <p>High IFCO presence initially:</p> <ul style="list-style-type: none"> Every jumbo was measured on the first day using a wooden gauge Any that were not of the required size were cut down <i>in situ</i> before accessing the fishery Initial and regular checking for craams and no presence of rakes 	<ul style="list-style-type: none"> Two jumbos were cut to size on the first day – education No further breaches of the jumbo size requirements were detected 11th April – detection of suspected use of rakes – 4 official warning letters, 4 advisory letters
Box area of the fishery	<ul style="list-style-type: none"> General monitoring of compliance as IFCOs were deployed onto the bed 	<ul style="list-style-type: none"> No breaches of the authorised box were detected Assessment is a low probability of non-compliance with the box area
Access points	<ul style="list-style-type: none"> There were initial concerns that were allayed regarding “selective” access to the fishery General monitoring by IFCOs 	<ul style="list-style-type: none"> No breaches of the required access points were detected Very low probability of non-compliance with access requirements

Protection of the saltmarsh	<ul style="list-style-type: none"> • Prohibition on parking vehicles on the salt marsh area • Parking of vehicles was generally at the airfield on Moor Lane • Monitoring by IFCOs on first day – with assistance from the MMO 	<ul style="list-style-type: none"> • Some initial education was required on the first day • No breaches of this requirement were detected • Assessment is that there was no damage to the saltmarsh
Returns	Requirement of the authorisation was for weekly returns	<ul style="list-style-type: none"> • Compliance with this has been very poor and a verbal update will be given at the meeting

Andrew Deary
Head of Enforcement
28th April 2016