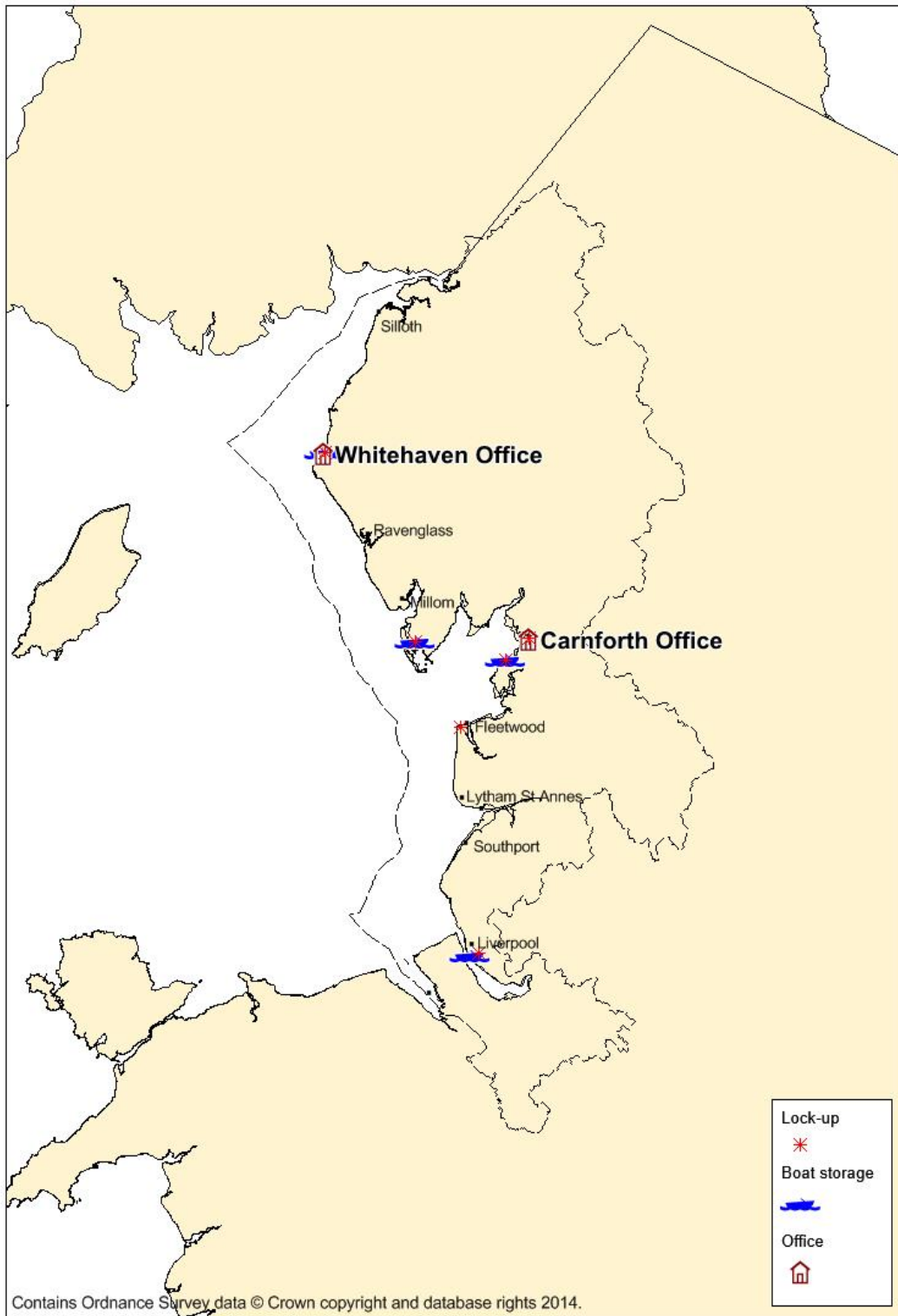


# Second Annual Report

April 2012 to March 2013



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**Fig 1 NWIFCA District showing location of offices and patrol vessels**

## Section 1: requirement and scope

1. The NWIFCA is the lead Authority for conservation of the sea and the regulation of fishing in its District. The Authority has statutory duties in the Marine & Coastal Access Act (MACAA) 2009 sections 153 to 184 to achieve the sustainable exploitation of sea fisheries and protection of the marine environment.
2. MACAA sections 177-8 require each IFCA to publish by 1 April each year, an annual plan for the coming year and also an annual report as soon as possible after the end of each financial year. Defra provided guidance on the content of these reports.
3. Annual plans and reports, meeting papers, news and other information are published at <http://www.nw-ifca.gov.uk/>.
4. This Annual Report records progress against the objectives in the annual plan for 2012-13. It is written for Defra, MMO, Officers, members, stakeholders and the general public to show how the budget was used and provide a measure of performance, accountability and value for money.

### The District

5. The NWIFCA District is defined in SI 2200, The North Western Inshore Fisheries and Conservation Order 2010. The District extends northwards from the Welsh Border in the Dee Estuary to the Scottish Border in the Solway Firth and 6 miles from the baseline of coastal waters. The coastline contains important large estuaries: Solway Firth, Ribble Estuary, Mersey Estuary, Dee Estuary and Morecambe Bay. There is a relatively small length of open rocky coastline around St Bees Head in Cumbria. A wide range of habitats and species of conservation importance are represented in the District and almost all fishing types are active to a greater or lesser extent. Shellfish, particularly cockles (*Cerastoderma edule*) mussels (*Mytilus edulis*) and prawns (*Nephrops*) are the most extensive and valuable fisheries in the District.
6. **Commercial fishing activities:** Around Cumbria, boat fishing for *Nephrops* (scampi / Dublin Bay prawn), Dover sole, brill and turbot are the most important, with plaice, cod, codling, skate (thornback ray) as subsidiary fisheries. Substantial intertidal fisheries exist for periwinkles, cockles, mussels and razor fish and there are significant crab, lobster and whelk fisheries.
7. In the southern part of the District, the once huge fin-fisheries have dwindled almost to extinction. The predominant and at times highly lucrative fisheries are intertidal cockles and mussels. In addition, shrimping, bass netting and angling and trawling for plaice, dab, fluke, whitebait, mullet and codling is widely practised but on a small and declining scale.
8. The number of licensed fishing vessels in the District is available from the Marine Management Organisation (MMO) website. There were 183 vessels of 10m and over, and 88 under 10m length on 1 January 2011.
9. **Recreational fisheries:** There is significant non-commercial fishing in the District. Angling, nets and lines are set from shores and piers. Hobby fishing from boats is increasing with angling, potting for lobster, crab and whelks and various types of netting all found. Bait (peeler crabs, lug, rag and other worms) is collected on many shores. Razor clams and other bivalves are collected from shores on the Wirral and Sefton coastline on the biggest tides by fishermen from as far south as the Midlands.

## Section 2: Performance against priorities and objectives for 2012-13

<b>Table 1 NWIFCA operational priorities for 2012-13 as determined in the 2012-13 annual plan</b>	
1.	To effectively manage NWIFCA and progress procurement of a new main patrol vessel.
2.	To continue the byelaw review making a new cockle and mussel permit scheme byelaw, a Heysham Bass Nursery Area Byelaw, continue working towards a Hybrid Fishery Order for Morecambe Bay.
3.	To further implement the enforcement strategy and improve fisheries management by joint agency working.
4.	To further assess the sustainability of fisheries.
5.	To assist in the designation and management of Marine Protected Areas (MPA):
6.	To develop and implement improved communications with stakeholders

10. An IFCA evaluation and monitoring framework was set up by Defra to assess the performance of each IFCA. The framework comprises a vision, success criteria (SC), high level objectives (HLO), desired outcomes, and performance indicators (PI).
11. **The IFCA Vision: *to lead, champion and manage a sustainable marine environment and inshore fisheries in its District by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry.***
12. In addition to the annual plans and reports, MACAA requires the Secretary of State to report to Parliament every four years on the performance of the IFCA. The first report is due by the end of 2014.
13. The main priorities for 2012-13 are shown in table 1. The products and outcomes against each objective and success criterion are shown in table 2. Objectives are updated to meet changing work programmes and remove measures which are no longer relevant. Additional objectives have been added to fill gaps.

<b>Table 2: Products and Outcomes against Success Criteria and Objectives</b>		
<b>Success criterion 1: The NWIFCA has sound governance; staff are motivated and respected.</b>		
<b>No.</b>	<b>Objective</b>	<b>Output</b>
1a	Annual plan 2013-14 approved by NWIFCA and on website by April 2013	<b>Complete.</b>
1a	Annual Report for 2011-12 approved by NWIFCA and on website by November 2012.	<b>Complete.</b> Report delayed by EMS work.
	Comply with financial regulations and achieve a satisfactory report from internal and external Auditors	<b>Complete</b>

1c	Review Risk Management Strategy, Strategic and Operational Risk Registers for 2011-12 Audit.	<b>Complete.</b> Strategic and operational risk registers were reviewed in April 2012 for the audit and approved by auditors. Risk registers are part of the Audit report
1d	Continue development of staff management system.	<b>Complete and ongoing.</b> Staff changes significantly affected performance in 2012-13. Job plans and work programmes were reviewed by line managers during the year.
1d	Review NWIFCA Health and Safety Policy quarterly and maintain officer H&S training	<b>Complete and Ongoing.</b> Policy reviewed for each quarterly meeting. Officers are trained at induction. A skills and training audit is under development. No H&S incidents recorded.
1e	Maintain skills and training audit and identify gaps and needs analysis. Work with partners to establish joint training	<b>Ongoing.</b> Training Audit updated. Mandatory training is up to date. Officers attended MMO fisheries, courses and other personal development training
1f	Officers and members have involvement in policy development.	<b>Ongoing.</b> Continuous open consultation on all issues takes place at and between meetings.
<b>Success Criterion 2. Evidence based byelaws are used to manage sustainable exploitation</b>		
2a	Issues affecting sustainable management are identified and management options considered..	<b>Ongoing.</b> Technical Science and Byelaw Sub-Committee oversees fisheries management and byelaws including emergency byelaws.
2a	Byelaws meet the requirements of Defra guidance and information management is effective and secure	<b>Complete and ongoing.</b> All byelaws are fully scrutinised by MMO and Defra. Data and information is electronically stored securely. Repeated scientific survey keeps data up to date
2a	Initiate a district-wide assessment of the effort level of recreational fishing (including bait-digging)	<b>Ongoing.</b> Sea-angling 2012 surveys all completed. Data compiled and returned to Cefas.
2b	By 2015 All legacy byelaws have been reviewed.	<b>Ongoing.</b> Good progress made but behind schedule. This objective has been delayed by changed EMS priorities.
2b	Review and replace Fixed Engines byelaws	<b>Ongoing</b> These byelaws were reviewed in 2011 in collaboration with EA. A further review is necessary for NWIFCA to create a single management regime for NW England.
<b>3. A fair, effective and proportionate enforcement regime in place</b>		
3a	Maintain multi-agency joint enforcement committees.	<b>Ongoing.</b> Committees are in place for Southport and South Ribble, Lytham and North Ribble, Wirral, Morecambe Bay and Duddon Estuary.
3a	Review, implement and publish on website the Authority's enforcement policy framework, and inspection code of conduct in compliance with Regulator's compliance code.	<b>Complete and ongoing.</b> Implementation of risk based enforcement continued. Prosecutions and statistics are reported in Section 11, Tables 4 and 5
3a	Establish national standards, national peer review, and training under SLA between IFCA, MMO, EA, NE with secondment processes	<b>Not ongoing.</b> Other than training this objective has not been progressed locally or nationally. Formal agreements are not required. Development of standardised training is ongoing.
3b	Ensure all officers are trained in the enforcement framework	<b>Complete and ongoing.</b> Officers are trained at induction and attend national training.

<b>4. NWIFCA works in partnership with stakeholders</b>		
4a	Demonstrate that MoUs with key partners are being utilised	<b>Ongoing.</b> National MOU with MMO, NE, EA and Cefas are in place. In District many Partners including MMO, EA and NE contribute to work planning, reporting, daily operations and many projects. MMO, NE and EA are members of NWIFCA.
4a	SLAs with lead Local Authority and key partners are agreed and adopted	<b>Not progressed.</b> No requirements identified. Extensive joint working ongoing.
4b	Update databases of stakeholders and contacts	<b>Complete and ongoing</b>
4b	Develop data sharing with partners	<b>Complete and ongoing.</b> Agreements in place to share defined data for science and enforcement in compliance with Data Protection Act. See 5b. Authority contributes to national programmes such as Medin.
4b	Develop and implement stakeholder engagement strategy	<b>Complete and Ongoing.</b> See report.
4b	Publication of a quarterly newsletter (Also HLO 6b & 7b)	<b>Complete and ongoing.</b> 2 editions of newsletter published. 6 Stakeholder meetings, website developed, text alert system implemented. Consultations and press releases issued.
4b	Website functioning review and update monthly.	<b>Complete and ongoing.</b>
4b	Publish and review Freedom of Information scheme.	<b>Complete and ongoing.</b>
<b>5. The NWIFCA use best evidence to deliver objectives</b>		
5a	Develop procedures, plans and records systems to demonstrate use of the best available, quality-assured evidence in all decision-making in compliance with national and EU legislation.	<b>Complete and Ongoing.</b> Documentation of all policies and decisions takes place through reports to Authority showing evidence used. Data held by the Authority is stored electronically and in reports.
5a	Annually publish a research plan showing links to partners' work	<b>Complete and ongoing.</b> The 2012-13 science plan was a section in the annual plan approved by NWIFCA and published on website. The 2013-14 plan was similarly drafted and approved. Science and research is reported in Annual reports.
5a	Research reports are published on website.	<b>Complete and ongoing.</b> Science reports are all on the website and reported to Defra, AIFCA, TAG
5b	As part of MoUs, agree and share research tasks, evidence gathering and data sharing	<b>Complete and ongoing.</b>
5b	Contribute to national and regional evidence networks	<b>Complete and ongoing.</b> NWIFCA contributes to research networks.
<b>6. NWIFCA promotes sustainable management of the marine environment</b>		
6a, c	Start review fisheries and a sustainable management plan for North West England seas by: i) Identifying with partners each agency's roles and duties, at local and national level;	<b>Ongoing.</b> Project Inshore started. Partners interests researched and noted in annual plans and reports. EMS, MCZ, WFD and MSFD contribute. Liverpool University PhD sponsorship initiated.

	<p>ii) Identifying where there are shared objectives and overlapping responsibilities in managing the marine environment with partner organisations and how these impact on NWIFCA's objectives;</p> <p>iii) State shared objectives in Annual Plan</p> <p>iv) Ensuring that the objectives of the Water Framework and the Marine Strategy Framework Directives are delivered.</p>	
6b	Develop communications with coastal communities	<b>Complete and ongoing.</b> Communications strategy approved and implementation commenced.
6c	Implement principles of the UK Marine Policy Statement and Marine planning	<b>Complete and ongoing.</b> MPS implemented in NW by all delivery. MP not yet implemented in NW.
6d	Apply precautionary approach in management of all MPA.	<b>Complete and ongoing.</b> EMS and MCZ management include precautionary approach. All new activities subject to assessments as required.
6d	Representation on MPA management committees	<b>Complete and ongoing.</b> NWIFCA are represented on site management committees.
6d	Apply Government guidance on sustainable development	<b>Complete and ongoing.</b>
<b>7. IFCAs are recognised and heard</b>		
7a	SLAs with partner organisations agreed as required	<b>Complete and ongoing.</b> Agreements in place to jointly regulate shellfisheries, share intelligence and permit holder data.
7a	MoUs with key partners reviewed	<b>Complete and Ongoing.</b> National MOU with NE, MMO, EA Cefas agreed
7b	Officers trained to promote the aims and ethos of the Authority	<b>Complete and ongoing</b> through induction programmes and staff meetings
7b	Measures of behaviour in place to guide relations with the public and officers of partner organisations.	<b>Complete and ongoing</b> in Officer training, management and Communications Strategy.
7b	Contribute to the development of a national framework for monitoring and evaluation	<b>Not yet been initiated</b>
7b	Conduct inventory of all assets and equipment	<b>Complete and ongoing.</b> Reviewed in 2012-13.

### Section 3: Resources

14. **Funding:** No increase in the Local Authority levy was requested in 2012 so there was a real terms reduction in income equivalent to the level of inflation. Despite this, spending was kept within budget. A summary of income and expenditure is shown in table 3. The Audited figures are shown in the relevant page in the Annual return at Annex D. The complete return with risk registers is available from the Clerk.
15. The introduction of Byelaw 3 resulted in unbudgeted income of £130,450 from the sale of cockle and mussel permits. At the Audit, the Authority resolved to retain this income in reserves pending longer experience with operating the permit scheme. In the first year demand for permits was unpredictable.
16. The out turn for the year 2012-13 was well within budget. Staff changes and delays in recruitment resulting from other work pressures reduced staff costs.

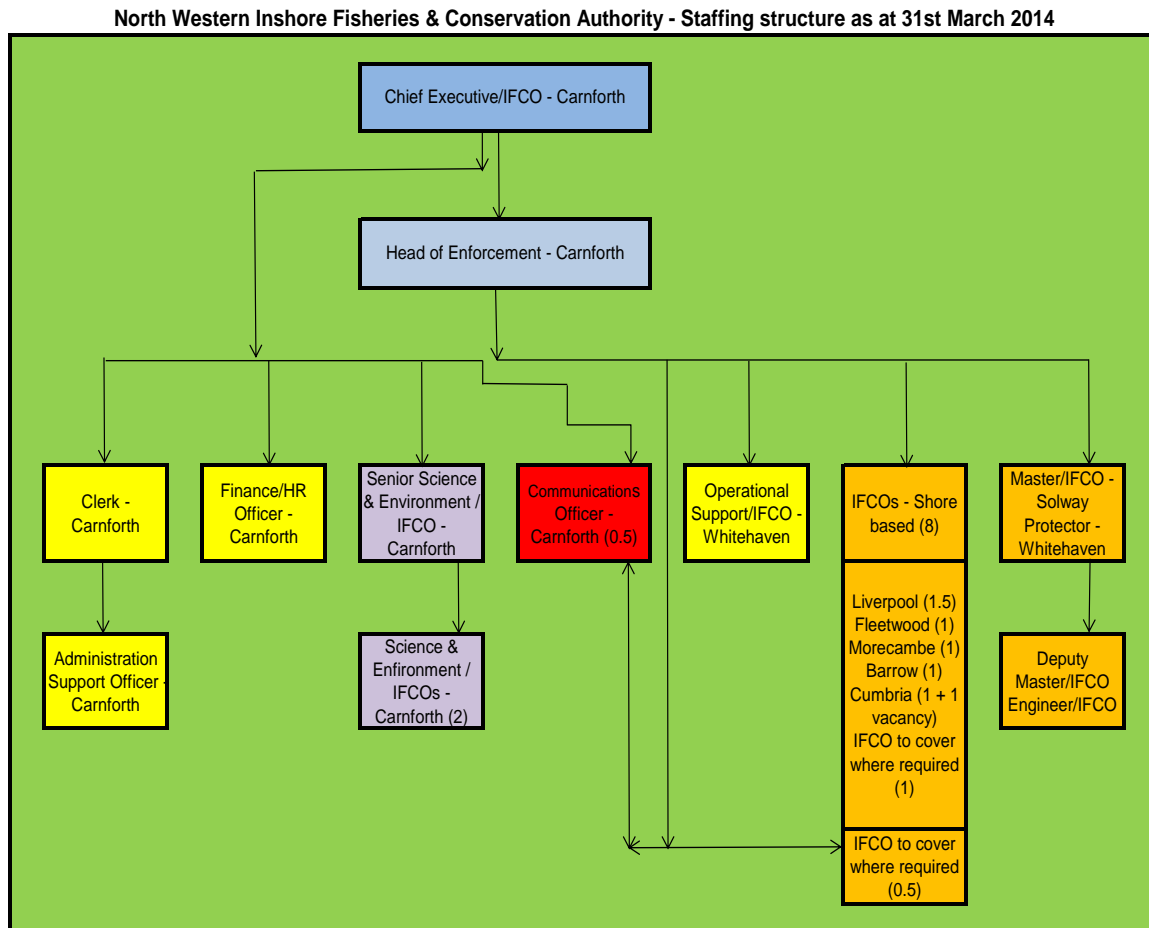
<b>Table 3. INCOME AND EXPENDITURE 2012-13</b>	
<b>EXPENDITURE</b>	<b>£</b>
Employees	797,066
Premises	46,001
Transport	182,580
Supplies & Services	60,191
Legal/Byelaw/Communications	9,100
Authority Costs/Audit	15,615
<b>TOTAL EXPENDITURE</b>	<b>1,110,553</b>
<b>INCOME</b>	
Levy	1,164,008
Shellfish sampling	15,468
Miscellaneous Income	6,222
CEFAS Sea Angling Project	11,424
Interest	5,233
<b>TOTAL GENERAL INCOME</b>	<b>1,202,355</b>
Permit Fees (New in 2012-13)*	130,450
<b>TOTAL INCOME</b>	<b>1,332,805</b>

### Section 4: Human resources, training and staff management

17. Officer roles were described in the 2012 report and are not duplicated here. In 2012-13 the Authority continued building and integrating the enhanced team provided for by the new funding of IFCA from Defra.
18. There were also a significant number of changes to existing staff in 2012-13. Coupled with the continued requirement to fully integrate the 2 Sea Fisheries Committees these changes posed a significant management challenge.
19. The management structure at March 2013 is shown in fig 2. The Authority has 20.5 full time equivalent staff deployed as follows:
- i. 9 Officers are based in the Carnforth Office: CEO, Head of Enforcement, Finance Officer, Clerk, 3 Science, 1 Sea Angling and Communications officer, 1 IFCO, Administrative Support Officer
  - ii. 7 Officers are based in the Whitehaven Office: Operational Support Officer, 3 IFCO and Crew of FPV "Solway Protector" (Master, Deputy master, Engineer) 2 Shore based IFCOs (1 vacancy).
  - iii. 4.5 Home / Locally based shore based Inshore Fisheries and Conservation Officers (IFCO)s. 1.5 cover Mersey and Dee, 1 covering Sefton and Fylde, 1 for southern side of Morecambe Bay, 1 for North Morecambe bay and south Cumbria.



20. A new combined post was created in March 2012 to deliver the Cefas Sea Angling 2012 survey and data gathering and develop the communications and stakeholder involvement strategy. Mr Alasdair Lindop was appointed.



**Figure 2 Showing Staff resources and line management.**

21. Ms Abigail Leadbeater was appointed to a new science post in May 2012 to deliver the increased data and survey requirements. Ms Leadbeater is working on evidence collation and presentation, GIS mapping and drafting of byelaws as well as field survey and many science projects.
22. Mr David Dobson, Director of Enforcement retired in September 2012. Mr Dobson had previously given many years of service as Chief Fishery Officer at Cumbria SFC and was awarded a Commendation by the Lord Lieutenant of Cumbria at NWIFCA quarterly meeting. Mr Dobson joined Cumbria SFC in 1989 to become Master of 'Solway Protector' and after 5 years was appointed to the dual role of Chief Fishery Officer and Master. A new Master of 'Solway Protector' was appointed in 2003 and Mr Dobson continued as CFO from that date until his retirement.
23. Mr Dobson was replaced by a new Head of Enforcement (HoE) based in the Carnforth Office. Mr Andy Deary commenced employment in January 2013. The HoE is responsible for all NWIFCA enforcement activity and is line manager of the crew of FPV 'Solway Protector' (3 officers) and all other IFCOs (7.5 officers).

24. IFCO Mark Dobson left NWIFCA in October 2012 to take a promoted post as Head of Security with Welsh Government. He was replaced with IFCO Mr Matthew Burdekin and an additional IFCO Mr Joe Moulton both appointed in November 2012 and based in the Carnforth Office,
25. Science Officer Ms Helen Ake left NWIFCA in February 2013 to take up a promoted post with Natural England. We were sorry to lose her valuable knowledge and expertise but wish Helen every success in her future career. The post will be filled in 2013-14.
26. Science Officer Ms Mandy Knott was promoted to Senior Scientist from April 2013 with responsibility for management of the NWIFCA science programme and line management of the team of 2 Science officers (1 vacancy).

### **Officer training capability assessment and staff management**

27. Knowledgeable, skilled and well-informed staff deliver more outputs of higher quality. A workforce trained to educate and work with stakeholders can reduce infringements and complaints. Investing in training motivates employees and encourages dedication. Personnel development improves morale and job satisfaction. The training programme identifies areas where officers' skills require development and provides in-house training where available. The training objectives of each officer are identified in staff reviews.
28. Officers' responsibilities were substantially increased by the challenges of the new duties placed on IFCA in 2011. In addition, the NWIFCA was faced with major extension to the District compared with the SFC in the Dee and Mersey, as well as the challenge of amalgamating both SFCs. New and changing technology requires new ways of working and poses further challenges to all staff whether new or experienced. Staff require a diverse range of training to meet the new demands placed on them.
29. The training programme includes:
  - I. Defined mandatory training for all new IFCOs including safety and procedure training. This training is audited, updated and refreshed for experienced officers as required.
  - II. A defined IFCO core 1 week training course provides the basic qualification to carry the IFCO warrant. The course is held annually for new officers and may be repeated as considered necessary. Further development and specialist training is provided by MMO and Defra.
  - III. Tailored training to meet organisation and personal objectives for each officer, will assist the NWIFCA deliver desirable outcomes;
  - IV. Assessment of the NWIFCA's existing and future skills and capabilities required;
  - V. Consideration of 'off the shelf' training products available and the methods most suitable to provide training and bridge gaps in capability;
  - VI. Monitoring and evaluation of training to achieve added value and effectiveness.
30. All new members receive an induction pack of information about the IFCA and the role of members. IFCA's and MMO delivered Marine Enforcement Officer (MEO) training to all warranted officers. Further training in all areas is required and is being developed and

delivered as part of the Authority's investment in staff and its commitment to having a fully skilled team.

31. All IFCOS attend a standard set of training courses in their first few weeks of employment to ensure they have the skills required to undertake their field based tasks. These courses include Sea Survival, First Aid, Health and safety, Quad bike use, VHF radio use. New IFCOs attend the annual standard 1 week IFCO training course required to receive the IFCO warrant and attend refresher courses at 3-5 year intervals. IFCAs and MMO are jointly developing officer development training courses. Trial courses in 'Technical Conservation' and 'Investigative Law' were held in March-April 2012. The NWIFCA had officers on both courses and all officers will be encouraged to attend these courses as soon as possible. 5 Officers are booked to attend these courses in June and July 2012. Two Officers attended the 3 week Royal Navy searider training course in May 2012. This course is the top level Fishery Officer course attended by RN Fishery Officers aboard UK fishery patrol vessels.
32. The staff management system for each officer includes a review of training completed and an assessment of training requirements. Officers are encouraged to take training as part of personal development in areas they wish to pursue to improve the skills complement of the Authority. An inventory of all training undertaken and renewal schedule is maintained and updated annually. This provides a NWIFCA capability assessment.
33. IFCOS are trained to work to standards set out in the Health and Safety Policy, the Risk Management Strategy and the Enforcement Policy including the adopted Code of Conduct for inspections
34. The aim of this training is to promote consistency and high standards in all activities particularly enforcement and inspections. The training programme will be reviewed annually in order to check that training is focused on these objectives and amendments will be implemented. The programme will be monitored and evaluated to assess its effectiveness, and to evaluate specific training methods and products.
35. **Job plans and work programmes** were monitored and reviewed by line managers throughout the year.
36. **Training:** 3 Officers (HOE Andy Deary, IFCOs Matthew Burdekin and Joe Moulton attended the 5 day IFCO training course (the Torquay course) in February 2013.
37. Officers attended a wide range of personal development training in addition to the mandatory training required for their specialist roles. Officers' training needs and aims were kept under review by line managers. An audit of training completed is maintained.

## **Section 5: Premises and Equipment**

38. Finance of approximately £40,000 from Defra underspend identified in December 2012 allowed purchase of underwater survey equipment including side scan sonar and underwater camera systems. The finance provided equally to all IFCA was managed and distributed by the AIFCA.
39. **Patrol vessels:** Despite age and condition, FPV 'Solway Protector' delivered a satisfactory enforcement programme from April 2012 to February 2013. Annual refit and breakdowns kept her off the water until May. Inshore patrolling was maintained using the large RIB based in

Whitehaven. **RIBs (Rigid inflatable boats):** NWIFCA has RIBs in Whitehaven, Barrow and a small zodiac based in Morecambe. These vessels have continued to provide an effective inshore patrol service. Work on the vessels is taking place in 2012-13 to upgrade these vessels so that they meet the latest MCGA coding requirements. A new RIB will be procured as soon as possible to be based in Liverpool. This vessel will patrol the Mersey, Dee and inner areas of Liverpool Bay.

40. Procurement of a new patrol vessel. The requirement for a new patrol vessel has been evident since the setting up of NWIFCA in 2011 and NWIFCA resolved in 2011 to commence procurement. It is needed because of the age (23 years) and condition of FPV 'Solway Protector' and the changing IFCA duties. Better survey facilities coupled with enforcement patrols over a much larger District are now needed.
41. Seafish marine architects were commissioned to prepare a specification in autumn 2011. Tenders were received but in a climate of Local Authority budget reductions and withdrawal of EU funding for enforcement, funding to build the vessel was not available in 2012.
42. In February 2013 Local Authorities agreed in principle and subject to tenders that a vessel should be built and purchased on a lease purchase agreement. Lancashire County Council agreed in principle to undertake the tender exercise and provide the capital sum to enable the vessel to be acquired and lease purchased back to the NWIFCA. There followed a further significant delay caused by the 2013 local elections.
43. **Constitution:** In March 2013, a number of corporate documents regularly asked for by external partners and customers of the NWIFCA were combined into a comprehensive Constitution. The Constitution includes Standing Orders, Financial Regulations, Members' Code of Conduct, MMO appointees terms and conditions, Customer Charter and Service standards, Complaints procedure, Freedom of information publication scheme. The Constitution is available on the NWIFCA website.

## **Section 6: Risk Management**

44. Like all organisations, the NWIFCA faces the potential for unforeseen events and consequences that may either be opportunities for benefit or threats to success. This potential has become known as risk and the documentation and quantification of risk is how risk is managed.
45. Risk management is the process whereby the Authority methodically addresses the risk associated with what it does and the services which they provide. The focus of good risk management is to identify what can go wrong and take proportionate steps to avoid this or successfully manage the consequences. The importance of looking afresh at risk comes in the wake of a more demanding society and more challenge when things go wrong.
46. The NWIFCA risk management strategy was first drafted 2011 and is updated for the Audit each year in April – May. The strategy is available from the Clerk or the website.

## **Section 7: Governance: Authority membership, structure**

47. The NWIFCA has 30 members listed in Annex A which also shows changes up to March 2012. Ten members are representatives of the funding local authorities; Seventeen MMO appointees

are appointed by open competition to create a balanced membership of stakeholder interests and there are three agency members from Environment Agency (EA), Natural England (NE) and MMO. As at March 2012, there are 2 vacancies. MMO has announced a recruitment to appoint new members. Members' attendance at meetings is recorded.

48. The NWIFCA meets quarterly. Meetings are generally open to the public but confidential matters may require all or parts of meetings to be closed. Standing Orders for the Authority have been agreed and are on the website. Whenever possible, committee papers are posted on the website 7 days in advance of meetings. Meetings held in 2010/12 are listed at Annex C:
49. The NWIFCA has a Technical, Science and Byelaw Sub-Committee (TSB) to address detailed work in these areas and remove much of the technical discussion from the full Authority. The TSB has 13 members, comprising mostly MMO appointees although all members are entitled to attend and meetings are generally open to the public.
50. A Finance Sub-Committee is responsible for the budget and budget monitoring. As the NWIFCA funding providers, all and only Councils on the Authority are represented on the Finance Sub-Committee.
51. A Patrol Boat Sub-Committee is responsible for planning and if possible procuring a new main patrol vessel.
52. A Chairman's Working Party Sub-Committee is responsible for sensitive issues including staff and HR matters.

### **Section 8: Customer service standard and Freedom of Information**

53. The NWIFCA is committed to being a transparent and accountable organisation. We want our partners and stakeholders (customers) to know what to expect from us and the level of service we will provide. A customer service charter and service standards including Freedom of Information Act publication scheme and a complaints procedure are available from the NWIFCA Office and on the website.
54. The Equality Act 2010 harmonizes and, in some respects, extends previous equality law. It aims to make the law more consistent, clearer and easier to follow in order to make society fairer. As a public sector body and as an employer, the NWIFCA will fully comply with all Equality Act legislation and standards.

## Section 9: Byelaw review and development.

55. **Byelaw powers and policy:** The restrictions on allowed flexibility in byelaws was extensively discussed with MMO legal advisors in 2012. Applications to MMO by several IFCA for byelaws giving powers to vary management measures such as areas of fishing and permitted fishing effort according to local and changing needs were questioned. Lawyers were reluctant to allow sub-delegation to IFCA and preferred measures to be defined. IFCA's argued that flexibility is essential to achieve sustainable adaptive management. Agreement was reached in principle that flexibility could be accommodated if the limits and parameters for decision making could be defined in the text of the byelaw. This arrangement will be tried in new byelaws under development in the next few years.
56. **Priority new byelaws:** Byelaws 1 (Scientific dispensation) and 2 (Vessel length limits) for the whole NWIFCA District were drafted in 2011 but subsequently delayed by higher priorities. These byelaws were not progressed in 2012-13 as the EMS work assumed priority
57. **NWIFCA Byelaw 3: Management of cockle and mussel fisheries.** This became urgent following the appearance of a large cockle fishery in the Ribble Estuary in 2011. It built on the successful elements of NWSFC Byelaw 5 with new measures, some (such as charging a permit fee) using new powers available to IFCA under MACAA. Byelaw 3 introduced new classes of permits for boat users and support workers and set up commercial cockle fishing areas in the Ribble estuary and in Morecambe Bay where the non-commercial allowance of 5kg per person per day would not apply.
58. Byelaw 3 was confirmed by Defra in August 2012 in time for the start of the cockle season on 1 September. It may have to be reviewed when the Morecambe Bay Fishery Order is implemented. It also incorporated other cockle and mussel regulations from both SFCs giving a unified regime throughout the NWIFCA District and repealing 15 legacy byelaws.
59. As it developed, Byelaw 3 became unusually complex running to 32 clauses. NWIFCA sincerely acknowledges the contribution of MMO Legal advisors in the development of this byelaw.
60. When the byelaw came into force it was immediately tested in the management and regulation of cockle fisheries in the Ribble Estuary. It proved to be a very effective and powerful tool. An immediate impact was a reduction of nearly 50% to approximately 250 in the number of cockle and mussel permits issued in 2012 compared with 2011. The permit fee had another impact in that it resulted in a marked increase in compliance and industry provided intelligence as permit holders had a strong interest in ensuring non-permit holders were unable to fish.
61. **Heysham Bass Nursery Area (HBNA) NWIFCA Byelaw 5** aimed to improve protection for undersize Bass in Morecambe Bay. The HBNA set up under the Bass Orders 1990 and 1999, prohibited commercial fishing for Bass from boats in the designated area but did not restrict recreational fishing from the shore or from boats and is widely considered to be inequitable. Extensive recreational fishing in the area resulted in heavy discarding of undersize fish if officers were present and was believed to lead to illegal landing and sale of undersize Bass in an area where enforcement is complex and difficult.
62. The byelaw prohibiting all fishing including from the shore or boats in the HBNA was made by the Authority in December 2012 after extensive consultation showing the measure had broad support from both the commercial fishing and angling sectors. Following the formal consultation, the new byelaw came into force in April 2013 and will mainly protect undersize

Bass. It will also facilitate more effective enforcement of the HBNA and remove doubt about commercial and recreational fishing in the area.

63. **EMS Byelaw 6.** This byelaw became very high priority requirement in 2012 when the Defra policy to upgrade the protection of European Marine sites was formulated. The purpose and scope of this byelaw is explained below.
64. **Morecambe Bay Hybrid Fishery Order.** The application for this Order was submitted to Defra on 9 September 2011 and is being prepared for public consultation. Several drafts have been received but the contents are not yet public. The Order is designed to grant the NWIFCA authority to operate regulated or licensed cockle and mussel fisheries in Morecambe Bay and the Duddon Estuary to enable better control of fishing effort and better balance the interests of stakeholders. The objective is to develop sustainable molluscan bivalve fisheries. The Order will also contain provision for Several Areas within the area of the Order. Several Areas would be leased to operators for shellfish culture.

## Section 10: Enforcement and joint agency working.

65. The Authority aims to be an efficient and fair enforcer, which manages the exploitation of sea fisheries resources with a range of enforcement measures and sanctions. In order to regularly assess and continually improve the impact and effectiveness of these measures and sanctions, the NWIFCA has a **Compliance and Enforcement Strategy** which complies with the Regulators' Compliance Code, taking account of the Hampton Principle's (reducing administration burdens on the Authority) and other current legislative requirements. The Compliance and Enforcement Strategy is available from the NWIFCA office or from the website. It was reviewed in March 2012 and again in March 2013.

66. Tables 4 and 5 show statistics and data on patrols inspections and enforcement. The data is not fully integrated across the whole District for this reporting year but this should be rectified by next year. Implementation of the new Byelaw 3 and joint working with the Gangmaster Licensing Authority (GLA), HMRC and DWP has broken open a lack of transparency over the finances and working practices of the industry prior to 2011.

67. Experience with the Wirral and Ribble cockle fisheries in 2010-12 taught us how to achieve better compliance with IFCA regulations. Detailed regulations were attached to special permits issued under derogations from byelaws with the agreement of the fishing industry. Regulations can include opening defined areas on certain days and tides, and requiring certain methods of fishing and specific landing points so that catch can be properly recorded.

68. Working together has achieved better implementation of national legislation such as shellfish hygiene registration documents and safe use of small boats. The key is planning and implementation of comprehensive regulations in collaboration with other regulatory agencies. The most important partners are relevant Local Authorities, Environmental Health Services, Gangmaster Licensing Authority, Police and MCGA.

69. **Foulnaze Cockle fishery: Ribble estuary.** After the controversy and immense media interest in the dangerous unregulated use of small boats in this fishery in October 2011, the Authority was unconvinced that another opening would be safe or politically acceptable. However the alternative was attempting to police a valuable closed fishery throughout summer 2012 and beyond. Following stock surveys in spring 2012 and with the reluctant agreement of partner agencies, a limited opening was permitted on specified tides in daylight, 4 days per week in July, and again in August. The aim was to increase safety by fishing in better weather and longer days under strongly enforced conditions developed in collaboration with partner bodies. Measures to achieve safe use of small boats in this dangerous estuary were included in the regulations and enforced by the MCGA.

No sea patrols (all vessels)	73
No Patrol hours at Sea	6616
Total Nautical miles	4061
No. closings	3
No sea Inspections	3
No. boardings	0
Shore Patrols North of Duddon	152
No. shore inspections	4484
No. ATV patrols	112
ATV hours (south of Duddon)	192.7
ATV miles (south of Duddon)	1158
Infringements	96
Verbal warnings	84
Cautions	10
Written Warnings	0
Prosecutions	3



70. The fishery was closed at the end of October to comply with MCGA regulations on the use of small boats in winter. A small cockle fishery was then opened on the south side of the Ribble, accessible by quad from the Southport coast for November and December. Because stocks were low, the fishery was again highly controlled and regulated. Both these fisheries were opened with the agreement of Natural England under HRAs (Habitats regulations assessments). The main concern was the possible impact of the fisheries on bird use of the areas.

71. A full survey was undertaken in October. This showed a substantial settlement of cockles, however, this settlement did not survive the winter and was not available to grow in on 2013. Further surveys took place in March 2013 in preparation for a summer opening following the 2012 pattern.

72. Tight regulation of the cockle fisheries allowed the collection of good data on catch levels, who the fishermen were and where cockles were sold.

73. **Foulney Mussel fishery.** This was a lucrative fishery throughout winter 2012-13 but difficult to manage because of the problems of separating size mussel in a stock of mixed sizes. Many operators could only collect size mussels on the biggest tides when the largest mussels were exposed at the bottom of the shore. On other tides, enforcement was difficult and many undersize fishing offences were detected. NWIFCA Officers held public meetings to discuss the management of the fishery and found that opinion was equally divided between leaving the fishery open and closing until a much higher proportion of the stock reached size.

**Table 5. FPV 'Solway Protector' patrol statistics 2012-13**

Number of patrols and passages	44
Total distance covered	2810 miles
Seatime	318 hours
Fuel used	6094 gallons
Total vessel sightings recorded	376
Of which local vessels	318
Of which visiting vessels	58
Trawlers (<15m)	216 (171)
Beam trawlers (<15m)	3
Gill netters (<15m)	15
Shrimpers (<15m)	1
Twin beam shrimpers (<15m)	3
Whelk potters (<15m)	12
Potting boats (<15m)	29
Scallop dredgers (>15m)	2
Mussel dredgers (>15m)	3
Anglers (<15m)	69
<b>Total (&lt;15m)</b>	<b>299</b>
<b>Total (&gt;15m)</b>	<b>199</b>

74. Other options were considered. One suggestion was to allow unrestricted fishing (suspending the MLS) in a limited area. This approach could allow a defined area to be cleared of mussel of all sizes. Such a clearance could then allow new settlement to take place which would promote the development of a single year class stock which would create better fishing in future years.

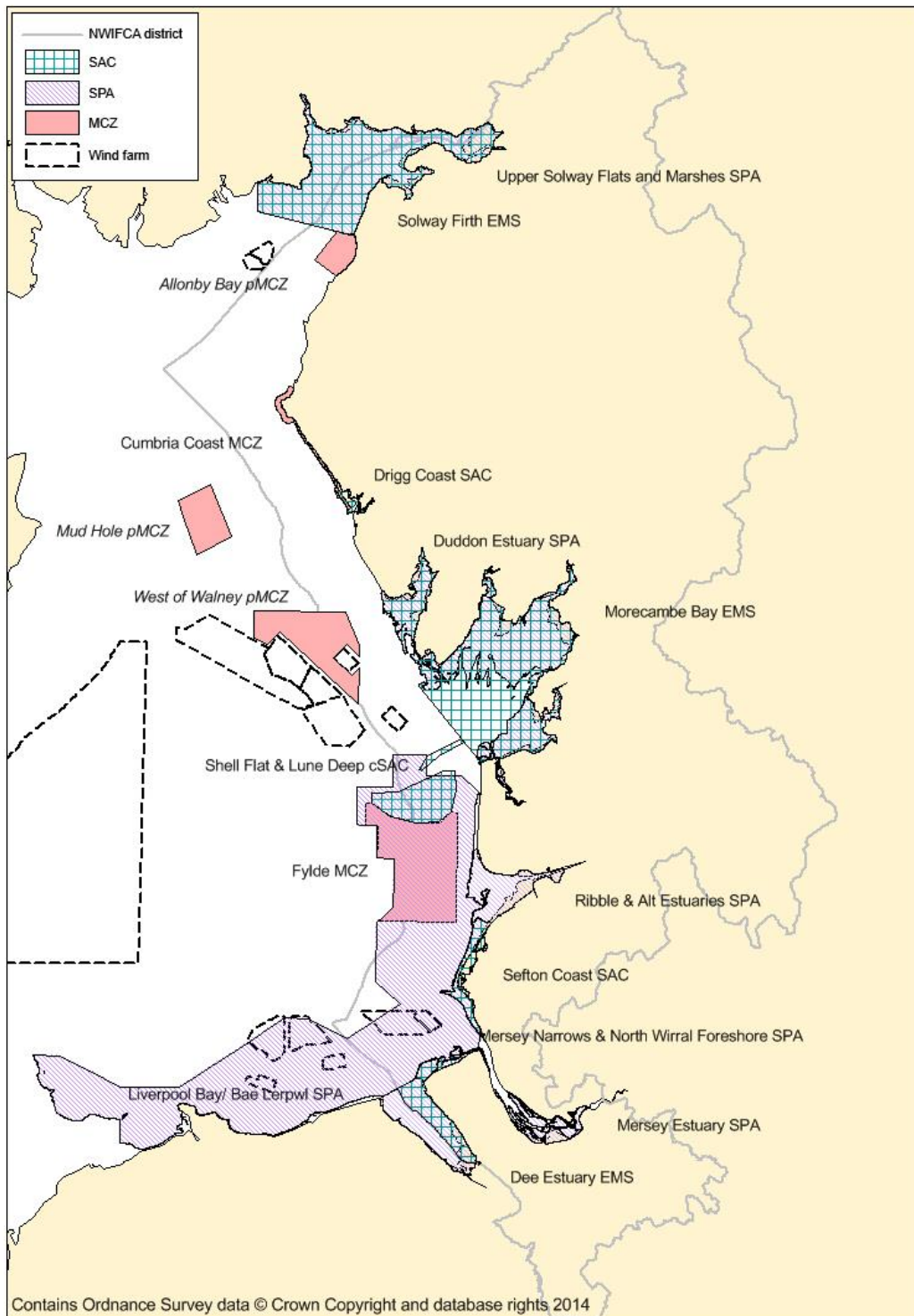
75. An alternative approach proposed would be to limit the tides when fishing would be permitted so that fishing only took place on the biggest spring tides when the largest mussel is exposed. Despite these proposals, no conclusion was reached on the best approach and the fishery remained open despite the heavy enforcement cost on the Authority.

76. The re-appearance of a significant mussel fishery in the area of Foulney Island on land owned by the Boughton Estate precipitated again the claim that the Estate owns the Fishery rights. This has been raised many times in recent decades and as previously Boughton presented no evidence of fishery rights and NWIFCA maintained its previous stance that in the absence of evidence to the contrary, fishery regulations and byelaws will be enforced on Boughton land. As on all previous occasions going back over 3 decades, Boughton Estate did not withdraw their claim but also did not pursue it and submitted no evidence so the 'status quo' continues.
77. The existence of the unsupported claim was sufficient to encourage a local shellfish merchant apparently working with the consent of Boughton Estate to attempt to take control of the mussel fishery. He advertised that only fishermen operating under his permit would be allowed to fish. Had he been successful this could have led to a local monopoly on price and employment in the industry. However, NWIFCA pointed out the illegality of the proposal. The merchant did not get support from fishermen and the project failed.
78. **Heysham Flat skear and South America Skear** held significant ephemeral short term seed mussel fisheries which operated in autumn 2012. These fisheries are reported in detail in the Science report.
79. **Dee Estuary:** Following the establishment of Natural Resources Wales (NRW), NWIFCA was asked to cross warrant EA and or NRW officers to enforce the Dee cockle fishery Order on the English side of the Dee estuary. Discussions with NRW are continuing to determine the respective roles and responsibilities of all regulatory bodies on both sides of the Dee. NWIFCA continues to attend the Dee Estuary Liaison Committee and contribute advice on the management of the range of fisheries in Dee.

#### **Contributions to other Partner bodies**

80. **North West Coastal Forum:** The CEO is a Director and contributes to discussions on management of the Celtic and Irish Seas. NWIFCA also supports European Marine Site (EMS) management committees such as Morecambe Bay Partnership, Solway Firth Partnership) and other informal coastal fora.
81. **Association of IFCA (AIFCA):** The AIFCA has developed a detailed work programme. Much of its work has been co-ordinating the IFCA response and input to the major EMS protection work project. AIFCA has also co-ordinated responses to Government on various policy consultations and very effectively managed the purchase of underwater survey equipment for all IFCA using Defra underspend finance. The kit acquired will be reported in the next annual report.
82. **IFCA Chief Officer's Group (COG):** The CEO continues as secretary to COG which meets quarterly. Science officers attended 2 IFCA Technical Advisory Group (TAG) meetings during the year.

## Section 11: Marine Protected Areas (MPA)



**Figure 3- designated areas in the NWIFCA district**

83. The District is extensively designated as marine protected areas of various types including Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites

of Special Scientific Interest (SSSI). Part 5 of the MACAA provides for designation of Marine Conservation Zones (MCZs). Identification of MCZ sites was commenced by Defra in 2010 and is continuing. Together with existing sites, the complete suite of designated areas is intended to form an ecologically coherent network of Marine Protected Areas in English waters. 52% of the District and over 70% of the coastal length is under conservation designation. Proportions will increase further as MCZ are designated. Examples of marine habitats of conservation importance are: reedbeds, shingle spits, saltmarsh, intertidal mud and sandflats, intertidal skears and bedrock, biogenic reefs and subtidal sandbars and skears. Fig 2 shows conservation designations in the District.

84. **MCZ:** All IFCA have statutory duties to seek to further the conservation objectives of MCZs. The duty applies to all IFCA functions but particularly to the duty to manage sustainably the exploitation of sea fisheries resources in an IFCA district. The Authority faced an increasing challenge to protect and balance interests in the face of rapidly increasing areas becoming designated MPA. A Government consultation on 31 proposed MCZ commenced in October 2012 after 127 sites in England were proposed initially selected by the regional committees in 2011. These 31 were deemed to have enough supporting scientific evidence. A large campaign by supporters of MPA throughout 2012-13 attempted unsuccessfully to obtain designation of all 127 sites. A Government response to the consultation is awaited and the Minister has still to decide if all of the 31 sites will be designated.
85. The Authority responded to the consultation but was not supportive of sites in the District. The conservation benefits are unclear while socio-economic impacts could be severe. The EMS network and other designations have already protected over 50% of the NWIFCA District. Further designation with impacts on fishing livelihoods is hard to justify. The Authority took the view that sites should not be designated unless there is good evidence of conservation benefits.
86. **European Marine Sites (EMS):** Also in 2012 an NGO consortium served on Defra a letter before action claiming that EMS are not managed in compliance with the Habitats Directive. Site protection from potentially damaging fishing must be enhanced with strict application of the precautionary principle. The letter asserted that fishing activities are insufficiently regulated to remove risk of damage to EMS features. Defra's legal advice was that this challenge could succeed and could result in a European Court judgement that all fishing activities on EMS must cease immediately pending habitats regulations assessments (HRA) of all activities affecting EMS features. In order for activities to continue the HRA must show no risk to features. To avoid legal action, Defra committed to upgrading protection of EMS and began assessing the impacts of all fishing activities on all EMS features in England.
87. Therefore, not having powers to direct, Defra formally requested all IFCA as the lead inshore regulators with powers to protect EMS, to implement the new EMS policy using legal mechanisms (byelaws). The resulting work programme derailed the work programmes of the CEO and the science team for the remainder of the reporting period and is expected to continue to dominate programmes for 3-4 years.
88. The first stage of the assessment was to classify all fishing on EMS features as red, amber or green. Red denoted an activity which would be expected to cause damage to a feature and must be immediately restricted without further assessment; amber denotes activities on sites which must be subject to HRA before they are allowed to continue and green denotes activities which have no impact.

89. Defra requested IFCA to protect red sites urgently using legal instruments. The timescales required byelaws protecting for red sites to be in place by the end of 2013 with a contingency of May 2014. Measures for amber sites should be in place by 2016. Red sites are mostly sites where there are 'so-called' reef features in the EMS (such as *Sabellaria* sp. or cobble reefs) or Seagrass (*Zostera* spp) beds. Reefs are considered to be at certain risk of damage by any bottom towed fishing gear such as dredges or trawls while seagrass is at certain risk from bait digging or hand worked fisheries.
90. In the NWIFCA district, 6 red sites were identified. These are:
- I. Dee Estuary SAC (Hilbre Island *Sabellaria* reef)
  - II. Lune Deep SAC (Lune Deep boulder and cobble reef),
  - III. Morecambe Bay SAC (Heysham Skear *Sabellaria* reef)
  - IV. Morecambe Bay SAC (Walney Channel boulder and cobble reef)
  - V. Morecambe Bay SAC (Seagrass *Zostera* beds)
  - VI. Solway Firth SAC Boulder and cobble reef)
91. NWIFCA does not consider further regulation is necessary on these sites because the Authority believes it is already in compliance with the Directive in having measures in place to protect EMS red features. However, NWIFCA does not expect that these closed areas will have any impacts on any fishing activities in the District and has agreed to make a byelaw to prohibit bottom towed fishing gear. These reefs are avoided because existing byelaws prevent the use of all but the lightest towed fishing gear in the District. Dredges are prohibited throughout the District and a size limit byelaw excludes vessels over 12m in length.
92. As the project commences, it is not clear if there is data on the distribution and quality of the features. NWIFCA expects to work with Natural England to determine if such data exists and if new surveys can be undertaken to fill any data gaps identified. It is clear that a great deal of work remains to be done in 2013 to obtain definitive data on the area and extent of these features so that they can be mapped and assessed to a degree where a legally robust byelaw can be put in place to provide the protection deemed necessary.
93. This project will have a severe impact on the existing work programme and priorities of the NWIFCA in 2013 and beyond. Negotiations are continuing with Defra to agree how IFCA work programmes can be adapted from the High level objectives and performance indicators set for IFCA by Defra in 2011.

## **Section 12: Communications and publicity**

94. A new role of Communications Officer was created in the NWIFCA in 2012 to develop and implement the NWIFCA communications strategy. Duties include writing and disseminating press releases, conducting a NWIFCA website audit, production of a Communications Plan and the design of new publicity and communication materials, including flyers, posters and a pop-up banner, which describe the background and basic remit of the NWIFCA can be used at a wide variety of events such as conference exhibits and small community engagement events. More specific publicity, focusing on particular NWIFCA functions, is developed as necessary for future events.
95. Two issues of a planned regular newsletter were published. They can be seen on the NWIFCA website. Stakeholder meetings were held in 4 venues across the District. A text alert system was initiated. Consents from stakeholders to use their mobile numbers were obtained. Texts were used to give out urgent messages quickly such as new information on fisheries management and to direct users to new information posted on the website.
96. The Communications Officer also makes presentations at conferences and workshops, explaining the role and remit of the NWIFCA, the fisheries we deal with and the over-arching legislative framework under which our work and vision is set to a wide range of stakeholders.

### Section 13: Science research and survey

97. **Science team:** This second year of the NWIFCA Science Team required challenging change management. Retirement of the long serving, highly knowledgeable and most experienced Senior Scientist Bill Cook in 2011 resulted in a heavy burden on the remaining Scientist. The induction of new Officers to replace Bill and provide for an enhanced science programme required to deliver the new IFCA duties added to the workload. Further staff changes delayed the establishment of the team. Changes to the team are reported in detail in Section 4.
98. **Cumbria Wildlife Trust (CWT) Marine Graduates Placements Scheme.** Science Team continue to assist the scheme whereby four Marine Graduates receive intern places. The interns assisted the NWIFCA in various tasks such as in surveying and mapping the honeycomb worm reef at Heysham Flat which is an IFCA action under the Morecambe Bay EMS Management Plan. Data produced from these surveys was used in assessing potential impacts of the Heysham Flat seed mussel fishery. One of the interns did a research report (available on NWIFCA website) into mussels and pearling in the Walney Channel, including an analysis of historical work conducted by the old Lancashire SFC labs at Piel. The partnership between NWIFCA and CWT is mutually beneficial and is being strengthened through a further bid for funding. Two out of five Marine Graduates have so far been recruited into IFCAs since taking part in the scheme.
99. **PhD studentship on the sustainability of NWIFCA District fisheries:** NWIFCA is sponsoring this 3 year project to develop tools for enhanced sustainability in the marine environment in partnership with Liverpool University and CMACS Marine Environmental consultancy. Ms Sophia Kochalski was appointed and will be supervised by NWIFCA member Prof Chris Frid assisted by Science Officers. She has commenced assimilating past NWIFCA data on cockle fisheries within the District. A two phase stakeholder questionnaire on sustainability issues in NW England is being tested. Ms Kochalski explained and discussed the project with those who attended NWIFCA stakeholder engagement meetings in 2012. The cost to NWIFCA will be £4000 per annum.
100. **Sea Angling 2012:** This 12 month research project is led by Cefas, MMO and IFCAs. A Steering Group includes sea anglers and their representative bodies. Under direction from Cefas NWIFCA conducted shore angling and boat angling surveys for 12 months ending January 2013 according to a strict sampling protocol. All reports and database files have been sent to Cefas for analysis and production of a national report. The report will also include results and analysis from a series of Office for National Statistics (ONS) opinions surveys in Great Britain, an online survey for anglers to record more detailed information on their activities, catches and expenditure, and a detailed study of the economic value and social benefits of recreational sea angling.
101. NWIFCA conducted 46 surveys covering 118 sites visited. 151 interviews were conducted, with 221 anglers providing data. The final report will judge the success of the project but it generated a high level of engagement (less than 2% refusal rate) with a stakeholder group with which the NWIFCA has previously had little direct contact. We aim to strengthen the links made through this project and improve understanding now that all sea fisheries resources come within MACAA 2009 and under IFCA regulation.
102. **New Defra policy on Management of Fisheries in European Marine Sites (EMS):** The scale of this policy change became evident in September 2012. A national implementation committee chaired by Defra was set up with a number of working groups to address specialist parts of the project. The programme immediately reset NWIFCA CEO and science priorities

and many less urgent science projects were dropped or delayed. It is expected to continue to dictate the IFCA policy and science programme for three to four years. By 2016 IFCA's are required to have comprehensive feature evidence and management measures in place for the impacts of all fishing activities in all EMS in the District.

103. Stage 1 required identification of all fishing activities using bottom towed gear on so called reef features in the 13 EMS (5 SACs (Special Areas of Conservation), and 8 SPAs (Special Protection Areas)) in the District. A great deal of discussion at the national implementation committee chaired by Defra took place over the detailed scope of the programme. NWIFCA data was entered into a huge risk matrix for all sites in England before assessment of proposed management measures for the 'red risk' activities and features within the District was commenced and action plans for each site drafted. Work has been carried out in association with Defra, MMO, Natural England both regionally and nationally and the national IFCA Technical Advisory Group (TAG).
104. **Ribble Estuary Cockle Fisheries.** Following the closure of the Foulnaze Bank fishery under Emergency Byelaw on safety grounds in November 2011, Science Officers surveyed stock throughout the estuary in spring and early summer 2012. An HRA (Habitats Regulations Assessment) was drafted and agreed with Natural England the main issue being bird food requirements. Mitigation measures to ensure a fishery could be authorised without risk of damage to the conservation features of the Ribble and Alt Estuary EMS, were also documented in the HRA. Science Team facilitated a series of multi-agency management and planning meetings leading to agreed management plans and arranged additional sampling of the cockle beds for shellfish hygiene classification with Environmental Health Services. Science Officers provided stand-by enforcement capacity when the fishery was open.
105. A TAC of 750 tonnes was set and strict conditions on access, safety and landing arrangements imposed. The fishery operated successfully during July and August and was closed once the TAC had been met. During September the other Ribble cockle beds were surveyed providing data to enable a further 7 days of fishing on Foulnaze, and following a further HRA, the opening of the beds at South Gut and the Penfold Channel during November and December when 300 tonnes was fished.
106. Following the closure over the winter of Foulnaze the industry were keen to know whether a fishable stock remained on the bed. Stock assessments were carried out in early March 2013 with assistance from the industry, and stakeholders views canvassed on whether or not to allow harvesting of the one size class (2010) cockle that was likely reaching the end of its natural life, or to leave the stock until summer to provide the opportunity for it to spawn. Based on the responses received Officers recommended to the Authority that the latter course of action be taken.
107. **Morecambe Bay cockle beds** The cockle beds within the Bay have been closed due to low stock densities.
108. **Mussel Beds:** A low level of fishing for size mussel is a regular occurrence throughout the District with no cause for change or increase in management measures. However, specific issues around management of the Foulney (north Morecambe Bay) mussel bed arose during November 2012.
109. **Foulney Mussels:** Industry requested consent to harvest undersize mussel from this bed by hand due to the mixed length and age structure of the stock. Size mussel is found at the lower end of the skear which is only accessible on the largest of spring tides, all of which occur



during the hours of darkness during the winter months. The December NWIFCA meeting agreed to restrict the harvesting to size mussel only. Science Officers were involved in surveying and advising on the management of this bed.

110. **Seed Mussel Fisheries on South America and Falklands skears in North Morecambe Bay:** Early reports from the industry suggested a heavy spat settlement in these areas of ephemeral mussel beds. Aerial and ground inspections were carried out to assess the stock area and density. Screening for the invasive non-native Chinese Mitten Crab as a precautionary measure following an unconfirmed report of an adult CMC in the Duddon estuary found none present. The stock area was estimated at around 60 ha, with mussel coverage averaging 50%, giving a biomass of around 15,000 tonnes.
111. There was increased industry interest in fishing the area, partially fuelled by failure of mussel recruitment to beds in the UK and Ireland. An HRA was drafted and agreed with NE. Authorisations were issued once the mussel was ready for fishing.
112. The mussel settlement in 2012 was unprecedented on all Morecambe Bay skears. Industry indicated the seed resource on South America and Falklands skears to be of the highest density and quality. The boat dredge fishery was authorised from the beginning of August. Eight authorisations were issued though only six of these were worked, with three boats exporting seed to Northern Ireland, two to the Menai Strait and one local boat relaying within the District. Science Officers have assisted alongside IFCOs with Cefas fish health inspections for the exported consignments.
113. Although Science Officers were unable to take part in a post-fishing fly-over inspection we facilitated Natural England attendance to witness first-hand the extent of mussel biomass that remained after fishing – estimated as more or less equal to biomass pre-fishing which lends support to the hypothesis that thinning densely-packed seed mussel has the effect of improving stock. Just under 12400 tonnes was harvested in total.
114. **Heysham Flat Seed Mussel Fishery:** Inspections early in the year revealed a good ephemeral settlement and a thorough survey was done assisted by four Cumbria Wildlife Trust interns. An area estimated at 8ha contained very dense mussel. An HRA agreed with NE provided protection of the *Sabellaria alveolata* (honeycomb worm) reef from trampling damage. Timing of authorisations to harvest the undersize mussel by hand is crucial. Mussel is fishable when it forms loose, un-embryssed clumps on a layer of unstable mussel mud. Once in this condition it is vulnerable to typical late summer and autumn winds and tides which scour and wash out the stock. A maximum of 20 permit holders fished on any day, with an estimated 200 tonnes removed in total. A post fishing inspection of the bed on 29<sup>th</sup> October showed that some scouring by weather had occurred, and that the seed mussel that remained had receded back into the mud and was no longer fishable.
115. **Silloth Mussels:** Whitehaven IFCOs assisted Science Officers aboard ‘Solway Protector’ in November 2012 to survey mussel beds in the Silloth Channel following Industry requests to dredge size mussel should stocks allow. Unfortunately despite early encouraging samples these soon reduced to very low volumes of mussels and the stock was deemed not sufficient to support a commercial fishery, even low key, this year.
116. **Razor clams trial:** Industry has requested consent to fish sub-tidal razor clam fisheries in Liverpool Bay. Officers, TSB Members and the applicants are developing a research plan for sustainable exploitation using electro-fishing technology. Officers also liaised with the industry and the local environmental health authority to look into the capacity for hygiene sampling for

classification purposes to be undertaken in preparation for the clam fishery trial. Cefas has obtained Fisheries Science Partnership funding for a short piece of field research to build and test electro-fishing equipment.

117. **Cockle transplant** experimental studies in the Ribble estuary were commenced and significant quantities of cockles were moved to a new growing area. However, funding for the project under the Fisheries Challenge Fund was withdrawn so the experiment was incomplete.
118. Science Team developed a survey and monitoring protocol to assess success of the trial which was agreed with operators. A site visit and spat survey were carried out on the North Penfold cockle bed (donor area). These informed the HRAs agreed with Natural England for the trials moving cockles to other areas in the Ribble and relaying in north Morecambe Bay. Officers also supported the Operators in their bid for funding from the Fisheries Challenge Fund administered by the MMO. Because relaying areas all fall within SSSIs it was necessary to obtain landowners' permissions, and for NE to issue consents. Consents were obtained but unfortunately the Fisheries Challenge Fund application was not assessed and no funding released. This prevented a worthwhile project from proceeding, and the cockle spat was subsequently lost to natural causes. Officers await the next dense spatfall and will then investigate with operators any possibilities of furthering this research.
119. **Mussels in the Solway Firth:** A survey of the Silloth channel for mussels was undertaken in response to a request to fish this bed, however the area and density was insufficient stock for a commercial fishery.
120. **Shore crabs, Cumbria Coast:** Following concern that this unregulated stock is being overfished, policies and measures in other areas were investigated. It may be necessary to introduce restrictions in future years.
121. **Bass management:** The EU consulted on a French proposal to introduce a TAC (Total allowable catch) for Bass under the CFP. NWIFCA consulted fishermen of the District who are strongly opposed to the proposal. It is seen as designed to favour the French industry and channel fisheries but would be highly destructive to fisheries in the eastern Irish Sea.
122. **Project Inshore (PI):** was successful in obtaining funding in May 2012. Led by Seafish it was officially launched on 8<sup>th</sup> June (World Oceans Day) and recognised by Fisheries Minister, Richard Benyon who noted that PI "should help to ensure that our inshore fleet can continue to flourish, that fish stocks are managed sustainably and our marine environment is given the protection it needs".
123. A consultancy 'Food Certification International' won delivery of PI. It will work with all ten IFCAs to plan the three stage project over an 18 month timeline. PI will use Marine Stewardship Council (MSC) standard assessments of sustainable fishing to produce tailored reports for every fishery around the English coast which support in total approximately 7,000 fishing vessels. The aim is to highlight best practice and provide an independent evidence base to attract targeted investment in further scientific research. For some of the fisheries, this project may offer the opportunity to enter full assessment for MSC certification. For others they will have a clear plan to enable – in time – all English inshore fisheries to work towards the benefits of third party certification offered by the MSC.
124. The three stages of Project Inshore are as follows:
  - I. Analyse all inshore commercial fisheries (0-6nm) and their markets,

- II. Undertake an MSC pre-assessment of stocks regulated by IFCAs,
  - III. Produce sustainability reviews, highlighting data deficiencies and identifying ways to better manage the fisheries.
125. PI first requested IFCA data for Stage One which officers collated and provided. The Stage One report was published in March 2013. It includes a collation of available data for all English inshore fisheries giving in most cases a non-quantitative overview of landings, species profiles, fisheries and gears.
  126. NWIFCA and others were concerned about the reliability of inshore landings data. There is no 6nm reporting requirement, no log books, bypassing of Registered Buyers and Sellers legislation, shellfish returns not consistently entered and some fisheries not required to report. Following strong representation from IFCAs particular challenges were identified in the report for non-quota shellfish landings especially bivalve fisheries such as cockle and mussel.
  127. For Stage Two Officers again discussed issues with the PI team and the key fisheries identified in the NWIFCA District. These are: brill, plaice, sole, turbot, thornback ray, cockles, mussels, scallop, lobster, crab, nephrops, brown shrimp, whelk and periwinkle. Finfish and nephrops fisheries will be assessed on a national scale. The Stage Two report was due for publication by March 2013. It will cover pre-assessment of English fisheries based on an aggregated/matrix approach for assessing each selected fishery (species/gear combination) in relation to the Marine Stewardship Council (MSC) standard. The key output of Stage Two will provide a preliminary determination of how closely each performance indicator of each fishery meets the MSC standard.
  128. **IFCA TAG (A national Technical Advisory Group for IFCA).** The Senior Scientist is the NWIFCA representative on TAG which meets 2-3 times per year. Meetings this year focused on discussion of Defra's new policy towards fisheries management in EMS. The full Science Team attended a national two-day conference on the new Defra policy. The approach to populating the risk matrix was developed for the Defra Implementation Committee.
  129. Also discussed were the MCZ consultation, the juvenile fish survey feasibility study, Project Inshore, Sea Angling 2012, Environment Agency 2013-2014 Research Priorities, the use of the Knowledge Hub for information sharing, feedback to TAG from CoG (Chief Officers Group), and Cefas Inshore Fisheries Mapping. TAG is a vital tool in providing opportunity for discussion and potential for joint working between the IFCAs.
  130. **Solway Firth Biosecurity Plan.** This was discussed with the Solway Firth Partnership team and NWIFCA agreed to assist implementation. This plan, with others from the Firth of Clyde and Cumbrian Waterways will be used as a template for a NWIFCA District plan for inshore fisheries and control of disease and non-native invasive species
  131. **Major infrastructure consultation and joint agency working:** Science officers contribute to a number of important networks and are responsible for consents for which the Authority is a statutory consultee. These include the Northwest Shellfish Liaison Group, local fisher stakeholders, local and national RSPB.
  132. Large infrastructure projects in 2012-13 included: Mersey Gateway bridge construction, Liverpool Wastewater Treatment Works, Seaforth Terminal and Preesall Underground Gas Storage Application.

133. **Wind farms:** NWIFCA monitored wind farm developments in the District. Dong Energy undertook an EIA of the Burbo Bank wind farm in 2012. An extension to the Walney wind farm is in the early development stage.
134. **Preesall underground gas storage:** The Authority objected to this development because of the risk that hypersaline water discharged into the inshore marine would damage sea life. The project was approved by the Infrastructure Planning Commission (IPC) but turned down by the Secretary of State on April 2012 because insufficient data on seismic activity in the area was provided. The operators have the option to collect further data and renew the application later.
135. **New National Grid infrastructure routes in NWIFCA District:** Science Team attended multi-stakeholder meetings held by National Grid. Plans are developing for a high power connection into the national grid for the proposed 3.2 GW Moorside nuclear power station, to be built near Sellafield in West Cumbria and for new wind farms in the Irish Sea. A presentation from National Grid was received at the March 2013 meeting at which proposals for routes around or through a tunnel under Morecambe Bay were presented. The Authority reserved its position but will maintain contact with the developing project.
136. **New sea wall at Rossall:** NWIFCA has particular concerns over the impact of this development on designated shellfish beds in the area. Damage could be increased by the use of limestone in the proposed rock armour and further examination of this showed that there is not enough data on the impact of limestone in coastal defences on marine invertebrate communities.
137. **MEDIN – Marine Environmental Data and Information Network:** INSPIRE is an EU Directive that establishes an infrastructure for spatial information in the EU and it was transposed into UK law in December 2009. The aim of INSPIRE is to facilitate better environmental policy across the EU. This will be achieved by:
- improving the joining up of and access to existing spatial data across the EU at a local, regional, national and international level;
  - facilitating improvements in the sharing of spatial data between public authorities;
  - and improving public access to spatial data.
138. All IFCAs have been trained for adoption of marine data and metadata standards in accordance with the INSPIRE Directive on geographic data, and the Science Team have begun creating metadata records for NWIFCA data. This is an on-going project where gradually historical datasets will be assimilated into metadata and uploaded to MEDIN

## Annex A

### Membership of the NWIFCA and their affiliations 2012-13

<b>Council Members of the NWIFCA and numbers of appointees</b>	<b>Appointee at 31-3-13</b>	<b>Previous members and date of change</b>
Blackpool Borough Council (1)	Cllr C. Maughan	
Cheshire West and Chester Council (1)	Cllr M Byram	
Cumbria County Council (2)	Cllr AJ Markley Cllr K. Little	Cllr A.C. Ross Deceased January 2013
Halton Borough Council (1)	Cllr R. Hignett	Cllr T. McInerney May 2012
Lancashire County Council (2)	Cllr S Leadbetter Cllr A Thornton	
Liverpool City Council (1)	Cllr T Beaumont	
Sefton Council (1)	Cllr J. J. Kelly	Cllr T. Glover May 2012
Wirral Metropolitan Council (1)	Cllr R. Hignett	Cllr. B. Kenny May 2012
<b>MMO Appointees and their Affiliations:</b>		
Commercial Fishing (shellfish)	Mrs J Butler	
Marine Science	Dr J.A. Clark	
Commercial Fishing	Mr D Clarke	
Anglers and Recreational Fishing	Mr B Crawford	
Anglers and Recreational Fishing	Mr D. Dobson	
Marine Science	Prof C. Frid	
Commercial Fishing	Mr R Graham	
Shellfish aquaculture	Mr D. Grunshaw	
Marine Industry	Mr R. Benson	Mike Hawkins August 2012
Commercial fishing and aquaculture	Mr T. Jones	
Fisheries management	Mr A. Maltby	
Marine	Mr J.D. Murphy	
Commercial fisherman	Mrs M Owen	
Marine Science/Conservation	Ms C. Reed	Ms Kate Walker May 2012
Recreational fishing	Dr P. Williams	
Commercial fisherman	Mr C Woods	
Marine	Ms Y Yadi	
<b>National Agency appointees</b>		
Natural England	Chris Lumb	
Environment Agency	Bill Darbyshire	
Marine Management Organisation	Neil Robinson	

## Annex B

### NWIFCA Assets and Equipment (premises vehicles, vessels)

Leased office in Carnforth

Cumbria Council Office in Whitehaven

FPV "Solway Protector" – 1989, 16 metre Arun class GRP hulled vessel - based in Whitehaven

FPV "Protector Bravo" – 1999, 7 metre RIB – based in Whitehaven

FPV "Protector Alpha" – 1994 5.4 metre RIB – based in Liverpool

FPV 'Protector Gamma' 2011 6m RIB – Based in Barrow

4.5m Zodiac based in Morecambe

Patrol vehicles: (2 Landrovers, Nissan Patrol, 2 Isuzu 4WD, 1 Renault Traffic Van with Radar)

Science vans: 2 small Renault vans

ATV quad bikes (7)

Rented small industrial facilities in Whitehaven, Ulverston, Carnforth, Morecambe, Liverpool used as base for IFCO operations and storage of quads and vessels

## Annex C

### Dates of meetings 1<sup>st</sup> April 2012 to 31<sup>st</sup> March 2013

Finance Sub-Committee	12-06-12	Morecambe Town Hall
NWIFCA 1 <sup>st</sup> Annual	12-06-12	Morecambe Town Hall
Technical, Science and Byelaw Sub-Committee	12-06-12	Morecambe Town Hall
NWIFCA Quarterly	28-09-12	Lake District National Park Office, Kendal
Technical Science and Byelaw	28-09-12	LDNP Office, Kendal
Technical Science and Byelaw	30-11-12	Carnforth Office
Finance	11-12-12	LDNP Office, Kendal
NWIFCA Quarterly	11-12-12	LDNP Office, Kendal
Technical, Science and Byelaw	11-12-12	LDNP Office, Kendal
Vessel Sub-Committee	18-02-12	Carnforth Office
Finance	20-03-13	Carnforth Office

## Accounting statement for 2012-13 from the Annual return approved by internal and external auditors

### Section 1 – Accounting statements 2012/13 for:

Enter name of reporting body here: **NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

	Year ending		Notes and guidance
	31 March 2012 £	31 March 2013 £	
1 Balances brought forward	524,465	705,813	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	1,152,483	1,164,008	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body.
3 (+) Total other receipts	105,574	168,798	Total income or receipts as recorded in the cashbook less income from taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	731,724	797,065	Total expenditure or payments made to and on behalf of all body employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	343,885	313,488	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	706,813	929,066	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6).
8 Total cash and short term investments	718,008	937,846	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets plus other long term investments and assets	147,405	180,272	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March.
10 Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

I certify that for the year ended 31 March 2013 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or property present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

*[Signature]*

Date 14/06/2013

I confirm that these accounting statements were approved by the body on:

14/06/2013

and recorded as minute reference:

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Signed by Chair of meeting approving these accounting statements:

*[Signature]*

Date 14/06/2013