

**Devon and Severn Inshore Fisheries and Conservation Authority**

**Quarterly Report for the Period Ending May 2018**

**General Situation**

**Deputy Chief Officer Sarah Clark**

This second quarter of the year has seen many changes within the staffing structure of the D&S IFCA. Tim Robbins has taken a secondment to Defra to work in its Fisheries and MPA team involved in EU Exit. Mat Mander has stepped into the role of Acting Chief Officer. There have been other staff changes this quarter with Katherine Stephenson's return to work from maternity leave on a part-time basis, and the employment of another part-time Environment Officer, Sarah Curtin. Gavin Mayhew has been successful in his promotion to Senior Enforcement Officer and Olga Pepper has accepted the position of Permitting Officer and will start in early June 2018. This brings the total number of staff up to thirteen, of which nine are full-time and four are part-time.

On the 18<sup>th</sup> April the contracts on the new Fisheries Protection Vessel were signed and the deposit paid. This means the new patrol vessel is now under construction and completion of the contract is planned for mid-September. Once the vessel is received by the IFCA a naming ceremony will take place. A bid for a Forward Looking Infra-Red (FLIR) camera has been submitted to EMFF. This piece of equipment will aid the detection of fisheries' offences in low light conditions.

Several joint patrols with the MMO have been undertaken this quarter and the IFCA continues to strengthen this working relationship to assist with a more coherent and cost-effective delivery of management in the coastal and estuarine environment. This also helps fulfil Defra's ask for the IFCAs and MMO to work more closely together to help in its review of possible changes in management post EU Exit.

The Authority has been running an Inshore Vessel Monitoring System (IVMS) Pilot project that should culminate in July 2018 with the fitting of IVMS units to 84 vessels that are under 12 metres in overall length that are engaged in the towed gear fisheries within the District. Unfortunately, one of the suppliers pulled out from the project leaving just two suppliers of type approved units being available for fishers. It is estimated that the installation phase will be completed and the new Mobile Gear Byelaw Permit Conditions be implemented at the end of July. The ability to monitor positions of vessels at the frequency of 10 minutes or less will assist with ensuring compliance by the mobile gear fleet.

The new General Data Protection Regulation 2018 came into being on 25<sup>th</sup> May 2018. Officers have been working tirelessly to implement changes to fulfil these regulations. E-mails have gone out to stakeholders informing them of the changes and asking them to let the Authority know they are happy for it to contact them, as it values their contribution and the role they play in helping the IFCA achieve its remit of managing a sustainable marine environment and inshore fisheries, whilst balancing the needs of all users of sea fisheries resources. A D&S IFCA Privacy Policy 'What do we do with your information?' has been produced and is on the D&S IFCA website. Officers have been working on an Information Management System that holds personal data securely and are reviewing D&S IFCA Data Protection Policy, Data Protection Register and Retention Schedule. D&S IFCA have employed a Data Protection Consultant Gill Smith to provide advice and guidance in this work.

Enforcement work during this winter quarter would normally be centred around the Scallop fishery, however this year has seen a reduction in the number of nomadic scallop vessels visiting the district. This could be to reduce numbers of scallops on the grounds as local boats have been working hard to make their trips.

Bass has remained a very hot topic for both the commercial fleet and the recreational sector. The updated legislation from the fishers' council has maintained the catch and release only status for the recreational sector and significant restrictions for the commercial fleet. IFCOs are still unable to enforce this legislation which is lending itself to increased joint working opportunities as the season progresses.

The Cuttlefish potting fishery has again started in earnest with a large number of pots in Torbay and the surrounding areas. The majority of the gear is not marked, which is a requirement in the permit conditions. However, enforcement of this condition is a challenge due to the authorities' assets not being suitable for hauling large amounts of pots along with the fishery being quite a short period of time. Permit holder have been reminded in the form of letters for the last two years however this has had little effect.

Defra has completed its consultation on 18<sup>th</sup> April 2018 into the new Statutory Instrument to reintroduce the ability to enforce EU legislation, including the 2018 Bass Regulations. No date has been set for the publishing of the SI. Officers are currently only operating within the parameters of the current warrants.

### **Training**

Both Kelly Hobson and Adam Walters attended the IFCO Enforcement course at Torquay. Both returned from the course with good feedback and were eager to put their new skills to practise. Both Kelly and Adam have now been issued D&SIFCA warrants.

Kelly Hobson has successfully completed the RYA Advanced Powerboat Course. Commercial endorsement for this qualification has been applied for. Once this is completed it will mean Kelly is fully qualified to act as helm on any of the Authority's current vessels.

### **Enforcement work**

This quarter the numbers of patrols both at sea and on shore have been slightly lower than average. This has been due to inclement weather along with large office workload. That said the patrols that have been undertaken have been productive. The current enforcement strategy of 'Intelligence led targeted patrols' is proving successful, with both our own patrols and joint working with MMO.

The number of investigations for 2018 so far stands at nine. Of these, five are for Mobile gear, and both potting and netting have two each. Four of these investigations have been completed, two of these resulted in a Fixed Administrative Payments totalling £750.00, and two were issued Official Written Warnings. There have been no court hearings during this quarterly period.

On 1<sup>st</sup> March 2018 D&S IFCA has implemented the long-awaited Netting Permit Byelaw. This has required considerable work from all officers. Officers have been involved in the production of annexes for the spatial restrictions and literature for delivery to tackle shops and notice boards throughout the district in order to engage with stakeholders to ensure they are fully informed. The information has also been highly publicised through our website, social media and other media outlets. On the 14<sup>th</sup> April officers visited Uphill Beach following reports of a net that was suspected to be illegal, this net had been visited prior to the introduction of the byelaw and efforts were made to identify the owner of the net to inform them of the forthcoming byelaw. Despite the owner not being identified, a stake net was seized due to the location

and the fact that no permits had been issued to this area. This seizure was again well publicised through our news feed outlets and even in the local press. Although this failed to assist with identifying the owner of the net, the news of the seizure was received well throughout the recreational sector in that area and has led to further reports of nets in the area which feature in our current officer taskings. At the time of writing this report the number of netting permits issued totals at 66 for Cat 1 permits (commercial) and 7 Cat 2 permits (recreational). The purchasing of a netting permit is not currently available via the website therefore this still requires paper forms to be completed by the applicants and then entered manually onto the permit systems.

On the 30<sup>th</sup> April, the collation of current intelligence along with an influx of new intelligence led to a joint DSIFCA/ MMO operation which saw the teams cover a week-long period of late evening patrols that covered the shore and afloat in the Plymouth estuaries. This was targeting the Plymouth Estuary Gang, and although the week passed without any infringements being detected, a change of their routine was recorded, which suggested their awareness of our operation, and allowed valuable time for officers to integrate with MMO. The finding from this operation will feed into and improve any future operations. This operation was quite resource heavy, and although it was a worthy operation aiming to deal with a high-risk issue, careful management of resources is required.

### **Projects**

On the 18<sup>th</sup> April the contracts on the new Fisheries Protection Vessel were signed and the deposit paid. This means the new patrol vessel is now under construction. A factory visit is being planned for the presentation of the hull which is expected in July. Completion of the contract is planned for mid-September. This will be a dramatic improvement to the current assets. An application for EMFF funding for a Forward Looking Infra-Red (FLIR) camera has been submitted. Approval of this application would allow the installation on to the new patrol vessel. This would increase the opportunities of detection of fisheries offences in low light conditions and increase officer safety when operating the vessel in low light conditions.

At the beginning of May, DSIFCA received delivery of three new Skoda vehicles. These have replaced the ageing Mitsubishi L200 4x4, Mitsubishi Lancer and the Mitsubishi Colt which were sold through auction for a total of £9725.

The I-VMS project is progressing well with installations of the chosen units due to start at the beginning of June. Unfortunately, for reasons unknown, one of the suppliers pulled out from the project leaving just two suppliers of type approved units being available for fishers to choose. It is estimated the installation phase will be completed and the new Mobile Gear Byelaw Permit Conditions would be implemented at the end of July. The ability to monitor positions of vessels at the frequency of 10 minutes or less will assist with ensuring compliance by the mobile gear fleet.

Work on the new website is progressing well. This has required a considerable amount of work by Dan Cresswell to ensure the layout of the website is clear and the large amount of content for the website is available and correctly filed. The website project has been delayed by the new GDPR regulations as all the files that were on the existing website required moving to be filed correctly, securing and linking back to the website to comply. All officers have had work to complete relating to the GDPR regulations to ensure that sensitive information is stored and secured correctly.

In line with the amended Lobster and Crawfish Order 2017, discussions have been ongoing regarding the procedure for testing lobsters for the illegal removal of berries (eggs). The aim is to have nationally agreed procedure in which samples are taken from lobster suspected of being scrubbed, these samples can then be sent away for laboratory testing to assist with the enforcement of the amended legislation.

### Investigations (selected)

Offence Date	Investigation complete	Prosecuting Authority	Offence	Location	Outcome/ Current Status
16-23/12/15	Yes	D&SIFCA	Scallop dredging contrary to the Mobile Fishing Permit Byelaw	South of Salcombe	Listed for trial at Plymouth Crown Court on 19/02/18
01 -19/02/16	Yes	D&SIFCA	Scallop dredging contrary to the Mobile Fishing Permit Byelaw	South of Salcombe	Listed for trial at Plymouth Crown Court on 19/02/18
06/09/16	Yes	D&SIFCA	Towing in Start Point to Plymouth Sound SCI	Bigbury Bay	Master owner entered not guilty pleas to 16 charges, case adjourned. Trial in March 2018
12/07/17	Yes	D&SIFCA	Removal of scallop during closed season	Plymouth	Owners pleaded guilty at Plymouth Magistrate's court Fined 25,725.75
10/08/17	Yes	D&SIFCA	Retaining v notched and undersize lobster	Start Bay	FAP £1250 accepted
02/09/17	No	MMO	Recreational fishers retaining too many bass and obstruction	Teignmouth	Summons issued
22/09/17	Yes	D&SIFCA	Recreational potter using too many pots	Tor Bay	Formal Caution accepted
22/09/17	Yes	D&SIFCA	Recreational potter using too many pots	Tor Bay	Formal Caution accepted
08/11/17	yes	D&SIFCA	Use of scallop dive vessel with no permit	Tor Bay	No Further Act-on.
05/01/18	No	D&SIFCA	Vessel exceeding size limit	Lyme Bay	On going
15/01/18	Yes	D&SIFCA	Scalloping in breach of estuary permit conditions	Salcombe	FAP £500 accepted
14/01/18	Yes	D&SIFCA	Fishing in D&SIFCA district without a permit	Lyme Bay	Official Written Warning accepted
19/01/18	No	D&SIFCA	Fishing in D&SIFCA district without a permit	Salcombe	FAP £250 given
15/02/18	Yes	D&SIFCA	Dredging within a closed area	Torquay	Official Written warning given
11/04/2018	No	D&SIFCA	Netting in D&SIFCA district without a permit	Plymouth	On-going
17/04/18	No	D&SIFCA	Potting in D&SIFCA district without a permit	Torbay	On-going
23/04/18	No	D&SIFCA	Potting in D&SIFCA district without a permit	Torbay	On-going

This quarter has seen the Environment Team return to full strength. Katherine Stephenson has returned from maternity leave on a part-time basis and Sarah Curtin started employment at the beginning of May, as the other part-time environment officer. Sarah will also be continuing with her MSc project which is undertaking a pot saturation study of D&S IFCA Live Wrasse Fishery. The Annual Research Plan has been developed and is directing the research and evidence gathering for the year 2018-2019.

## Finfish Research and Management

### Bass

Meetings have been attended this quarter for two Cefas led bass projects; C-BASS and Bass Conservation UK. The annual steering group meeting for C-BASS took place in Norwich and included an update on the most recent findings of the bass Data Storage Tagging work conducted by Cefas in the southern North Sea and western English Channel. The findings indicate that adult bass display a range of migratory behaviours during the spawning season, with some individuals migrating long

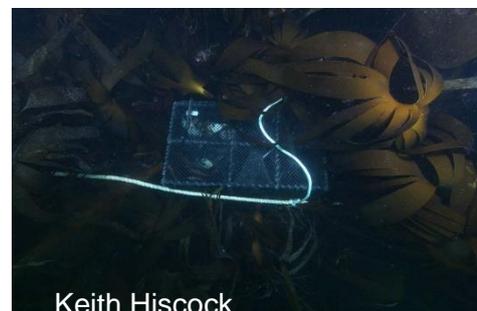


distances and others stay inshore. C-BASS is now partnered with Bass Conservation UK, which is a new EMFF-Defra funded project which D&S IFCA is part of. IFCA officers are currently working with Cefas to plan tagging work for bass in the D&S district as well as a stakeholder workshop and further research tailored to local issues and evidence gaps.

Senior Environment Officer Libby West has continued in her role as supervisor for Thomas Stamp, D&S IFCA's PhD student working on bass. Good news was received in early May that the Home Office Licence (necessary to allow the tagging work to take place) had been received. Tom is therefore currently focussing on arranging for the acoustic receivers to be deployed and applying for the remaining permissions to conduct the survey work.

### Wrasse

A literature review of the potential ecological role and benefits of voluntary closed areas to wrasse fishing was undertaken to assist the Byelaw Subcommittee's decision making. Time has also been spent planning survey work for this year's wrasse onboard observer surveys and landings data collection. Meetings have been held with the fishermen involved in the wrasse fishery and results from last year's survey work was presented and management changes were discussed. Sarah Curtin has now been employed by D&S IFCA as a part time environment Officer and she is leading on the wrasse survey work and on-board surveys. Libby has helped with the hand-over and supervision of this work. Sarah is also undertaking, on a part-time basis, her MSc dissertation on the wrasse fishery which will focus on the pot saturation study which was conceptualised by Libby. Designing and planning of pot saturation experiments has been undertaken as part of this project. Survey work for the pot saturation experiments has been carried out in



conjunction with one of the fishermen, with the first replicate of data having been collected. Part of this work has involved positioning GoPro cameras on certain pots along the string of pots to film wrasse entering and leaving the pots, and in the area of the fishery. SV Black Jack was utilised to help support the first stage of the experiment. This work was coupled with gathering data as part of the D&S IFCA's on-board observer surveys which will continue until the autumn. The aim of the pot saturation experiments is to establish if saturation is occurring in the fishery as this can invalidate catch as an index of abundance.

A presentation was given at the Institute of Fisheries Management Estuarine and Marine specialist conference this year on management of the Wrasse Fishery and the role of permitting byelaws in allowing for flexible, adaptive fisheries management. A presentation was also given at the South West Marine Ecosystem Conference held in Plymouth in April on the Live Wrasse Fishery. A meeting was held with the members of the Angling Trust to discuss the fishery and allay their concerns.

### North Devon Marine Pioneer Programme Projects

A number of meetings have been held to develop the three fisheries projects which will help to deliver the Marine Pioneer programme. A meeting was held in Brixham with the Defra lead for domestic fisheries to discuss the projects, which include creating Fisheries Research and Management Plans for the key species in North Devon (and later, the District), the Bristol Channel Herring Project which will trial an ecosystem based approach to fisheries management of herring in the Bristol Channel and Severn Estuary, and a fishermen-science-regulator partnership project that will look at furthering local knowledge of fishing and species ecology which could inform more local management of stocks, where suitable. Meetings have also been held with the Pioneer Project Officer and the Blue Marine Foundation who are leading the projects, following receipt of a large quantity of private funding.

Project Aims	
	<b>Aim 1 - Building on Local Fishermen's Knowledge</b> Investigate the stock structure of herring in the Bristol Channel by i) using a range of genetic and morphometric techniques and ii) identifying whether suitable herring spawning habitat exists in the inner Bristol Channel and Severn Estuary and map its distribution.
	<b>Aim 2 - Develop Ecosystem-Based Fisheries Management for herring</b> Use the findings from stock structure analysis to develop ecosystem based fisheries management through the Iterative Pioneer Programme Research and Management Plan for herring.
	<b>Aim 3 - Enhancing the Natural Capital of a Heritage Fishery</b> Work with local fishermen to improve infrastructure (such as smokeries) allowing market diversification and adding value to the end product. Promote the North Devon herring's provenance and heritage thus maximising the Natural Capital value of herring landed in the Pioneer areas.

### Severn Estuary Fish Survey Work and Ecosystem Based Approach

Planning work for a series of surveys to look at flatfish abundance, habitat use and seasonality in the Severn Estuary has taken place with Plymouth University this quarter. Surveys will start in June and will take place twice a month throughout the year at Berrow in Somerset, with additional sampling days planned to increase the spatial coverage of the survey to include Burnham-on-Sea, Weston-Super-Mare and Sand Bay. It is hoped that D&S IFCA will be able to continue the surveys on a monthly basis for the foreseeable future to help to increase our understanding of the Severn Estuary as a nursery area for important commercial species such as dover sole.

Planning work has also been continuing for D&S IFCA's assistance with a PhD based with Swansea University and Ocean Ecology that will look at the use of Sabellaria reefs in the Severn Estuary by fish. These projects also feed into the development of an ecosystem-based approach to fisheries management, by improving understanding of the role and sensitivities of estuaries to the maintenance of commercial fish species.



### Recreational Sea Angling (RSA)

Initial analysis of the pilot angling zone surveys has been completed with fishing effort maps being produced in QGIS (Geographical Information System software used for mapping) for the commercial and RSA sector. The maps produced provide a breakdown of gear type used and type of vessel. Further analysis will be carried out on the species targeted between the two sectors. This data will help improve the IFCA's understanding of level, location and timing of fisheries activities within the zone in order to aid future management decisions of the zone. Once all the analysis is complete a report will be produced which may help inform future management.

A meeting with Authority member John May was held to focus on the direction of RSA work, and discuss the current status of bass and D&S IFCA's contribution to improving the evidence base for management.

### **Shellfish Research and Management**

D&S IFCA is a partner in an EU Interreg Project on harmful algal blooms called EUROHAB. DCO Clark organised a stakeholder workshop at Exeter Racecourse, inviting members of the mariculture industry from Devon, Cornwall, Dorset and Somerset along with project partners and other stakeholders including Defra, Cefas, Port Health Authorities and local councils' Environmental Health Officers. The workshop facilitated the promotion of the project and the work that is being undertaken. The project will use satellite imagery to identify harmful algal blooms and develop a web alert system which industry members can use to help manage their harvesting strategy and protect their markets. This meeting was very well attended and lively discussion took place and the feedback will help develop the tool to ensure it is useful to the industry. A project meeting was also attended in Caen France with all project partners including Plymouth Marine Laboratory, Environment Agency, Ifremer, University of Southampton and other regional organisations.

### Cuttlefish

A trial is currently underway to investigate two different research topics on potting for cuttlefish, lead by Environment Officer Lauren Parkhouse. One is to look at how cuttlefish pots interact with seagrass in the Torbay MCZ, and the other will investigate ways to increase the survivability of cuttlefish eggs on the pots. This work was undertaken in collaboration with a fisherman who works in the Torbay area and who provided two cuttlefish pots for use in the trials. One of the two cuttlefish pots was deployed with GroPro cameras attached, to investigate how the pots interact with the seagrass and whether any significant impact of the pots on the seagrass beds could be identified. Artificial egg-laying media were attached to both pots to investigate whether or not the cuttlefish will lay their eggs on the media rather than the pots. One pot has bungy cords tied across the pots and the other has net attached, both acting as the egg-laying media. The media will then be removed, if eggs are attached, and kept in the water over the summer months so that the eggs have a chance to hatch. It is hoped that if the trial is successful then the IFCA will engage with the cuttlefishermen to potentially encourage the use of egg-laying media on cuttlefish pots for the 2019 season.



## Mussels

The annual mussel stock assessment surveys have been completed on the Exe Estuary, and have started on the Taw-Torridge Estuary, and will be completed on the next spring tide in June. Natural England officers have assisted D&S IFCA officers on all days of the surveys so far. Members of the Enforcement Team also helped on the surveys and the IFCA's tin boat was used to access mussel bed in the Taw Torridge Estuary that are not assessable by foot. The results will be analysed and reports compiled over the next quarter.



## **Marine Protected Areas**

A review of the Exe Estuary hand gathering HRA is underway, incorporating the latest results from mussel stock assessments, to evaluate whether management needs to be introduced as the stocks continue to decline. Mussel stock assessment reports are available on the IFCA website.

The Lundy Marine Protected Area Advisory Group and Lundy Management Forum were attended this quarter. All current and future projects for the MPA and Lundy Island were discussed at these meetings with a number of different stakeholders.

Trance 2 MCZ planning meetings were held with NE and EA to discuss upcoming surveys in the two North Devon sites. This was to ensure IFCA needs are met during these surveys. The second stage of the Torbay MCZ BACI survey to investigate recovery and natural environment impacts, such as storms, was carried out by Ocean Ecology on behalf of the IFCA. The results from these surveys should be available in the next few weeks and this will allow the IFCA to finalise its draft Monitoring and Control Plan. A meeting was held to set dates for the completion of ongoing data analysis and EMS Habitat Regulations Assessments and MCZ assessments, and development of Monitoring and Control Plans.



## **Severn Estuary & Bristol Channel Research, Advocacy & Governance**

D&S IFCA officers have spent a significant amount of time inputting into local and national processes relating to the permitting of water intakes for nuclear power. Locally this has involved attending a Hinkley Point C Marine Technical Forum, and a follow-up meeting for Defra-family organisations.

D&S IFCA responded to a national consultation on the criteria for siting new nuclear power stations, raising concerns about the ability of current processes to adequately protect fish and questioning the continuing commitment to direct-cooling of power stations which involves taking significant quantities of water from estuaries and therefore killing large quantities of fish. D&S IFCA will develop a position statement on direct-cooling power stations over the coming months.

D&S IFCA inputted brief responses to the English, South West and Welsh Marine Plan consultations. D&S IFCA officers will work outside these formal consultations with the MMO to ensure fish and fisheries are adequately considered within the limited remit of the marine planning process.

## **Dispensations**

Following the introduction of the Emergency Application Byelaw for the granting of consents for the exploitation of sea fisheries resources for scientific purposes, or stocking, or breeding, the IFCA is revising the way it handles dispensation requests. Standardised request forms and guidance for applications have been created and several requests have been dealt with this quarter by Katherine Stephenson, who leads on this work area.

## **Meetings**

The annual South West Marine Ecosystems conference in Plymouth was attended by several members of the Environment Team and a presentation on the Wrasse Fishery was given by DCO Clark. Presentations and discussions were held on a wide variety of marine work being undertaken in the South West. The Shellfish Association of Great Britain annual conference was attended by DCO Clark in May. As current chair of the Crustacea Committee she facilitated part of the proceedings on the first day, introducing many of the interesting talks.

A meeting at the SWFPO office was attended with the Marine Stewardship Council (MSC) to discuss the Scale Intensity Consequence Analysis (SICA) methodology of assessing the sustainability of fisheries. Local IFCA knowledge was provided to feed into this process.

A two-day IFCA Technical Advisory Group (TAG) conference was held in Poole. This year's conference focused on different species, including whelk, crab and lobster, and the research and management each IFCA has for these species.

MMO South West Marine Plan Meeting was attended in Plymouth. Break out groups discussed the different points they would like to see in the plan.

The Byelaw and Permitting Sub-committee was attended and reports were given to the committee on areas where research has suggested management changes to permit conditions.

## **Training**

Katherine Stephenson undertook Personal Survival Techniques, First Aid at Sea, and Firefighting training to ensure all certificates are up to date. Lauren Parkhouse carried out training on the RIB with the guidance and instruction of the Enforcement Team to improve boat handling skills before undertaking the Advanced Powerboat course and examination, both of which she successfully completed this quarter. Currently Lauren is undertaking her on-line commercial endorsement training.

A significant proportion of officer time has been dedicated to efforts to modernise and improve the IFCA's administration practices, including making sure systems are Data Protection Act and General Data Protection Regulations 2018 compliant and preparation for the launch of the new website.

Personal Development Plans and Performance Reviews commenced this quarter and will be completed for all staff members in the next few weeks.