

Devon and Severn IFCA News

Company Director and Master fined for Fishing in Scallop Closed Season

An investigation by D&S IFCA into the removal of scallops in the closed season has resulted in fines totalling £5,887 and a £6,000 contribution to legal costs.

All mobile fishing activities within the District are managed under D&S IFCA's Mobile Fishing Permit Byelaw. The Byelaw enables Permit Conditions to be issued that manage the fishing activity.

The [Category One \(at sea\) Permit Conditions](#) prohibit the removal of scallops (*Pecten Maximus*) by mobile gear fishing vessels from within the D&S IFCA District during the months of July, August, and September.

It is a condition of the Mobile Fishing Permit Byelaw (paragraph 14) that the Permit Holder or the nominated Named Representative must be present on board the vessel named in the Permit whilst mobile fishing gear is in use.



Fishing Vessel ALYSEE ROSE FY64 was reported fishing for scallops within the District on 8th August 2022. This led to an investigation by D&S IFCA's Enforcement Officers.

The Investigation & Background Information

Many sources of information were used by D&S IFCA's Enforcement Officers in their investigation including Inshore Vessel Monitoring System (IVMS) positional data. Since 2018, all mobile gear vessels between 6.99m and 15.25 metres in overall length, operating at sea in the D&S IFCA District, have been required to have a fully functioning IVMS device on board.

The Fishing Vessel ALYSEE ROSE FY64 was found to have been scallop dredging inside the D&S IFCA District on four fishing trips between 27th July and 11th August 2022. During this time, the Master of the vessel was not named on the Permit as the Named Representative. The Named Representative as stated on the Permit was one of the Company's Directors.

The Charges

The summarised list of charges for the Master and owning company were as follows:

On four fishing trips between 27th July and 11th August 2022 the Master of the British Registered Fishing Vessel ALYSEE ROSE FY64, operated the vessel otherwise than in accordance with a Permit by removing scallops from a fishery within the District in the closed season (July, August, and September).

The summarised charges for the Director were as follows:

Between 27th July 2022 and 11th August 2022, a director of Fox Davies Fishing Ltd, the owners of the British Registered Fishing Vessel ALYSEE ROSE FY64 (and the Named Representative as listed on the Permit), did aid, abet, counsel, or procure the operation of the vessel otherwise than in accordance with paragraph 14 of the Mobile Fishing Permit Byelaw.

The Outcome

At the hearing at Plymouth Magistrates Court on 5th June 2023, the Director of the Company, and the Master of the vessel ALYSEE ROSE FY64, pleaded guilty to all charges. After the early guilty plea discount, and the addition of victim surcharge, the master was fined a total of £1,766. The Director was fined a total of £4,121.

Following discussions between the legal representatives, the owning company Fox Davis Fishing accepted a simple caution and provided a contribution towards costs to the value of £6,000.

More Information

Please visit our [Enforcement & Legislation](#) drop down menu for more information about D&S IFCA's Enforcement Team and the legislation that is enforced by our Officers. The D&S IFCA [Enforcement and Compliance Strategy](#) sets out the range of options available to dispose of an investigation ranging from a verbal warning to court proceedings.

D&S IFCA's Investigations

For more information about D&S IFCA's investigations please see our [Investigations Tables website page](#). Alternatively, you can download the investigation tables (excel spreadsheet) for 2020 to 2023 by clicking [here](#).

Reporting Suspicious Fishing Activity

If you suspect illegal fishing activity or have a general query, then please do not hesitate to get in [contact](#) with us.

We have an out of hours duty phone number: **07740 175479**.

You can also email: intel@devonandsevernifca.gov.uk

Officers have produced a flyer that also gives details about reporting suspicious fishing activity. The flyer can be downloaded by clicking [here](#).

Any personal data that you provide will be held securely and not shared.