

Investigation Report

DSIFCA 08_25 – Dredging in an MPA

Date of offence: 14/03/2025

Trigger: Remote Monitoring

Details / Synopsis / Facts of the case

On the 24th March, following the receipt of several reports of missing pots from within the IPA, Officers identified the FV SOUTHERN SPIRIT E333 operating within the prohibited area of Annex 5 / Area 2 of the South Devon Inshore Crabbing and Trawling chart. Further investigations identified a total of 10 days where incursions took place, and also identified the master was not listed as a named representative on the permit.

Relevant legislation

Devon and Severn IFCA Mobile Fishing Permit Byelaw

Paragraph 14. The permit holder or the nominated representative must be present on board the vessel named in the permit while mobile fishing gear is in use.

Permit Condition 3.5 In the areas as defined by the coordinates set out in the attached Annex 5 of this permit (part of Start Bay, the Devon part of the Start Point to Plymouth Sound and Eddystone Special Area of Conservation, part of the Skerries Bank and Surrounds Marine Conservation Zone and part of the South Devon Inshore Fishing Grounds known as the Inshore Potting Agreement Areas), a permit holder or named representative is not authorised to use demersal mobile fishing gear

Previous infringements

- Has the owner been found guilty by a court, or accepted a FAP or Simple Caution for the same category of offence within the last two years? Yes No
- Has the master been found guilty by a court, or accepted a FAP or Simple Caution for the same category of offence within the last two years? Yes No

Outcome

The Authority has reviewed all the evidence in the case and has determined the Evidential threshold has been met. The Authority considered the public interest in this case and in line with the Authority's Compliance and Enforcement Strategy prosecuted the owner and the master with 6 charges. The case was heard at Plymouth Magistrates Court on the 23rd April 2026 where both the owner and master submitted guilty pleas to all charges. Fines totalling £46,328 which included a sum of £4,500 which was awarded to a potter who had suffered pot losses.