

# **The United Kingdom National Control Action Programme for Cod Stocks of the North Sea, Eastern Channel, Irish Sea and West of Scotland**

**Council Regulations 1342/2008 and 1224/2009  
Council Decision 620/2008**

**January to December 2011**

The fisheries departments of the Marine Management Organisation (MMO), Marine Scotland (MS), Department of Agriculture and Rural Development (DARD) and the Welsh Assembly Government (WAG) undertake monitoring and control activities within British fishery limits and throughout the sea areas covered by the multiannual plan for cod (Regulation (EC) 1342/2008). To ensure the fisheries are accurately monitored and control resources are deployed effectively, the UK and other relevant member states compile an annual National control action programme in respect of cod in the North Sea, Eastern Channel, Irish Sea and West of Scotland.

## **1 Means of control**

### **1.1 Human means**

1.1.1 The United Kingdom has 176 fisheries inspectors, the majority of whom are based in ports and carry out port inspection duties, with 35 of these inspectors based in the departmental headquarters throughout the UK (Newcastle, Edinburgh, Belfast and Milford Haven). The inspectors' duties include:

- collecting and checking information on the quantities and species of fish landed
- verifying the accuracy of landings data by cross checks against logbooks, landings declarations and sales notes and by routine and targeted physical checks on fish landed
- checking compliance with all EU and national fisheries legislation, including cod recovery measures
- investigating offences (including cod recovery offences) and taking appropriate enforcement action.

1.1.2 All inspectors will spend part of their time undertaking work in connection with the cod monitoring programme alongside other enforcement tasks. Therefore, it is not possible to separately identify the total number of man-years spent on cod monitoring alone.

### **1.2 Technical means**

1.2.1 The United Kingdom has seven fisheries patrol vessels and four surveillance aircraft.

1.2.2 The patrol vessels spend approximately 1,645 patrol days a year in all waters within British fishery limits, typically undertaking about 1,500 inspections at sea within the cod management area, and sighting more than 9,000 fishing vessel during these patrols. Some of main tasks of these vessels are:

- maintaining a deterrent presence by sighting and boarding vessels
- ensuring that fishing gear complies with all EU and national legislation, including cod recovery measures
- checking that data recorded in logbooks are correct, in particular ensuring that quantities and species are not being misrecorded or stored in hidden fish rooms
- taking appropriate action on suspected offences.

1.2.3 British fishery limits encompass not only the cod management zones but also areas designated under the multiannual plans for western Channel sole, northern hake and North Sea sole and plaice. The UK undertakes risk-based, intelligence-led enforcement in relation to all these plans and patrols are deployed between these areas accordingly. Therefore it is not possible separately to identify the number of days patrolling the cod recovery zone. Neither is it possible to separately identify the total number of patrol days spent on cod monitoring activity. As with human means, patrol vessels will be involved in checking compliance with all EU legislation and national legislation (where applicable).

1.2.4 UK surveillance aircraft are used to construct an ongoing picture of fishing activity within British fishery limits and to make effective use of patrol vessel activity by coordinated use of surveillance data. The aircraft spend nearly 2,000 hours on task each year, during which they typically sight over 12,000 UK and foreign fishing vessels. These sightings are used to check compliance with all EU legislation including the cod recovery measures. It is not possible to say what proportion of this time directly allocated to cod recovery matters.

### **1.3 Financial means**

The United Kingdom spends approximately £31 million each year on monitoring, control and enforcement activity. This covers all the human and technical resources outlined above.

## **2 Designation of ports**

Vessels wishing to land more than two tonnes of cod must do so in a designated port. Designated ports enable the inspection and monitoring of larger volumes of cod to be more easily controlled.

The ports designated for this purpose are listed at Annex A.

## **3 Effort control**

The UK fisheries departments allocate and monitor fishing effort within the cod management area, the details of which can be found in (2011 scheme guidance in preparation):

- Days at Sea Scheme 2010/11 Cod Recovery Regime – Scheme rules  
([http://www.marinemanagement.org.uk/fisheries/management/documents/days\\_cod\\_rules.pdf](http://www.marinemanagement.org.uk/fisheries/management/documents/days_cod_rules.pdf))
- Scottish Government Conservation Credits Scheme  
([http://www.marinemanagement.org.uk/fisheries/management/documents/sg\\_conservation\\_credits.pdf](http://www.marinemanagement.org.uk/fisheries/management/documents/sg_conservation_credits.pdf))

## **4 Effort regime**

### **4.1 Prior notification**

The United Kingdom Fisheries Call Centre (UKFCC), based within the Edinburgh HQ Operations of Marine Scotland, provides a central point of contact for all catch reporting and prior notification requirements on behalf of the UK fisheries administrations. The UKFCC operates 24 hours a day,

7 days a week delivering a dedicated call centre service to UK fishermen and to non-UK fishing vessels operating within UK fishery limits or intending to land at a UK port.

All telephone calls, faxes, emails are recorded and stored and are made readily available to all the UK fisheries departments. An automatic messaging service to individual ports and officers around the UK enables timely inspection of vessels.

#### **4.2 Description of the hailing system in use**

All vessels over 10 metres using or carrying specified gear are required to submit an effort report the first and last time each day that they enter, exit or re-enter the cod recovery zone. Such reports may be submitted by radio, telex, fax or telephone to the UK Fisheries Call Centre.

Vessels which transmit VMS position reports or submit logbook data electronically are exempt from this requirement.

#### **4.3 Description of alternative control measures**

Vessels undertaking a fishing trip entirely within the Cod Recovery Zone are not required to transmit effort reports to the UK authorities. Nor are effort reports required for vessels entering or leaving a port located within the cod recovery zone. In both cases information about the time spent at sea within the cod recovery zone is taken from logbooks and verified against other available data, including automatic computer cross checks with VMS position reports.

#### **4.4 System in place to ensure compliance with pre-notification conditions**

Those vessels carrying more than 1 tonne of cod on board are required to give four hours notice of arrival in port to the UK Fisheries Call Centre (UKFCC) in Edinburgh. Under the UK's national designated port arrangements all vessels of 15 metres overall length or more, with more than one tonne of total allowable catches (TAC) species on board, and intending to land at a non-designated port or outside of designated port times are also required to give four hours notice of arrival in port. Notifications received by the call centre are transmitted immediately to the relevant fishery office where decisions are taken about which landings to monitor. Automatic computer based cross checks are carried out on all landings to ensure that the necessary notifications have been made under both the cod recovery rules and the UK's national designated landing port arrangements.

#### **4.5 Methodology to implement authorisation to land**

The UK does not require the prior authorisation of all discharges of more than one tonne of cod. However, it does require all vessels landing into designated ports, which will include all vessels landing more than two tonnes of cod and many with between one and two tonnes, to submit the relevant logsheet in boxes provided at the port for that purpose, or to hand it to a marine enforcement officer or British sea fishery officer before discharge commences. The submission of logsheets in this way is deemed to be authorisation to commence discharge. Vessels with less than two tonnes of cod on board landing at non-designated ports may commence discharge without authorisation but must give the necessary four hours prior notification of their arrival in port if they have more than one tonne of cod on board.

#### **4.6 Vessel monitoring system (VMS), logbook and notification cross checks**

In January 2007 the UK introduced an automatic computer based cross checking system. Cross checks are carried out on completed catch and surveillance data to find the following discrepancies in all waters, including the Cod recovery Zone.

The routine cross-checks are:

1. Logbook effort against satellite and sightings data to identify misrecorded area of capture.
2. Logbook catch against landing declaration to find differences in excess of the permitted margins of tolerance.
3. Sightings at sea against logbook data to find vessels operating at sea but not submitting logsheets.
4. Satellite data against sightings to identify vessels over 15 metres operating at sea without a functioning satellite terminal.
5. Cross-checking that correct prior notification has been made against landings data.

#### **4.7 Electronic recording and reporting of fishing activity**

Since 2010 fishing vessels have been able to record and report fishing activity electronically. The fishing logbook data is transmitted to a central UK hub and is accessible on a real time basis to inspectors. The system records and reports, among other things, fishing effort, catch on entry or exit and prior notification of entry into port.

### **5 Inspection protocols**

#### **5.1 Inspections at sea and on land**

5.1.1 Inspection protocols used by the fisheries departments in the UK have been established through a process which starts with the setting of strategic policy objectives by ministers and senior officials as part of a forward looking planning exercise. These overarching objectives identify the inspection priorities for fisheries inspectors.

5.1.2 In England, these policy objectives are met by the Marine Management Organisation (MMO). The MMO develops a Corporate Plan on enforcement which is then cascaded to regional and district managers who are responsible for ensuring appropriate monitoring, surveillance and control procedures are adopted so policy and operational objectives are met. District managers in particular are required to produce risk assessments of the fishing patterns and activities to ensure that effective and cost efficient monitoring and control is achieved. The HQ Inspectorate issues guidance and instructions to officers to be followed in monitoring compliance and the enforcement of the regulations. The deployment of the enforcement resources necessary to meet these strategic aims is instigated and co-ordinated by the MMO Operations team in conjunction with local district marine officers and the commanding officers of Royal Navy fishery protection vessels. All enforcement actions are targeted using risk based techniques for prioritising the deployment of enforcement resources utilising intelligence and information drawn from a wide range of sources.

Using data recorded by officers, senior managers are able to monitor the results, assess the levels of inspection activity, and provide further guidance, support and resources where necessary to ensure an appropriate level of targeted enforcement is undertaken. At sea, inspections of fishing vessels will normally involve a thorough check of all documentation, fishing gear and the catch retained on board. Shore side inspection activity will include quay side monitoring, landing checks, market checks, and appropriate cross checking of data, gathered from inspections and observations at sea and VMS data, against data submitted by the fisherman.

5.1.3 In Scotland, these policy issues are distilled by Marine Scotland Compliance into formal business plans which provide a strategic framework for ongoing enforcement activity. Local business plans set out the necessary practical actions to be taken to achieve declared strategic aims

5.1.4 The deployment of the enforcement resources necessary to meet these strategic aims is instigated and co-ordinated by Marine Scotland Compliance HQ in conjunction with local area and business managers and the commanding officers of patrol vessels. All enforcement actions are targeted using risk based techniques utilising intelligence and information drawn from a wide range of sources. Operational tasking of fisheries protection vessels (FPVs) and patrol aircraft is coordinated by the Marine Monitoring Centre based in the Edinburgh headquarters, with the responsibility for the deployment of coastal resources lying with the local business manager in consultation with HQ. An Intelligence Reporting System ensures that all information pertaining to fishing activity is directed to HQ Operations for recording, analysis and inclusion within the decision making process. HQ Marine Monitoring Centre, based in Edinburgh is manned by experienced highly qualified enforcement staff working a shift system from early morning until late at night to ensure the most effective support coverage for front line activity. On-call advice is also available out with this period. At a practical level, inspection tasks are carried out in accordance with a series of enforcement policy instructions (EPIs). These describe the procedural steps inspectors must follow when carrying out both routine and complex enforcement tasks. In some cases this may describe the procedures required by law, such as net measurement, or in other cases what is considered best enforcement practice, to ensure that the necessary evidence is gathered to facilitate further enforcement action. Within HQ a dedicated Enforcement Unit exists to consider infringement reports from front line inspectors and, where necessary, offer administrative penalties or refer the cases for prosecution through the courts. Achieving 100 per cent of specific monitoring targets has been adopted as one of Marine Scotland's key targets.

5.1.5 In Northern Ireland (NI), the DARD Fisheries Division Business Plans detail the objectives and work programme for the current year. These contain the operational targets for the NI fisheries inspectorate ashore and at sea, achievement of which, is monitored on a monthly basis. Fishery officers at the ports are required to monitor at least 15 per cent of over 10 metre vessel landings into NI ports. These are crosschecked against logsheets, landing declarations and sales notes. In addition landings are subject to checks to verify weights and ensure compliance with minimum size and grading and labelling regulations. All vessels have their nets and documentation inspected in port at least once per annum. At sea NI patrol vessels are required to undertake at least 70 patrol days and carry out inspections on 190 vessels. Boardings will consist of inspection of the vessel's documentation including logbook and licence, a detailed gear inspection and examination of the catch in terms of minimum size and reconciliation with the logsheet entries. To assist staff there are comprehensive legislation and information manuals reinforced by individual Instructions being issued for specific fisheries such as during the Cod Recovery Plan.

### **5.1.6 Collection and distribution of surveillance/inspection activity**

The UK has developed an IT system for the recording of all aerial surveillance reports and inspection/boarding reports both at sea and on land relating to the tasks outlined in Annex II of Council Regulation 1342/2008. This facility enables Inspectors anywhere in the UK to access/request inspection reports for any given vessel no matter where the inspection took place.

## **6 Guidelines**

Information on fisheries monitoring and enforcement can be found on the respective fisheries department websites.

## **7 Communication protocols**

### **7.1 Communications with competent authorities of other member states**

The UK has regular contact with the competent authorities of other member states. Contact is maintained through telephone, email and letter as appropriate, and directly between enforcement

officers as is necessary. Enforcement officers are encouraged to have regular contact with their counterparts. Although this is generally conducted through the operations rooms (UK fisheries monitoring centres) of the English, Scottish and Northern Irish centres, when required coastal enforcement officers may contact other member states enforcement teams directly.

## **8 Exchange of inspectors**

### **8.1 Exchange of inspectors**

The UK fisheries departments continue to explore and develop schemes for exchanges of inspectors with other member states. Current agreements, both formally and informally, exist with the German, Danish, Netherlands, Belgian, French and Irish authorities and with Norway. The purpose of these exchanges is to enable the inspectors to gain a clear insight and understanding of the protocols and procedures operating within other member states and to promote consistency of inspection methodology.

### **8.2 Powers of inspectors**

In general, all inspectors from other member states, who are listed and warranted as Community inspectors shall, when operating within British fishery limits, have the same powers as those of UK inspectors with regard to access to all areas on board any fishing vessels. However, those Community inspectors will not have any police or enforcement powers within British fishery limits.

### **8.3 Joint surveillance**

The fisheries in the UK have all carried out joint surveillance activity with other member states in the Cod Recovery Area and in conjunction with the Community Fisheries Control Agency (CFCA), have been very committed participants in cod Joint Deployment Programmes in the North Sea and east Channel since 2007 and in the Irish Sea and west of Scotland since 2009.

## **9 Specific inspection benchmarks**

### **9.1 Weighing of cod first landed**

UK inspectors aim to achieve an inspection level of 20 per cent by weight of cod landings. In the case of landings transported elsewhere prior to first sale, or direct landings to processors, inspectors will periodically sample weigh containers holding cod with the aim of achieving the 20 per cent level required by Art 28 of Council Regulation (EC) No. 1342/2008.

### **9.2 Level of inspection in ports**

The UK will aim to achieve the 20 per cent benchmark by prioritising inspections of cod landings on a risk-assessed basis. Factors that will be taken into account include quota and effort uptake, catch rates, by-catch and discarding issues and the enforcement of closed areas. A more random element of inspection activity will be incorporated to verify our lower risk assessments of cod landing activity.

### **9.3 Level of inspection of marketing**

It is expected that the regular presence of inspectors in auction halls will result in the UK inspecting more than the 5 per cent benchmark for marketing inspections of cod offered for sale, referred to in the Commission Decision.

#### **9.4 Level of inspection at sea**

Analysis of cod fishing activity is a priority and includes a synthesis of VMS data, landing records, catch rates, and the latest inspection results. Patrol vessel activity will be directed at areas or at vessels where inspection and verification are most needed or where feedback to the analysis is indicated. It is difficult to benchmark such vast areas of seas as those around the UK and to meaningfully apportion a simple number of days at sea to specific areas.

#### **9.5 Level of aerial surveillance**

The need for aerial surveillance has been reduced by tamper-resistant VMS and the automatic cross checking of surveillance records against logbooks and sightings. However we increasingly coordinate the collection of surveillance data from the under 15 metre and under ten metre fleets for inshore fishery managers. Regular aerial surveillance is planned covering all UK waters to monitor activity concentrations and to verify VMS data in offshore areas and the activity of the fleets not required to operate VMS terminals.

#### **9.6 Transport of cod**

As part of their normal duties, inspectors carry out checks to ensure that transport documents accompany fish transported from the port of landing up to the point of first sale. Checks are carried out at ferry ports as well as fishing ports and on motorways. Transport inspections are also regularly carried out in co-operation with other agencies and periodically with other member states.

**Annex A: List of ports at which more than two tonnes of cod taken by vessels which have been present in the Cod Recovery Zone must be landed (including for UK ports landing locations within the port, where applicable, and the location of the logbook post box)**

**United Kingdom**

Ports at which sea fish may be landed	Times during which vessels may arrive in port (UK local time)		Location (where appropriate) within port where sea fish may be landed	Location of EU logbook post box
	From	To		
<b>England and Wales</b>				
North Shields	09.00 (Monday to Friday)	23.00 (Monday to Friday)		On right-hand side of entrance to Auction Hall next to Quay Master's office
Whitby	23.00 (Sunday to Thursday)	07.00 (Monday to Friday)	Fish Quay	On market wall of office block west of the Auction Hall
Scarborough	23.00 (Sunday to Thursday)	07.00 (Monday to Friday)	West Pier	On west-facing wall of office block west of the Auction Hall
Humberside (Hull and Grimsby)	18.00 (Sunday to Thursday)	07.00 (Monday to Friday)	Hull – north side of Albert and William Wright Dock	On side wall, Marr Building, St Andrews Dock
			Grimsby – Fish Dock, Market Quay	Entry to Bay 16, Grimsby Yard Fish Market
Lowestoft	07.00 (Monday to Friday)	16.00 (Monday to Friday)	Waveney Dock	Outside wall of fishmarket near northern corner of Waveney Dock
Shoreham	08.00 (Monday to Friday)	16.00 (Monday to Friday)	Within the confines of the harbour	On wall of port
Brixham	08.00 (Monday to Friday)	20.00 (Monday to Friday)		Set in MMO's Fish Laboratory Wall
Plymouth	08.00 (Monday to Friday)	20.00 (Monday to Friday)	Sutton harbour, New Fish Market	On MMO Marine Office wall
Newlyn	08.00 (Monday to Friday)	20.00 (Monday to Friday)		Outside of Harbourmaster's office
Milford Haven Dock	08.00 (Monday to Friday)	17.00 (Monday to Friday)		Outside of Auction Hall's wall
Holyhead	08.00 (Monday to Friday)	17.00 (Monday to Friday)	Fish Dock	On Wall of Dock Master's office at

				South Quay
Fleetwood	22.00 (Sunday to Thursday)	07.30 (Monday to Friday)	Wyre Fish Dock	Outside wall of Auction Hall
Whitehaven	09.00 (Monday to Friday)	17.00 (Monday to Friday)	North Harbour on the Old North Wall Quay adjacent to the Ice Plant and on the North Wall Quay adjacent to the Fish Handling Facility building	Outside the Fish Handling Facility building on the North Wall Quay
<b>Scotland</b>				
Eyemouth	07.00 (Monday to Friday)	23.00 (Monday to Friday)		South west end of fishmarket on roadside pillar close to the chill
Pittenweem	07.00 (Monday to Friday)	23.00 (Monday to Friday)	Fishmarket Quay	Inside fishmarket, by the notices on the rear wall of the chilled area
Aberdeen	05.00 (Monday to Friday)	22.00 (Monday to Friday)	Palmerston Quay and Commercial Quay	On north wall of Palmerston Quay fishmarket outside Berthing Master's office
Peterhead	00.01 Monday	23.00 Friday	Peterhead Harbour excluding Peterhead Bay Harbour	Centrally on the seaward side of the new fishmarket on Merchants' Quay
Fraserburgh	00.01 Monday	07.00 Saturday		On quayside wall of first market between doors 9 and 10, about 20 metres on north side of the Faithlie Jetty
Buckie	12.00 (Monday to Friday)	22.00 (Monday to Friday)		On outside front wall of fishmarket next to the entrance door
Lerwick	04.00 (Monday to Friday)	20.00 (Monday to Friday)	All piers, quays and docks within harbour limits excluding those in Dales Voe	On seaward side of the most northern end of fishmarket on Alexandra Wharf
Scalloway	Prior notification to be given at all times			On seaward wall at the south end of the

				fishmarket
Kirkwall	07.00 (Monday to Friday)	16.00 (Monday to Friday)	East Pier, Kirkwall	On external wall of North Isles Passenger Terminal Building
Scrabster	07.00 (Monday to Friday)	23.00 (Monday to Friday)		On the outside front wall of Scrabster fishmarket
Kinlochbervie	08.00 (Monday to Thursday) 08.00 (Friday)	21.00 (Monday to Thursday) 16.00 (Friday)	All quays lying to the north of the ice factory quay	On the most southern external wall of new fishmarket
Lochinver	09.00 (Monday to Friday)	19.00 (Monday to Friday)		On the wall to the right of the fishmarket entrance
Ullapool	08.00 (Monday to Friday)	18.00 (Monday to Friday)		East wall of white harbour office building below the Harbourmaster's office window
Stornoway	12.00 (Monday to Friday)	22.00 (Monday to Friday)		On west-facing wall on the fishmarket on Esplanade Quay
Portree	12.00 (Monday to Friday)	22.00 (Monday to Friday)		On lamppost outside Pier Master's office
Mallaig	08.00 (Monday to Thursday) 08.00 (Friday)	22.00 (Monday to Thursday) 17.00 (Friday)		On wall of Prawnmarket adjacent to Whitefish market entrance
Oban	12.00 (Monday to Friday)	22.00 (Monday to Friday)		On the seaward end of the westward wall of the fish market building
Campbeltown	12.00 (Monday to Friday)	22.00 (Monday to Friday)		On the seaward wall to the right of right-hand door of the fishmarket next to a life buoy
Troon	12.00 (Monday to Friday)	22.00 (Monday to Friday)		On the pier-side wall of Troon fish market building
Cullivoe	09.00 (Monday to Friday)	17.00 (Monday to Friday)	Cullivoe Pier	On the north side of the Ice Plant, adjacent to the Ice

				Plant Control Box
<b>Northern Ireland</b>				
Ardglass	09.00 (Monday to Friday)	21.00 (Monday to Friday)		On the wall of the fishmarket and port office
Kilkeel	06.00 (Monday to Friday)	22.00 (Monday to Friday)		On the wall of the fishmarket and port office
Portavogie	09.00 (Monday to Friday)	21.00 (Monday to Friday)		On the wall of the fishmarket and port office
Bangor <sup>1</sup>				
Ballycastle <sup>1</sup>				
Lisahally <sup>1</sup>				
1 Permitted landing port <b>only</b> for vessels with over two tonnes of either <b>cod</b> or <b>hake</b> on board to land.				