



**North
West
Water**

Dawson House, Great Sankey
Warrington WA5 3LW
Telephone Penketh 4321

F2/A9

25th January, 1983

To: Members of the Regional Fisheries
Advisory Committee:
(Messrs. T.A.F. Barnes (Chairman)
W.S. Bell; A.G.R. Brown; F. Bunting;
G. Campbell; H. Caunce; T.M. Farrer;
J.H. Fell; J. E. Gouldbourn; R.D. Houghton;
J. Johnson; I. Jones; G.E. Lowe;
Wm. McKenna; J. E. Redhead; G. Wilson;
Major J.G.W. Skipwith and the Chairman
of the Authority (G. Mann); the Vice
Chairman of the Authority (A. Richardson);
and the Chairmen of the Area Advisory
Committees (J.S. Bailey; J.M. Croft;
E.P. Ecroyd (ex officio)).

Dear Member,

Please attend a meeting of the REGIONAL FISHERIES ADVISORY COMMITTEE to be held at 2.15 p.m. on MONDAY, 31ST JANUARY, 1983, in the BOARD ROOM, DAWSON HOUSE, GREAT SANKEY, for consideration of the following business.

Yours faithfully,

W. H. CRACKLE,
Secretary and Solicitor.

A G E N D A

1. Apologies for absence.
2. Minutes of the last meeting (previously circulated).
3. Rod and line fishing licence duties for 1983.
4. Draft net licences - Rivers Derwent and Ellen.
5. Rivers Derwent and Ellen estuaries net limitation orders.
6. Proposed pike ranching scheme on Esthwaite Water.
7. Diseases of fish bill.
8. Outbreak of whirling disease in the Authority's area.
9. Control of feral mink.
10. Any other business.

FL/All

NORTH WEST WATER AUTHORITYREGIONAL FISHERIES ADVISORY COMMITTEE31ST JANUARY, 1983ROD AND LINE FISHING LICENCE DUTIES FOR 1983

1. On 16th November, 1982, the Authority was notified that MAFF had approved the proposed new scale of rod and line fishing licence duties to take effect on 1st January, 1983.
2. All Members and Deputy Members of the Authority and all Members of the Area Fisheries Advisory Committees have been notified of the approval and particulars of the new duties have been publicised in the region.
3. Full details of the new duties are as follows:-

Single Rod and Line (whole area)

(1) Salmon	£ p
Season	27.00
Season concessionary	13.50
Seven day	4.50
(2) Migratory trout	
Season	9.00
Season concessionary	4.50
Seven day	1.50
(3) Non-migratory trout (brown trout, rainbow trout and char)	
Season	4.00
Season concessionary	2.00
Seven day	1.00
(4) Freshwater fish and eels	
Season	3.20
Season concessionary	1.60
Seven day	1.00

Concessionary licences are issued to juveniles (14-16 years), state retirement pensioners and registered disabled persons.

F2/A1

NORTH WEST WATER AUTHORITYREGIONAL FISHERIES ADVISORY COMMITTEE31ST JANUARY, 1983DRAFT NET LICENCES - RIVERS DERWENT AND ELLEN

1. On 9th November, 1981, (minute no. 29) the Committee was informed that the Policy and Resources Committee had deferred a decision on fixing duties for draft nets in the Rivers Derwent and Ellen estuaries pending MAFF's decision on proposed fishery byelaws which sought, inter alia, to ban all netting in those waters.
2. Following correspondence between solicitors acting for the licence applicants and the Authority, the Policy and Resources Committee considered this matter again on 27th September, 1982 and recommended:-

"That the cost of a licence for the use of a draft net in the estuary of the River Derwent be £550 and the cost of a licence for a draft net in the estuary of the River Ellen be £440; and that these figures be reviewed annually."
3. The recommendation was approved by the Authority on 11th October 1982, following which the proposals were advertised in accordance with the statutory requirements and fifteen objections received. All objectors expressed concern at the conservation aspects should the licences be granted and four felt that the proposed duties were too low.
4. MAFF was asked to approve the proposals on 8th December, 1982, and on 30th December, the Authority was notified that MAFF had approved the Authority's application subject to the modification that duties for the use of such nets in both areas would be £330.

NORTH WEST WATER AUTHORITYREGIONAL FISHERIES ADVISORY COMMITTEE31ST JANUARY, 1983RIVERS DERWENT AND ELLEN ESTUARIESNET LIMITATION ORDERS

1. The proposed new Code of Fishery Byelaws approved by the Authority in November 1981 and presently with the Ministry of Agriculture, Fisheries and Food for confirmation, seeks inter alia to ban all netting in the Derwent and Ellen estuaries. However, under the present Byelaws, draw draft or seine nets and heave or haaf nets are permitted in both these estuaries.
2. As the Committee will remember, there were two heave net licences issued for the Ellen estuary last year, and applications were made in May 1981 for draft nets in both estuaries. Licences for these draft nets could not be issued immediately, because unlike the heave nets, no licence duties had ever been fixed for these estuaries.
3. Although desirous of banning all netting in these estuaries, the Committee were advised that they had to fix duties and they did so reluctantly at their meeting in July 1981. However, their recommended duties of £400.00 for the Ellen estuary and £500.00 for the Derwent estuary were not approved by the Policy and Resources Committee who decided to defer consideration of duties pending the Minister's decision on the Byelaws.
4. Partly because of the number of objections to the proposed new Byelaws, the Minister's confirmation was delayed and at their meeting last October, the Policy and Resources Committee were advised that they could delay the matter no longer and would have to fix duties, which they reluctantly did at £550.00 for the Derwent and £440.00 for the Ellen. The Minister's decision on these duties has now been received (Agenda Item No. 4) and he has fixed the duties at £330.00 for each estuary.
5. The position now is that there were two heave net licences in the Ellen estuary last year which could well be renewed and presumably the two applicants for draft net licences in both estuaries will wish to take them up now the duties have been fixed. The Ministry have however advised us that our proposed new byelaws to ban all netting in these two estuaries will have to allow for the continuation of any type of netting for which licences are held at the date the byelaws are confirmed (hopefully about March this year). This means that if the two heave net licences in the Ellen estuary are renewed, and draft net licences in both estuaries taken up before the byelaws are confirmed, the byelaws will have to allow heave or haaf nets in the Ellen estuary and draw draft or seine nets in both estuaries.
6. If the committee wish to limit the number of such nets then it will be necessary to apply for Net Limitation Orders in both estuaries. This would in effect limit the number of licences in both estuaries to

zero, but in accordance with the provisions of Section 26(4) of the Salmon and Freshwater Fisheries Act 1975, make the necessary provisions to ensure that:-

"any person who during the year proceeding that year held a fishing licence to use an instrument of any description and who is dependant on fishing for his livelihood will be able to obtain a fishing licence to use an instrument of that description".

7. There is however provision in Sub-Section (5) of Section 26 for the Minister to substitute "any person who during the two years proceeding that year" or "any person who during the 3 years proceeding that year" for the words underlined in paragraph 6, above. To do this however the Minister must be satisfied on conservation grounds of the need to make any substitution. The Regional Fisheries Officer is of the opinion that there is a such a need and the Committee is accordingly recommended to request the Minister to make the necessary direction.
8. If the Committee agree that Net Limitation Orders should be applied for and that the Minister should be asked to make a direction under Section 26(5) then they are requested to resolve as follows:-

RECOMMENDED

- (i) That application be made to the Minister of Agriculture Fisheries and Food for Net Limitation Orders as set out in the Appendix to this report.
- (ii) That the Minister be requested to give a direction in accordance with Section 26(5) of the Salmon and Freshwater Fisheries Act 1976 substituting "the 3 years" for "the year" in Sub-Section (4) of the said Section 26.

SALMON AND FRESHWATER FISHERIES ACT 1975THE NORTH WEST WATER AUTHORITY (LIMITATION OF
SALMON AND MIGRATORY TROUT NETTING LICENCES -
RIVERS DERWENT AND ELLEN) ORDER 1983

THE NORTH WEST WATER AUTHORITY in exercise of the powers conferred by Section 26(1) of the Salmon and Freshwater Fisheries Act 1975 and all other powers enabling them in that behalf hereby make the following Order:-

1. This Order may be cited as the North West Water Authority (Limitation of Salmon and Migratory Trout Netting Licences - Rivers Derwent and Ellen) Order 1983.

2. In this Order, unless the context otherwise requires:-

"the Authority" means the North West Water Authority

"River Derwent Estuary" means those tidal waters and parts of the sea within a radius of 3 Kms (1.6188 nautical miles) from the beacon on the south pier at Workington

"River Ellen Estuary" means those tidal water and parts of the sea within a radius of 3 Kms (1.6188 nautical miles) from the beacon at the seaward end of the south pier at Maryport

3. The number of licences to be issued in any year for fishing for salmon and migratory trout with heave or haaf nets in the River Ellen Estuary shall be limited to zero.
4. The number of licences to be issued in any year for fishing for salmon and migratory trout with draft or seine nets in the River Derwent Estuary and the River Ellen Estuary shall be limited to zero.
5. However, notwithstanding the provisions of articles 3 and 4, a licence shall be issued to any applicant who:-
 - (a) has held a similar licence for fishing with nets in the River Derwent and River Ellen Estuaries during the previous year, and
 - (b) is dependent upon fishing for his livelihood

and a sufficient number of licences shall be issued to satisfy such applications.

6. The Authority shall not allocate licences for any year before the first day of January of that year and shall as far as possible complete the allocation of such licences by the first day of February of that year.

F2/A2

NORTH WEST WATER AUTHORITYREGIONAL FISHERIES ADVISORY COMMITTEE31ST JANUARY, 1983PROPOSED PIKE RANCHING SCHEME ON ESTHWAITE WATER

1. On 8th November 1982, this Committee approved a recommendation by the Central Area Fisheries Advisory Committee that the tenant of the Esthwaite Water Fishery should be permitted to use gill nets in connection with the taking of pike for his proposed pike ranching scheme, subject to his providing annual returns to the Authority of the total catch and species of fish taken by the nets. This permission was to be for a period of 5 years, to be reviewed towards the end of that period.
2. "Angling Times" subsequently published an article on the subject of this pike ranching scheme. This was seen by the agent for Graythwaite Estate the owner of the Esthwaite Water Fishery, who telephoned the Regional Fisheries Officer. It transpired that the tenant had no right, under the terms of his lease from the Estate, to engage in pike ranching activities, and the Estate had no desire whatever to encourage him in that direction. It further transpired that much of the information provided by the tenant to the Regional Fisheries Officer when seeking approval for his scheme was inaccurate.
3. The agent for the Estate fully accepted that the Authority had been acting in good faith and, under the circumstances, the Regional Fisheries Officer arranged for the Committee's recommendation to be withdrawn from the agenda for the 22nd November meeting of the Water Management Committee and for the Authority to take no further action on this matter.

F2/A3

NORTH WEST WATER AUTHORITY

REGIONAL FISHERIES ADVISORY COMMITTEE

31ST JANUARY, 1983

DISEASES OF FISH BILL

1. The above Bill has been introduced by Mr. John Corrie M.P. who came first in the ballot for Private Members' Bills. The Bill extends existing powers and is designed to provide a framework for dealing with, and preventing the spread of, diseases in shellfish and farmed fish. The Bill also provides powers for the registration of fish farms and shellfish enterprises.
2. The Bill which received its second reading on Friday 21st January is strongly supported by MAFF. The Explanatory and Financial Memorandum to the Bill gives a good resume of the provisions in the Bill, and is reproduced for the information of members, in the Appendix to this report.

EXPLANATORY AND FINANCIAL MEMORANDUM

The Bill amends the Diseases of Fish Act 1937 (the 1937 Act) and the Sea Fisheries (Shellfish) Act 1967 (the 1967 Act). The amendments are mainly concerned with tightening existing controls over the movement of fish and shellfish when there is an occurrence or a risk of disease. The scope of the 1937 Act, which is currently limited to salmon and freshwater fish, is extended by the Bill to farmed sea fish and eels. The Bill also introduces new powers in relation to the registration of fish farms and the keeping of records.

Clause 1 amends section 2 of the 1937 Act so as to strengthen existing disease control measures in relation to the movement of fish. The main effect of these amendments is that—

- (a) when there are reasonable grounds for suspecting that any inland or coastal waters are or may become infected with a notifiable fish disease, the Minister may make an order to designate those waters and any appropriate adjacent land ;
- (b) when an area is so designated, the Minister may prohibit or regulate the taking into or out of, or regulate any movement within, that area of any live fish, live eggs of fish and foodstuff for fish, in order to prevent the spreading of fish disease.

At present, the 1937 Act requires the Minister to be satisfied that disease exists before making an order, and gives him powers only over the transport of fish and eggs and foodstuff out of the infected area. In addition, the clause extends section 2 to farmed sea fish and to eels.

Clause 2 amends section 4 of the 1937 Act, which requires an inspector to serve a notice on a fish farmer as soon as he has reasonable grounds for suspecting that any waters are infected with notifiable disease. Such a notice prohibits the taking into or out of the farm of live fish and eggs, or out of the farm of foodstuff, for a period of 30 days with the option of a further 30 days. The present provision is limited to movement off the farm and provides for a 16 day period.

Clause 3 amends a number of definitions in the 1937 Act and provides additional definitions consequent on the extension of the Act to farmed sea fish. *Clause 3* also amends section 13 of the 1937 Act, so as to enable Ministers to make orders, subject to negative resolution, altering the list of notifiable fish diseases; at present an Order in Council is required.

Clause 4 and the Schedule contain further amendments of the 1937 Act, which include provisions about powers of entry and inspection to reflect the widening of the Act to cover farmed sea fish.

Clause 5 amends section 12 of the 1967 Act to enable Ministers to make orders prohibiting or licensing the taking of shellfish from designated areas where this is desirable to prevent the spread of disease. At present there are powers only over the deposit of shellfish.

Clauses 6 to 8 confer a new power enabling Ministers to make orders requiring fish farms to be registered, records to be kept about farms and about fish, eggs and foodstuff, and information to be furnished. They empower anyone authorised by Ministers to enter premises to see and take copies of records. They create offences for failure to comply with the provisions. And they provide for the confidentiality of information and make it an offence to disclose it in contravention of the confidentiality.

Financial effects of the Bill

Any additional government expenditure which may be incurred as a result of clauses 1 to 8 will be limited to administrative costs. The level of these will depend on the future incidence of notifiable disease but is not expected to be significant. Any cost will be contained within existing public expenditure provisions.

Effects of the Bill on public service manpower

The Bill does not necessitate any increase in public service manpower.

RF2/A8

NORTH WEST WATER AUTHORITYREGIONAL FISHERIES ADVISORY COMMITTEE31ST JANUARY, 1983OUTBREAK OF WHIRLING DISEASE IN THE AUTHORITY'S AREA

1. The Minister of Agriculture, Fisheries and Food has made an Infected Area Order, under the Diseases of Fish Act 1937, declaring the premises of the Dunsop Trout Farm Ltd at Dunsop Bridge, Clitheroe, to be an infected area under the Act, following the confirmation of whirling disease on the farm. This means that movement out of the area of the farm of any live fish, eggs of fish or foodstuff for fish is prohibited without the previous consent in writing of the Minister. This order came into force on 8th January, 1983.
2. On 10th January, 1983, a copy of a 16-day order in respect of whirling disease affecting Southwaite Mill Fish Farm, Penrith, was received from the Ministry. This is a form of temporary holding order which, like an infected area order, prohibits, without the Minister's consent, the movement off the farm of all live fish, eggs and foodstuff. The main business of this farm is the supply of trout for the table.
3. The order on the Dunsop Trout Farm will very likely cause severe dislocation of supplies of trout to many clubs in the region who have hitherto obtained their stocking requirements from that source.
4. The Regional Fisheries Officer has discussed the implications of the situation with the Ministry's Fish Diseases Laboratory at Weymouth. The disease typically occurs where dense concentrations of fry occur, such as under hatchery conditions and is usually confined to rainbow trout fry which are particularly susceptible. It is known that resistant stages of the life cycle can exist in mud (e.g. earthen hatchery ponds) and it is now thought that mud-dwelling aquatic worms found in still-water conditions may act as intermediate hosts for the parasite. Risks to indigenous brown trout and salmon populations in rivers to which the respective farms discharge are therefore considered to be slight.

RF2/A6

NORTH WEST WATER AUTHORITYREGIONAL FISHERIES ADVISORY COMMITTEE31ST JANUARY, 1983CONTROL OF FERAL MINK

1. On 8th November 1982, (minute no.20) the Committee recommended that the Authority, through the Regional Fisheries Officer, should:-

"(1) Canvas the views of all interested bodies, including water authorities, National Farmers' Union, Nature Conservancy Council, Royal Society for the Protection of Birds, county landowners' associations and local fisheries associations, on a joint approach to MAFF for it to reassume its responsibilities for the control and trapping of feral mink and/or its introducing a bounty scheme to encourage trapping.

(2) Canvas the views of the same bodies on their joint funding of a bounty fund."

2. The Regional Fisheries Officer sent out an enquiry in the above terms to a total of 23 addresses among the bodies named. By mid-January, 20 replies had been received. A synopsis of the replies is summarised below.

Q.1 Are mink a problem in your area?

15 correspondents agreed, in varying terms or by implication, that this was the case, although in general the emphasis was on numbers rather than on any specific problems caused by mink. The remaining 5 correspondents did not reply to this question.

Q.2 Would you support a joint approach to MAFF, urging them to reassume their responsibilities for control of feral mink?

8 correspondents were prepared unequivocally to support such an approach. 7 were less positive, using such terms as "probably", "in principle" or "subject to certain conditions", or wished to consult a committee before committing themselves. 5 clearly felt that it would be pointless to pursue an approach to MAFF and gave varying reasons for their views which are set out below:-

- (i) Southern WA claimed that the Ministry's original involvement had been in the nature of a pilot study only, aimed at assessing the scale of the problem. They quickly realised that it was too big to handle and that eradication of mink was out of the question, a degree of control being the only option.
- (ii) Yorkshire WA saw very little likelihood of being able to get the Ministry involved, in the present economic climate.
- (iii) Severn-Trent WA contended that there was insufficient evidence that mink posed a serious threat to fisheries to provide

a justification for an approach to MAFF. They considered that it would be more appropriate to try to get a country-wide study under way as soon as possible to determine precisely what mink were living on (rather than, it was implied, what people thought they were living on).

- (iv) The Royal Society for the Protection of Birds stated bluntly that, to the best of their knowledge, there was no specific evidence that mink caused serious damage to bird life.
- (v) The Country Landowners' Association, Great Harwood, Stafford said, equally bluntly, that they would not support any approach to the Ministry because they considered the problem of mink control to be one for the individual occupiers of land to deal with.

Q.3 Would you contribute to a central bounty fund ?

There was little support for this proposal, only 3 correspondents giving an unequivocal "yes", and one of those making it clear that only a nominal contribution would be possible. 5 correspondents wished to raise the matter with a committee before replying further, while 12 were opposed, with varying degrees of firmness, to the idea. 3 of these expressed the view that, even if a bounty should be payable, it should be the responsibility of the individual authority rather than of some central body.

- 3. The general view, therefore, appears to be that, while it is accepted that mink are abundant throughout England and Wales, and are claimed to be a problem in some areas, there is only moderate support for a combined approach to MAFF to reassume responsibility for control, and very little support for the idea of a central bounty fund.
- 4. As a postscript to the foregoing, a recent article in "Angling Times" referred to the activities of an organisation calling itself "The Animal Liberation Front". One of the activities in which this organisation engages is breaking into mink farms and setting the animals free - as if there were not already sufficient feral mink at large !



**North
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Water**

W H Crackle *Secretary and Solicitor*

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Our ref JWS/101/07/01
Your ref

27th January, 1983

TO: MEMBERS OF REGIONAL FISHERIES ADVISORY COMMITTEE
MEMBERS & DEPUTY MEMBERS OF THE AUTHORITY

Dear Member,

PROPOSALS TO COMBAT POACHING

I enclose a copy of the above Report which will be included on the Agenda for the meeting of the Regional Fisheries Advisory Committee scheduled to take place at Dawson House on Monday, 31st January, 1983.

Please attach the copy to your papers for that meeting as Agenda Item No.10. The original Agenda Item No.10 (AOB) will now become Item No.11

Yours faithfully,

W.H. CRACKLE
Secretary and Solicitor

George Mann *Chairman*

NORTH WEST WATER AUTHORITY

REGIONAL FISHERIES ADVISORY COMMITTEE

31ST JANUARY, 1983

PROPOSALS TO COMBAT POACHING

1. At the meeting of the Regional Fisheries Committee on 8th November 1982, the Committee endorsed a recommendation by the Central Area Fisheries Advisory Committee (Minute 19(B)(3)) that the officers, in consultation with the Chairmen of the Regional and Local Committees, should formulate proposals to combat poaching and that provision should be made in the 1983-84 Estimates to cover the costs.

Members are doubtless aware of the background to depletion of British salmon stocks in recent years, and the threats currently posed to them. However, the position is summarised below.

Salmon stocks have been, and still are, under pressure from coastal fisheries in West Greenland, uncontrolled netting off and near much of the Irish coastline, the new long-line fishery in the Faroes (where the catch has risen from a negligible quantity to over 1000 tons in the space of a few years), legal netting around Great Britain and, finally, poaching. The problem is the same in all Authority areas where salmon occur. In this Authority's area, and especially in West Cumbria where the number of prosecutions has quadrupled over the past four years, anti-poaching operations by bailiff staff are a major pre-occupation during the summer and autumn. Control of exploitation on the high seas is a matter for international negotiation by Central Government. Exploitation around England and Wales, particularly by illegal methods, is a matter which is the proper responsibility of Water Authorities under the Salmon and Freshwater Fisheries Act 1975.

2. A wide-ranging review of the whole field of anti-poaching work was therefore carried out by the Regional Fisheries Officer in consultation with both Area Fisheries Officers. It was agreed at the start that it was essential to make improvements to the present arrangements if the Authority is effectively to police the migratory fish rivers in the Region and combat the serious level of poaching which exists.

3. The aspects considered come under seven main headings:-

- (1) Manpower
- (2) Conditions of Service
- (3) Equipment
- (4) Training
- (5) Information
- (6) Penalties
- (7) Control of salmon sales.

These headings fall into three further sub-divisions.

(A) Proposals in connection with which action is either in hand or is intended, and where finance, if required, is likely to be available. (These include Nos. (3), (4), (5) and certain aspects of (6)).

(B) Proposals which would require consideration and approval by the Authority before any action could be initiated.

(These include the whole of (1))

(C) Proposals which would involve action at national level. (These would include (7) and certain aspects of (6)).

(1) Manpower

Anti-poaching work is essentially a "Peak Load Problem" during some six months only in the year. The employment of large numbers of additional full-time bailiffs is therefore clearly not the answer, so far as economical provision of additional manpower on the ground is concerned, although such men would have the advantage of experience, local knowledge and better training. Once the "poaching season" (which, broadly speaking, covers the period June/November inclusive) has ended, extra full-time bailiffs would almost certainly be under-employed until the following June brought a new build-up of poaching activity. The cost effective solution would thus appear to be the employment of a number of part-time or temporary full-time bailiffs who would augment the existing force of full-time bailiffs during the peak-load period. The employment of part-time bailiffs has, in fact, already been tried out experimentally by the Authority with Union agreement in the Southern Area, in order to assist the limited number of full-time bailiffs with enforcement work on coarse fishing waters. Over the short period of operation, the experiment proved successful, but the scheme was, regrettably, an early victim of the introduction of Cash Limits.

The employment of temporary full-time bailiffs would be an alternative method of augmenting the full-time bailiff force during the peak-load period. Men employed on this basis would, being available full-time, provide a greater potential for reinforcement and would also be likely to become more quickly accustomed to methods of operation and to the geography of the area in which they were called upon to work. On the other hand, the cost of employing them would be considerably greater than in the case of part-timers.

A third possibility lies in a system recently introduced by the Northumbrian Water Authority as an experiment. This is based on a list of so-called "call out bailiffs", made up of local men selected by the Area Head Bailiffs. The aim was to have a pool of men who could be called out as required to work at night or at weekends to reinforce the full-time bailiff force, and who would be paid on an hourly rate. They would make up the strength of patrols with a view to pre-empting violence by their presence, or, if violence should develop, to coping with it. The system

has been found effective in practice and has proved popular with the full-time bailiffs once they got used to it.

The Northumbrian Chief Fisheries Officer mentions four benefits which have arisen from the system.

1. The Bailiffs appreciate the ability to field stronger patrols.
2. Working with a wider group of men cuts down the friction and stress engendered through personal relationships in a small team.
3. The "call-out" men bring in a lot of local intelligence from their own contacts who appear more ready to talk to them than to a full-time bailiff.
4. One of the "call out" men employed has brought in a lot of specialist expertise because he happens to be a netsman.

The costs for the first year of the Northumbrian scheme were £2,500, now to be increased to £10,000. The system has the advantage over the employment of part-time bailiffs that less constraint is imposed by the need to restrict weekly hours to not more than 30 if involvement in Superannuation is to be avoided.

In certain areas considerable lengths of river are controlled by a single landowner, estate or angling association. In such circumstances it might be possible to obtain the agreement of the individual or body concerned to recruit and operate a force of private bailiffs in exchange for the payment by the Authority of an annual sum representing the whole, or a substantial proportion, of the cost of the service provided. Any such arrangement, however, would be subject to certain specific requirements since, unlike the Water Act 1973 in relation to Sewerage Agency Agreements, the Salmon and Freshwater Fisheries Act 1975 makes no provision for the delegation by a water authority of its bailiffing duties to a third party. The men involved would, need to be appointed as Authority bailiffs and warranted accordingly. The Authority would remain ultimately responsible for the actions, conduct etc. of these men and would have to liaise with the employer on a regular basis in connection with the duties to be performed.

Should one of these four possibilities set out above be considered satisfactory for adoption by the Authority, it is essential that there should be full joint consultation with the Union concerned before any action is taken.

In considering possible methods of augmenting the full-time bailiffs force, it is perhaps appropriate to give an example of the problems which they face in attempting to detect or prevent poaching. In the case of the Ribble/Hodder and Wyre catchments there are 115 recognised holding pools on the two former rivers and a further 24 on the Wyre, in which migratory fish may congregate and be vulnerable to poaching. The district is

covered by an Inspector and 7 bailiffs who, due to the requirements of their conditions of service have to have two days off per week, and thus are available in full strength on only two days in the week. On other days, allowing for leave and sickness, there may be as few as three men only on duty to provide cover for these 139 pools. In practice, due to the variation in the time of runs of fish, and to their distribution in the river, the position is not quite so formidable, but the overall principle remains. Apart from the question of manpower in the Fisheries Department, there is the parallel problem of manpower in the Control and Regulation Section of the Rivers Division Administration Department. This section deals with offences and prosecutions generally, including all those relating to Fisheries, and at times is already over-extended in trying to cope with the throughput of fisheries offences alone. Should improved anti-poaching methods result in an increased number of prosecutions, it might be necessary to consider some reinforcement of this Section, if unacceptable delays in bringing cases to Court are to be avoided.

(2) Conditions of Service

A general problem of anti-poaching work - and one which applies particularly in areas of intensive and violent poaching - is that of the ageing bailiff. Many men over the age of 55 cannot reasonably be expected to work long hours in the field at night and to engage in hand-to-hand struggles with violent offenders many years younger than themselves. In practice, therefore, the ageing bailiff represents a depletion of the effective bailiff force.

Further, it happens occasionally that a bailiff is appointed who appears at interview to be suitable for the type of work involved but who, despite being aware of what is expected of him, proves to be temperamentally unable to cope with the stresses of anti-poaching work in an area where violence is common. Such a man represents, yet again, a depletion of the effective bailiff force.

The problem of the bailiff over 55 years of age, however, is one which cannot be dealt with except by transfer to less arduous duties, provided that a vacancy exists in a suitable area. There is no provision in the National Conditions of Service which would enable a man to retire at 55, except on grounds of ill-health. At the same time it must be admitted that not all bailiffs are "past it" at the age of 55 in relation to strenuous work of this kind, and each case must be considered individually. In the Police Force, retirement at 55 is compulsory for Sergeants and Constables, for the same reasons that affect bailiffs on strenuous anti-poaching work. Inspectors and above are able to continue working up to age 60, as they are normally, while in the 55/60 age bracket, employed on lighter administrative duties.

(3) Equipment

Experience has confirmed the value of a powerful telescope

on a tripod for day-time surveillance, and of the night-vision aids already obtained for use during the hours of darkness. Additional equipment of the same type will be obtained before the commencement of the 1983 season.

Investigations made into the possible use of intruder alarm systems has shown that the limited coverage achievable and the very high cost of this type of equipment renders it not worthwhile for the Authority's purposes.

Camouflaged clothing could be useful in certain areas, and this will be purchased as required.

Action is already in hand to improve bailiffs' radio communication, both between individuals and, in the Ribble area, between bailiffs and the Police by the installation of a radio on Fisheries frequency and suitable aerial at Clitheroe Police Station. An additional sea-going patrol boat, similar to that already used in West Cumbria, is to be obtained for use in the Lune estuary and Morecambe Bay. It will also be used to cover the Ribble, in addition to the smaller craft already used on that estuary.

The experiment of employing, as a bailiff in West Cumbria, an ex-Police dog-handler and his dog has proved successful. The combination has proved a valuable deterrent to assault on bailiffs, and since coming to the Authority, the dog has been trained to "sniff out" hidden fish and nets. The bailiff concerned is capable of training other dogs, and it is intended that two additional dogs should be obtained during 1983 and trained alongside selected bailiffs with whom they will work.

(4) Training

Specialist training of bailiffs in poaching areas is required in two particular directions:-

- (i) How to cope with violent offenders.
- (ii) How to interview and interrogate offenders to the best advantage and in accordance with the requirements of current law.

Arrangements to deal with (ii) have been included in the Bailiffs' Internal Training Programme of 1983-84. In relation to (i), however, it may be necessary to seek Police assistance in the matter of training, and this is being investigated.

(5) Information

This works in two directions - "inwards" and "outwards". The former relates to intelligence received, and efforts are being made to establish improved liaison with the Police at main centres in poaching areas, with a view to receiving as much information as possible, via the many sources of information open to them, about intended poaching activities, disposal

routes for poached fish, details of known poachers' vehicles, etc. An important move has already been made in this direction through a meeting, in October, 1982, with Cumbria Constabulary and a number of Divisional Poaching Liaison Officers from the same Force. There is to be an annual meeting on the same lines shortly before the start of the poaching season. At this initial meeting an excellent rapport was established with the Police. Another meeting has been held between Fisheries staff and the Police at Clitheroe, in relation to poaching problems on the Ribble.

"Outwards" information involves publicity through the Press and the media. Here, fuller use of the Authority's Public Information services will be made to ensure that successful prosecutions of poaching offences, and the penalties imposed, receive the widest possible publicity. The aim is to achieve this through Press releases rather than by leaving it, as at present, to reporters from local papers who may, however, unintentionally, fail to get across clearly the salient features of a case.

(6) Penalties

Penalties imposed in poaching cases are all too often comparatively negligible, when the potential rewards of poaching are considered. The Authority will continue to press for heavier penalties for this type of offence, and Solicitors employed by the Authority are being briefed on these lines.

Paragraph 9 of Schedule 4 to the Salmon and Freshwater Fisheries Act, 1975 gives a Court power, in instances where a person is convicted of a second offence against the Act, to cancel any licence held by that person and to disqualify him from holding a licence for a period not exceeding one year. While this is a useful power in certain cases, it is clearly irrelevant to poaching cases where the person concerned will, in any case, have no licence for what he is doing. When fines are imposed by a Court for poaching offences, it is not unknown for the offender to return to the river soon afterwards with the obvious intention of engaging in further poaching activities in order to finance payment of his fine. It is, therefore, suggested that, in the same way that a Court can cancel a licence and disqualify a person from holding a licence for a prescribed period, the Courts should be empowered to make an Order prohibiting a person convicted of poaching from being found, during a prescribed period, near the river on which his offence was committed, and, perhaps, any other river in the Country in which the Court making the Order is situated. This would require amendment of the existing legislation, and if this could be effected would be a useful restriction to impose upon habitual poachers.

When poachers are apprehended on an inland water, the riparian owner will, in future, be informed of the fact and invited to take proceedings under the Theft Act against the persons involved. If such a combined front involving both the Authority and the fishery owner can be achieved, it will offer an increased

deterrent. Further, it may be possible to persuade the court to bind an offender over to restrain him from entering specified land and taking fish from an adjacent river. This would largely meet the proposal in the proceeding paragraph.

(7) Control of Salmon Sales

The ultimate hurdle for a poacher who intends to sell his catch is finding an outlet - not that this is particularly difficult as the law now stands. Apart from the restriction, imposed by S.22 of the 1975 Act, on the sale of salmon and trout between 31st August and 1st February (which, in any case, excepts rod-caught fish and thus provides a large loophole) there is no restriction on trade in these fish. Even possession of them during the close season is no offence, unless they can be proved to have been taken illegally or to be unclean, as defined in the Act.

The need for statutory control of salmon sales is a matter which has been pressed with Government since the time of River Authorities, but with a conspicuous lack of progress, despite the existence of legislation of this kind in Northern Ireland which has proved effective in substantially reducing the scale of poaching. However, a Working Party set up by N.W.C. has been exploring, for more than a year, the possibility of adapting to British requirements a system of tagging of all legally-taken salmon which is at present in operation in the Province of New Brunswick, Canada, and the working Party's Report is expected to be produced shortly. Two members of the Working Party visited New Brunswick during the Summer of 1982 on a fact-finding mission, and they were impressed by the practicability of the scheme and by its evidence acceptance, by anglers and netsmen alike.

4. IT IS RECOMMENDED THAT:

- (i) The possibility of employment of "call-out" bailiffs be investigated further by the Officers, and that a provisional sum of £5000 be included for this purpose in the 1983-84 estimates.
- (ii) Further consideration be given to the possibility of riparian owners' providing some of the additional bailiff cover required, on a reimbursement basis.
- (iii) The Committee endorse the work being carried out by the Salmon Sales Group, and emphasise the need for early action in relation to the registration and licencing of salmon dealers and/or the introduction of a tagging scheme for legally-caught salmon, as a matter of some urgency.
- (iv) The Committee should encourage riparian owners to join with the Authority in the prosecution of offenders under the Theft Act 1968, in addition to any proceedings by the Authority under the Salmon and Freshwater Fisheries Act 1975.

- (v) Further consideration be given, in conjunction with the Director of Personnel and Management Services, to the question of resolving any difficulties arising in the employment on anti-poaching duties of bailiff staff.