

Byelaw Review Update

Since the last Authority meeting in December 2018 there have been some developments to report. Terms of Reference for the new Byelaw Technical Working Group have been agreed and this group have already conducted some of the more complex drafting of byelaw related legal documentation on behalf of the Byelaw & Permitting Sub-Committee (B&PSC). This has relevance to some of the information that was presented to members of the B&PSC at the most recent meeting held on 26th February 2019.

The meeting was firstly used to clear outstanding matters from a non-quorate meeting that was held on 20th November 2018. Minutes from both the October and November 2018 B&PSC meetings were approved for accuracy and further evidence regarding the Live Wrasse Pot Fishery that was previously requested was presented to members to aid decision making. Following this, recommendations resulting from the November 2018 meeting were subjected to formal voting and produced the following key outcomes:

The Live Wrasse Pot Fishery

This will continue for a third year but the restrictions (Potting Permit Conditions and voluntary measures including spatial requirements) remain unchanged. Further in-depth monitoring of this fishery by D&S IFCA Environment Officers will be conducted in 2019 and all information will feed into a three year Comprehensive Review of the fishery

Temporary Closure of Shellfish Beds

Byelaw 9 allows for the temporary closure of shellfish beds. It was agreed that this byelaw will be used to closed defined public beds on the Teign and Exe Estuaries.

Additional Work Resulting from the Meeting

Several papers and reports were produced for the most recent meeting of the B&PSC.

Hand Working

The review of the management of hand working fishing activities has begun. The task has been split into three sections and the use of crab tiles was the first topic discussed. Bait digging and other hand gathering methods will be examined prior to any formal decision-making on options for management, which may include potential development of a new byelaw.

Diving Permit Conditions (3-Year Review)

The Diving Permit Conditions have been prepared for a final phase of consultation. This work forms part of the mandatory three-year review of the Diving Permit Conditions. The BTWG has drafted the proposed permit conditions that incorporate specific management previously agreed by the B&PSC. This includes several items, most notably a mixture of new restrictions regarding protection for spiny lobster.

Exemptions Byelaw

A draft Exemptions Byelaw has been presented to members of the B&PSC. This Byelaw allows D&S IFCA to consider issuing exemptions for activities that otherwise would not be possible due to restrictions imposed by other Byelaws. The draft Exemptions Byelaw has wider scope than the existing Emergency Application Byelaw and has introduced the potential for D&S IFCA to charge a fee for issue of exemptions. An Impact Assessment will now be prepared to accompany the new Byelaw before it is “made” by the B&PSC and subjected to

formal consultation. An extension from the Secretary of State is required to complete the work as the Emergency Byelaw would ideally have been replaced by 9th May 2019.

Potting Permit Conditions

Another piece of work includes a change in the existing Potting Permit Conditions. A change is needed to current restrictions regarding the use of bait, which no longer harmonises with the 2019 landing obligations. Amendment will enable potters to use certain species of fish, below the minimum conservation reference sizes, that now need to be landed and used for purposes other than for human consumption.

Communication Work

A significant amount of the byelaw work is interlinked to communication work. Engagement and informing stakeholders are a mandatory requirement of much of this work. The following, using a mixture of communication initiatives, are now being planned by officers and expect to be delivered by officers in March and April 2019:

Topic	Action
Diving Permit Conditions	Final Phase Consultation
Bait Digging	A Call for Information Campaign
Live Wrasse Fishery	Notification that current restrictions are unchanged
Temporary Closure of Shellfish Beds	Notification/awareness
Potting Permit Conditions	Consultation to change restrictions for bait

The findings from all consultation and 'call for information' campaigns will be reported back to the B&PSC in May 2019 when further decision making can take place.

Reporting and Keeping Members Informed

Work being conducted by the B&PSC is set out in reports that are posted on the D&S IFCA's website and can be sent directly to stakeholders. The findings of all consultations are documented in the form of supplements that are provided to members prior to meetings. The separate supplements and the outcome of decision making are often merged into overarching Byelaw Development Reports which document the complete process in relation to each of the separate permit condition reviews.

The website www.devonandsevernifca.gov.uk is a good platform for all members to follow the work of the B&PSC.

- ***The most recent papers and reports used for Sub-Committee meetings are posted on the secure members area of the D&S IFCA website (log-in required)***
- ***The most recent minutes (some still in draft form) from B&PSC meetings are posted on the members area of the D&S IFCA website (log-in required)***

The other display areas on the website give members and stakeholders the opportunity to explore a lot of D&S IFCA's past work. The news scroll on the home page is where work, in the form of mini news items, can be followed as and when it happens.