

The Three-Year Review of the Netting Permit Conditions & the Review of the Netting Permit Byelaw

Officers' Recommendations

That Members note the content of the Officers' paper and agree to the planned review timetable

Background

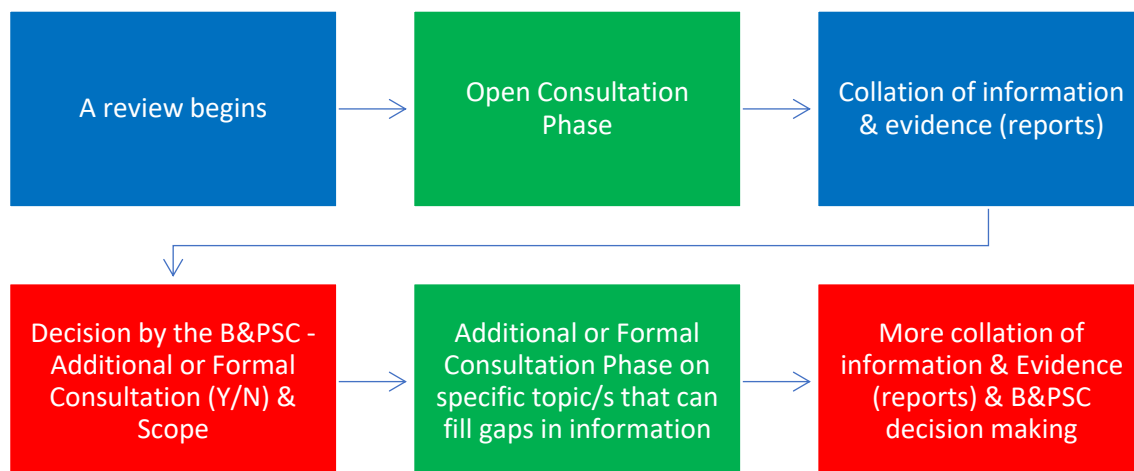
The Netting Permit Byelaw was introduced in 2018. As with all D&S IFCA's Permit Byelaws, it contains a provision that the Permit Conditions must be reviewed no less than once every three years. The 2021-22 Annual Plan has recognised the requirement for the review (to produce a plan) and therefore this requirement is listed as a key task to be undertaken by the B&PSC.

The review of the Netting Permit conditions will affect another Key Task within the Annual Plan, which is the review of the effectiveness of the voluntary management approach in the Skerries Bank Angling Zone. D&S IFCA's Angling Strategy (2014-16) listed aims and actions including introducing voluntary codes of conduct to include elements such as the marking of static gear and the prohibiting the targeting of plaice using nets, all with a view to improving angling opportunities and experiences within the D&S IFCA District. Further engagement with sectors on the management in D&S IFCA's Angling Zones may lead to further proposals to manage netting activities.

A Review of the Netting Permit Byelaw

Although the overarching Netting Permit Byelaw is not due for a review until 2023, Officers envisage that the Three-Year Review of the Netting Permit Conditions also provides the opportunity to review the Netting Permit Byelaw earlier than expected. This approach will enable elements of the Byelaw such as interpretations and fees to be reviewed and therefore harmonise with potential changes that may arise as part of the Review of the Mobile Fishing Permit Byelaw. This review of the Netting Permit Byelaw and the Netting Permit Byelaw Permit Conditions will extend well into 2022, and very likely into 2023.

Reviewing Byelaws and their permit conditions requires consultation, and in this case, it will require different phases of consultation. It is important that momentum for the review is maintained, and Officers will determine when the best period will be to begin the work, mindful of other commitments and a need to build the timetable around B&PSC meeting dates.



Timetable

As each key phase of the review includes a decision-making element for the B&PSC, the delivery time will be led by dates of the B&PSC meetings that are set during 2022 and 2023. Officers will attempt to begin the first “open” phase of consultation as soon as time can be devoted to the workstream and this may be in late 2021, but more likely in early 2022.

To complete the process, it will be necessary to complete the following:

- Open Consultation/Communication Work
- Examination of the existing Netting Permit Byelaw – identifying potential weakness or opportunity for change
- Examination of pre-consultation and B&PSC decision-making
- Submission of additional information and evidence to the B&PSC, such as the findings of research or survey work
- Drafting work for the Byelaw and the Permit Conditions/assistance from the Byelaw Technical working Group
- B&PSC to scrutinise drafting work
- Creation of Impact Assessment (for consultation)
- Informing Defra and B&PSC to “make” the Byelaw
- Formal consultation process/Communication Work
- B&PSC to consider and manage potential objections/refine Byelaw
- Create a “Final” Impact Assessment to form a package of information for MMO quality assurance
- Potential approval of Defra and Implementation of the revised Byelaw & Permit Conditions
- Changes to website, administration work and communication
- Creation of a Final Byelaw Development Report

Further updates will be provided in due course regarding progress and defining a more accurate timetable for completion of the different phases.

Background Papers

- D&S IFCA’s 2021-2022 Annual Plan ([website page](#))
- [D&S IFCA’s Angling Strategy \(2014-16\)](#)
- [D&S IFCA’s Communication Strategy & Delivery Plan \(2018\)](#)

Other Information

- [A Guide to the Work of the Byelaw & Permitting Sub-Committee](#)

End.

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