

Scallop Closed Season

Have Your Say

The Review of the Diving Permit Byelaw Permit Conditions

What's the purpose of this information gathering exercise?

D&S IFCA is directly contacting all Category One (commercial) diving permit holders to seek views and suggestions on potential changes to the existing scallop closed season. Although this consultation is being directly circulated to holders of a Category One Diving Permit, you may become aware of the consultation and have an interest. For example, you may be the Master (named representative) of a diving vessel or crew working on a diving vessel.

Your view is important, and this circular explains how you and others can participate in the process. This information gathering exercise is based around some focussed topics and questions that are set out after some background information.

Why is this scallop closed season restriction being reviewed?

In 2020, all stakeholders were invited to have their say on potential changes relating to the scallop closed season. Responses, that included some suggested alternative management measures, were documented in a [report](#) which was discussed by D&S IFCA's Byelaw and Permitting Sub-Committee (B&PSC) in February 2021. The B&PSC concluded that restrictions for mobile fishing vessels (scallop dredgers) should remain unchanged.

The B&PSC raised some concerns regarding potential changes to Category One Diving Permits. Officers have now addressed many of these concerns and information (an [Officers' paper](#)) was presented to the B&PSC in October 2021. The B&PSC considered the information, and this consultation has been actioned to enable you to comment on alternatives to the existing restriction which may result in greater, but not unlimited, access for commercial divers to access scallop stocks within the District during July, August, and September each year. The Permit Conditions have the flexibility to incorporate tailored management for commercial diving fishing activity and the B&PSC can consider a range and combination of management measures that can potentially be applied within Category One Diving Permits. An alternative to the scallop closed season may be achieved in the form of catch restrictions, gear restrictions, spatial restrictions, time restrictions and the greater use of technology.

How will your information help us?

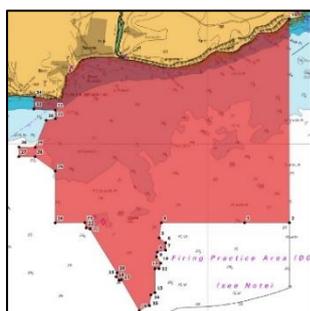
A process must be followed to complete this review and it does take time. We will collate the information that you provide and produce a report that will be presented to the B&PSC in early 2022. The B&PSC will examine the findings of this consultation and determine the scope of any potential changes to the Category One Diving Permit Conditions. Any changes to the Category One Diving Permit Conditions suggested for implementation by the B&PSC in early 2022, will then be subjected to one final period of formal consultation that will be open to all stakeholders. After the formal consultation, a decision will be taken by the B&PSC regarding potential changes to the Category One Diving Permit Conditions. It is expected that this review process, including any potential changes to Category One Permit Conditions, would be completed by the end of June 2022.

Topics & Questions:

Topic 1: Access areas to remove scallops in July, August, and September

It is being suggested that access to scallop stocks in July, August and September would be based on locations that are not shared between fishers operating under a Category One Mobile Fishing Gear Permit (scallop dredges) and commercial divers operating with a Category One Diving Permit. The proposed open areas for commercial divers to remove scallops in July, August, and September would only consist of locations (Marine Protected Areas) that are never accessible to scallop dredgers as the areas are closed all year via their own permit conditions ([Annexes](#)). Scallop dredgers are prohibited from operating in these areas as this method can be damaging to features in those locations. The proposed access areas for the removal of scallops in July, August, and September would in effect be “dive caught scallop only” areas.

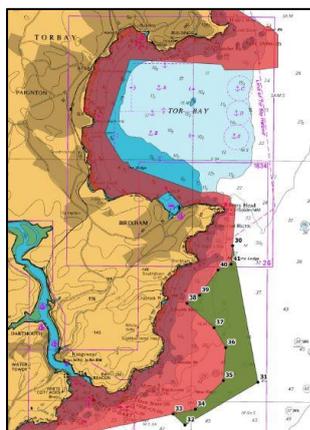
Examples:



Lyme Bay:

This site (shaded red) is closed all year to mobile fishing vessels (scallop dredgers). It could become accessible to commercial divers removing scallops during July, August, and September each year.

The scallop closed season would apply to commercial divers in areas of the District that are not defined within specific Annexes (the white areas beyond the perimeter).



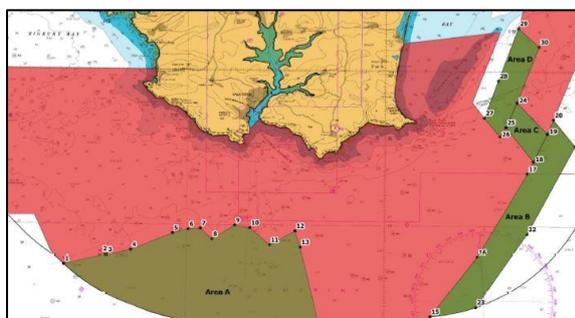
Torbay:

The area (shaded red) could become accessible to commercial divers removing scallops during July, August, and September each year.

The scallop closed season would apply to commercial divers in the area shown as green on the chart as this area is accessible to scallop dredgers during periods of the year.

The scallop closed season would apply to commercial divers in the areas beyond the perimeter.

South Devon Coast:



The areas (shaded red) could become accessible to divers targeting scallops during July, August, and September each year. The areas marked green would remain closed to the removal of scallops by commercial divers and scallop dredgers in July, August, and September.

At present the other areas in the District, in addition to those shown above, that could become accessible to commercial divers in July, August and September currently include parts of Bigbury Bay, Plymouth Sound, parts of Lundy Island and the Severn Estuary (as defined).

Topic 1: Questions

- a) **Are you in favour of increased access to scallop stocks within a three-month period - July, August, and September – a change to the current restriction?**
- b) **Should the summer opening be for a shorter period and, if so, for how long?**
- c) **What are your views on the suggested access areas?**
- d) **What difference will an increase in access to scallop stocks in July, August and September mean to you and your business?**
- e) **Do you have any other views or comments regarding access for commercial divers removing scallops?**

Topic 2: Bag Limits

Divers can be selective regarding the size of scallops and quantities removed in each area. Catch restrictions (bag limits) can be used in combination with access areas and time restrictions. Engagement work to date has highlighted that some commercial divers would accept a daily bag limit of scallops taken from the access areas during July, August, and September. For bag limits to be enforceable, other restrictions may become a consideration.

Topic 2: Questions

- f) **What is your view on a bag limit for scallops that are taken from access areas in July, August, and September?**
- g) **What level of daily bag limit do you think is appropriate?**
- h) **To support the implementation of bag limits, would you agree to the restriction where if you have dived in D&S IFCA's District, you would not be able to dive elsewhere and retain scallops on that fishing trip?**
- i) **Would you support a prohibition on the use of store pots/devices for the storage of scallops at sea in July, August, and September?**
- j) **Do you have any other views or comments about daily bag limits?**

Topic 3: Minimum Conservation Reference Size

Divers can be selective regarding the size of scallops and quantities removed in a given area. The current Minimum Conservation Reference Size (MCRS) is 100mm; however, engagement work to date has highlighted that some commercial divers would be open to an increase in the MCRS for scallops.

Topic 3: Questions

- k) **What is your view on an increase in MCRS for scallops – are you in favour?**
- l) **What MCRS for scallop would you suggest as being appropriate?**
- m) **Should an increase in MCRS for scallops taken by commercial divers apply all year or be limited to a three-month period?**
- n) **What other views or comments do you have regarding the MCRS for scallop?**

Topic 4: Technology

The national roll out of the fitting of IVMS on all commercial fishing vessels in England is expected to commence in early 2022. The roll out will take place over several tranches depending on the size of the vessels, but fishers can request to have IVMS fitted ahead of their sector tranche. This national initiative may create an opportunity for all commercial dive vessels in D&S IFCA's District to have IVMS installed prior to the summer months (2022), and therefore monitoring of the level and location of the vessels' activities can be undertaken.

Topic 4: Questions

- o) What are your views on the fitting of IVMS?**
- p) Would you consider an earlier fitting of IVMS on your own vessel as part of the management measures to give you greater access to scallop stocks?**
- q) Do you have any other views or comments regarding the fitting of IVMS?**

Topic 5: Research

At present there are limited data available about stocks of scallops within D&S IFCA's District. Research undertaken by Cefas only takes account of areas that are fished by scallop dredgers and there is a lack of data for areas that are not fished, for example areas closed due to their designation as Marine Protected Areas. D&S IFCA works closely with the University of Plymouth and as part of their MSC in marine conservation, has provided a proposal for a project to assess the scallop close season in D&S IFCA District. A student has taken up the project and will be working with D&S IFCA to undertake research throughout 2022.

The Diving Permit Byelaw includes a provision that means D&S IFCA can request relevant fisheries information from permit holders and there is potential that fishers can assist with further research as the fishery is more closely monitored.

Topic 5: Questions:

- r) Would you be prepared to assist with or input into research work?**
- s) Would you facilitate on board survey work to be conducted by or supervised by D&S IFCA?**
- t) Do you have any other views or comments regarding on-going research work?**

Final Section: Other Information

- u) If you have more to say regarding the scallop closed season, the topics set out, or have other suggestions - please tell us.**

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How you can have your say

1. Contact us via email – consultation@devonandsevernifca.gov.uk
2. Write to us

Please provide your full name in your response and confirm if you are the holder of a D&S IFCA Category One (Commercial) Diving Permit or have another interest.

Devon and Severn IFCA

Brixham Laboratory,

Freshwater Quarry,

Brixham, TQ5 8BA.

- **This information gathering exercise ends on Friday 17th December 2021.**

Further Information

Further detail about our byelaw review and the work conducted by our Byelaw & Permitting Sub-Committee can be found in a [guide](#) that is posted on D&S IFCA's website or available upon request.

Reports presented to and discussed by the Byelaw and Permitting Sub-Committee can be found on the D&S IFCA website in the [Resource Library](#) or are available upon request.

Minutes of Byelaw and Permitting Sub-Committee meetings can be found on the D&S IFCA website in the [Resource Library](#) or available upon request.

How to follow our work?

If you are not already on our electronic mailing list, then you can get yourself added by [contacting](#) D&S IFCA or by using this [link](#). Providing an email address helps us better communicate with you. You will also be able to receive our free e-newsletter.

Keep an eye on our [consultation page](#) on our website to read about other work being done and how you can get involved and have your say.

Follow our [latest news items](#) displayed on our website or our face book page.

Explore our website [Resource Library](#) for an extensive range of our information and publications. It's all free.

What do we do with your information – Privacy Policy

We protect any personal data that you may provide. Personal data submitted in this information collecting process will be securely stored and may be shared with other organisations including Defra and the Marine Management Organisation. The content of responses will be summarised and anonymised where appropriate for documenting in reports that will be presented to the Byelaw & Permitting Sub-Committee and published on our website.

D&S IFCA has a privacy policy which can be found by visiting our website (home page) www.devonandsevernifca.gov.uk

- You can change your preferences at any time.
- We have a duty to consult with D&S IFCA Permit Holders.

You can manage your preferences by contacting D&S IFCA.

End.