

Byelaw and Permitting Sub-Committee (B&PSC) Report

Since the last Authority update in December 2021 there has been one meeting of the B&PSC held on 24th February 2022. The draft minutes from the B&PSC meeting will be published on D&S IFCA's website by the end of March 2022. All papers and reports presented to the B&PSC are published on D&S IFCA's website.

The Scallop Closed Season.

On 24th February 2022, the B&PSC was presented with an Officers' paper and the findings of a consultation that focussed on some potential changes to commercial (Category One) Diving Permit Conditions. The consultation was effectively a scoping exercise and was deliberately aimed at commercial divers with direct circulation of information to this fishing sector.

The consultation highlighted how it may be possible to provide this fishing sector with increased access to scallop stocks from within Marine Protected Areas during the months of July, August, and September. In addition, D&S IFCA sought the views of commercial divers on other management measures that could apply within the summer months. This included an increase in the Minimum Conservation Reference Size of scallop (to 110mm) and a catch limit per calendar day. Other restrictions (year-round) would include the introduction of vessel monitoring as a requirement of the Permit.

The B&PSC actioned Officers to proceed with a formal consultation that will include all stakeholders. The findings of the formal consultation will be presented to the B&PSC in due course and the B&PSC will then determine if there are to be changes to the Category One Diving Permit Conditions.

Changes to Existing Category One Mobile Fishing Permit Conditions.

On 24th February 2022, the B&PSC was presented with an Officers' paper and the findings of a consultation that focussed on changes to Category One Mobile Fishing Permit Conditions. The changes related to the types of Remotely Accessed Electronic Reporting Devices (IVMS/VMS) that can be fitted and the required information that must be transmitted. The change to the existing Permit Conditions is beneficial for vessel owners and this was recognised by the B&PSC.

Revised wording in the Category One Mobile Fishing Permit Conditions was agreed and amended permits, valid from 1st March 2022, were circulated at the end of February. The change to Permit Conditions and information relating to the national roll out of iVMS has been communicated to fishers with the use of both direct and in-direct communications including Mail Chimp, D&S IFCA's website and Facebook.

The Size of Fishing Vessels Byelaw

The Byelaw Technical Working Group (BTWG) acts on behalf of the B&PSC to undertake drafting work and to provide legal advice. The BTWG has no delegated decision-making authority and therefore on 24th February the B&PSC was presented with drafting work to date and asked to guide further drafting of the Byelaw.

Decision making of the B&PSC related to two elements. Firstly, a date when the Byelaw would come into force after it is potentially approved by the Secretary of State. This is effectively a period of grace of six months for impacted vessel owners to adapt to change and this was agreed by the B&PSC. The second element related to the scope of the exemptions clause that will be included within the Byelaw. The B&PSC has determined that an increased scope for exemptions, which goes beyond scientific, breeding and stocking purposes, is their preferred option. The Chief Officer has been tasked to seek the views of Defra on this subject matter, which will inform further drafting work by the BTWG, before the Byelaw is once again presented to the B&PSC.

The Review of the Mobile Fishing Permit Byelaw.

This review involves revocation the existing Mobile Fishing Permit Byelaw and the introduction (re-making) of a replacement. The BTWG has met on several occasions to undertake drafting work; however, it is not advanced enough to present to the B&PSC at this time.

The drafting work involves re-structuring of the Byelaw, amending wording within the Byelaw and amendments to the associated Permit Conditions (Category One and Category Two). To date the BTWG has identified where new restrictions for fishers may be appropriate and how to incorporate them into the Permit Conditions. The Officers' paper, presented to the B&PSC on 24th February 2022, focused on seeking approval of the B&PSC for additions to be incorporated into drafting work.

As with the Size of Fishing Vessels Byelaw, there is some uncertainty relating to the scope of the exemptions clause that will be included in this Byelaw. The BTWG will seek advice from Defra and continue with drafting of the Byelaw. To progress the task, Officers will present information to the B&PSC at their next meeting relating to what management measures will be included as permit conditions. After this, the drafting work will be completed, and the B&PSC will be able to "make" the Byelaw so the formal consultation can begin.

D&S IFCA's Live wrasse Fishery Reporting

An update was provided to the B&PSC (Officers' paper); however, it was an information item with no discussion. The update introduced a report that has been completed by D&S IFCA's Environment Team. The report, and a range of other wrasse related information, can be viewed on D&S IFCA's website – [The Live Wrasse Fishery Display Page](#).

Additional Information for Members

A Guide to the Work of the B&PSC can be read [here](#).

All B&PSC Papers and Minutes can be viewed in [Section B](#) of D&S IFCA's Website Resource Library. Papers (and reports) for recent and upcoming B&PSC meetings can be viewed via the links provided in the secure Members' area of the website or on the [Meetings Tab](#) on the website's home page.

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