



# Byelaw Work

## Timelines, Status & Changes

August 2022

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<b>Version Control</b>	<b>Author</b>	<b>Comments</b>
Edition 7 12/08/2022	Neil Townsend	Developed as a guide for stakeholders and D&S IFCA Officers & Members to demonstrate the completed and forthcoming work associated with the review of byelaws, permit conditions and the management of fishing activity. Amended at appropriate intervals.

## Introduction

D&S IFCA (the Authority) has statutory duties as specified within the Marine and Coastal Access Act 2009 (MaCAA). The Act contains several sections relevant to IFCA work; however, Section 153 (Management of Inshore Fisheries) and Section 154 (Protection of Marine Conservation Zones) are of particular significance.

The Authority inherited many byelaws from its predecessor organisation Devon Sea Fisheries. For its byelaw review, and when new management has been required, the Authority has adopted an activity-based approach and the use of permit-based byelaws that introduce flexible and inclusive management.

The introduction of a permit-based model has enabled large numbers of management measures to be retained or introduced to manage different fishing activities, rather than retain or increase the numbers of standalone byelaws. Current permit-based byelaws include:

- **Mobile Fishing Permit Byelaw**
- **Potting Permit Byelaw**
- **Netting Permit Byelaw**
- **Diving Permit Byelaw (for specified shellfish)**

The Authority has delegated powers to the Byelaw and Permitting Sub-Committee to undertake byelaw related working, including the review of any permit conditions introduced under the permit-based byelaws.

A separate guide (A Guide to the Work of the Byelaw & Permitting Sub-Committee) can be viewed [here](#) and is available on the Authority's website.

### Information for Readers:

This guide is intended to provide key information relating to the development of the Authority's byelaws and permit conditions.

The Authority is transparent with information that has been created and used in the decision-making processes. This document contains multiple hyperlinks to relevant (embedded) information and is therefore best read in its electronic format, rather than in hard copy.

All reports created for the Byelaw & Permitting Sub-Committee (B&PSC) and the minutes from B&PSC meetings can be found in [Section B of the D&S IFCA Resource Library](#).

**Note:** The Byelaw Technical Working Group (BTWG) act on behalf of the B&PSC to conduct drafting/legal aspects of byelaw work but have no delegated powers for decision making.

### Key:

**Green** = Consultation/Engagement

**Red** = Implemented Management or Decision Making

## Mobile Fishing Permit Byelaw (and re-make)

Key Dates	Comments	Information
<b>1<sup>st</sup> January 2014</b>	<p><b>Byelaw came into force.</b></p> <p>The whole Byelaw must be reviewed in 2019 (5 years).</p> <p>The Permit Conditions must be reviewed at least every 3 years</p>	<p><b>Provides Catch, Gear, Spatial &amp; Time Restrictions (2 Categories - At Sea &amp; Estuary)</b></p> <p>Incorporated several legacy measures – 7 Old stand-alone Byelaws revoked.</p> <ul style="list-style-type: none"> <li>• Scallops - Closed Periods</li> <li>• Escallops – Methods of fishing</li> <li>• Prohibition of Trawling in Start Bay</li> <li>• Restrictions of Trawling in Estuaries</li> <li>• Definition of Trawling</li> <li>• Dredging in Salcombe Estuary</li> <li>• Dredging in Dart</li> </ul>
<b>30<sup>th</sup> November 2016</b>	<p><b>Mandatory Consultation for a Three-year Review of Permit Conditions Required</b></p>	<p><b>Multi-phase consultation begins</b></p>
<b>27<sup>th</sup> March 2017</b>	<p><b>Focussed Consultation on specific items (6 week)</b></p>	<p>a) <b>Demersal Towed Gear in Torbay MCZ</b>  b) <b>Demersal trawl gear Lundy SAC</b>  c) <b>Scallop dredge Lundy SAC</b>  d) <b>Prohibition on the removal of Spiny Lobster – Tranche 1 &amp; 2 Sites</b></p>
<b>15<sup>th</sup> May 2017</b>	<p><b>Byelaw &amp; Permitting Sub-Committee Meeting</b></p> <p>Findings of <a href="#">Consultation</a> and the evidence submitted was discussed. The proposals were revised and then agreed at the Full Authority meeting in June 2017.</p>	<p>Revised Proposals:</p> <ol style="list-style-type: none"> <li><b>1. Torbay MCZ</b> <ul style="list-style-type: none"> <li>• Scallop dredging &amp; Trawling activity separated</li> <li>• Scallop Dredging Prohibited in Torbay MCZ</li> <li>• Seasonal Trawling (End of March to end of June permitted subject to impact study, gear trials detailed within a Control &amp; Monitoring Plan.</li> </ul> </li> <li><b>2. Lundy Island (Trawl)</b> Monitoring &amp; Control Plan required to gather information, monitor activity levels and assess gear impact on subtidal coarse sediment sub feature of Lundy SAC.</li> <li><b>3. Lundy Island (Scallop)</b> To prohibit scallop dredging on the subtidal coarse sediment sub feature of the Lundy SAC.</li> <li><b>4. Protection of spiny Lobster in MCZ areas</b> Prohibit removal of spiny lobster by demersal towed gear in Lundy, Skerries Bank &amp; Surrounds and Bideford to Foreland Point MCZ</li> </ol>

15 <sup>th</sup> June 2017	Full Authority Meeting	Revised proposals approved, and the new Permit Conditions & Annexes finalised
28 <sup>th</sup> July 2017	New Mobile Fishing Permit Conditions came into force	All existing permit holders and new applicants to receive the amended Permit Conditions.
August 2017	Officer Work: Reporting	A Final Report created to document complete process. Report is published on D&S IFCA Website – <a href="#">“The Mobile Fishing Permit Byelaw – A three-year review of the permit conditions”</a> – August 2017.
11 <sup>th</sup> September 2017	A “Further Review” of the Mobile Fishing Permit Conditions begins with a six-week consultation	Specific items already identified by D&S IFCA subjected to a Multi -Phase consultation process – Specific Items as follows: <ul style="list-style-type: none"> <li>• Introduction of IVMS</li> <li>• Replacing a reliance on a Deeming Clause</li> <li>• Introducing the size of a scallop (100mm) as a Permit Condition</li> <li>• Permit Conditions to manage the IPA</li> <li>• Permit Conditions to manage access for ring netting activity in Plymouth Sound</li> </ul>
31 <sup>st</sup> January 2018	2 <sup>nd</sup> phase Consultation (six-week period begins)	Same proposals as above subjected to consultation with proposed Permit Conditions also detailed in consultation reports.
12 <sup>th</sup> April 2018	Byelaw & Permitting Sub-Committee Meeting	All <a href="#">proposals</a> approved as set out. ( <a href="#">B&amp;PSC Minutes</a> ). Permit Conditions & 8 separate Annexes were then refined in preparation for issue whilst IVMS units were still being fitted. Other documents changed such as Application Forms. New Documents prepared including Policy.
28 <sup>th</sup> August 2018	New Mobile Fishing Permit Conditions & 8 Annexes came into force	A mail shot to issue the new Permit Conditions was conducted and the new Mobile Fishing Permit Conditions, Annexes, Application Forms (& Policy) posted on D&S IFCA website.  Other Environmental Information: There is an expectation that D&S IFCA continues development of a plan to introduce a Fully Documented Fishery (Shad bycatch) by contacting and including interested parties which include Plymouth University, Environment Agency, and potentially SIFCA and CIFCA.

September 2018	Officer Work: Reporting	A Final Report – “ <a href="#">Mobile Fishing Permit Byelaw – Development Report for Additional Changes to Permit Conditions</a> ” Edition 4 – Final Report – August 2018 is posted on website (File F)
<b>October 2018</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	Members began review the whole Mobile Fishing Permit Byelaw; however, it was agreed to delay the discussions until 2019.
July 2019	Officer Work	Working documents prepared for the Byelaw Technical Working Group (BTWG)
16 <sup>th</sup> July 2019	BTWG Meeting	Initial re-drafting work highlighting discussion items and recommendations for the B&PSC
<b>15<sup>th</sup> August 2019</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	Members presented with a Report – <a href="#">Mobile Fishing Permit Byelaw – The Five-Year Review of the Byelaw (30<sup>th</sup> July 2019)</a> . Report includes environmental information relevant to discussions on vessel access within MPA areas. <b>Members actioned (B&amp;PSC Minutes) the BTWG to conduct drafting work including:</b> <ul style="list-style-type: none"> <li>• <b>Development of new permits to manage sand eel trawling</b></li> <li>• <b>Develop amended text within overarching Mobile Fishing Permit Byelaw</b></li> <li>• <b>Develop amendments to Cat 2 permits</b></li> <li>• <b>Develop amendments to Cat 1 permits</b></li> </ul>
10 <sup>th</sup> September 2019	BTWG Meeting	Continued drafting work with Byelaw and Cat 1 & 2 permits to reflect decision making of B&PSC. Discussion items relating to the drafting work highlighted in a BTWG report for the B&PSC to consider in November 2019.
<b>14<sup>th</sup> November 2019</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	Members presented with a Report – <a href="#">BTWG Progress Report – Mobile Fishing Byelaw Review (Oct 2019)</a> . <b>Members approved (B&amp;PSC Minutes) drafting work to date, clarified answers to specific questions and agreed to recommendations as set out in report.</b> <b>Officers actioned as follows:</b> <ul style="list-style-type: none"> <li>• <b>To consult on the development of 2 new types of permit conditions to manage sand eel trawling for recreational and commercial fishers.</b></li> </ul>
December 2019	Officer Work	Information prepared for consultation on the development of permit conditions (Cat 3 & 4) to manage sand eel trawling. 4-week consultation expected to begin on 13 <sup>th</sup> December 2019.
<b>13<sup>th</sup> December 2019</b>	<b>Consultation on Proposals to manage Sand Eel Trawling via Permit Conditions</b>	<b>The “<a href="#">Have Your Say</a>” consultation highlighted proposals to manage the activity of sand eel trawling by commercial and recreational fishers via the use of permit conditions. Information was directly circulated (Mail Chimp) to contacts on the mailing list and all permit holders.</b>

		The responses were summarised into a report: <a href="#">A Summary of Response from the Consultation on Proposals to Manage Sand Eel Trawling via Permit Conditions (29<sup>th</sup> January 2020)</a> . This report was presented to the B&PSC on 11 <sup>th</sup> February 2020.
11 <sup>th</sup> February 2020	Byelaw & Permitting Sub-Committee Meeting	The sand eel consultation response was discussed, and elements of management were agreed ( <a href="#">B&amp;PSC Minutes</a> ) for continuing development work. <b>Members requested further work by officers regarding vessel size and trawl length restrictions.</b>
10 <sup>th</sup> July 2020	Officer Work – not related to 5 -Year Review of Byelaw	Refreshed Annexes 1 to 8 produced, but not directly circulated to existing permit holders. The refreshed annexes were made available on the website and issued to new applicants from 10 <sup>th</sup> July.
17 <sup>th</sup> August 2020	Byelaw & Permitting Sub-Committee Meeting	<p>Members presented with a Report – <a href="#">The Development of Permit Conditions to Manage Sand eel Trawling (31<sup>st</sup> July 2020)</a> – The report included a decision-making element to clarify potential restrictions for the activity that could be translated into drafting work as part of the 5-Year Review of the Mobile Fishing Permit Byelaw.</p> <p>An <a href="#">additional Officers' Paper</a> was presented that explained that additional consultation could be undertaken regarding the scallop closed season that is relevant to Cat 1 Mobile Fishing Permit Holders and Cat 1 Diving Permit Holders.</p> <p><b>Members clarified answers to specific points associated with development of Mobile Fishing Permit Conditions (Sand eel Trawling).</b></p> <p><b>Officers were actioned (<a href="#">B&amp;PSC Minutes</a>) to undertake an “open” type of consultation regarding the Scallop closed Season.</b></p>
September/October 2020	Consultation on the Scallop Closed Season	The “ <a href="#">Have Your Say</a> ” consultation highlighted existing restrictions and to seek the view of all stakeholders on existing management and potential alternatives. Information was directly circulated ( <a href="#">Mail Chimp</a> ) to contacts on the mailing list and all permit holders. The responses were summarised into a report: development of the Mobile Fishing & Diving Permit Byelaws – Scallop Closed Season – A Summary of Responses from the Pre-Consultation on the Scallop Closed Season (10 <sup>th</sup> Feb 2021).

25 <sup>th</sup> February 2021	Byelaw & Permitting Sub-Committee Meeting	<p>Members presented with the <a href="#">Scallop Closed Season consultation report</a> which also included a recommendation for additional consultation relating to changes to Diving Permits, rather than any potential changes to Mobile Fishing Permit Conditions as part of the 5-Year Review of that Byelaw.</p> <p><b>Members did not agree with the Officers' recommendation (<a href="#">B&amp;PSC Minutes</a>) and no further consultation was conducted relating to the Scallop Closed Season immediately following this B&amp;PSC meeting.</b></p>
April/May 2021	Officer Work	A Planning Report was produced for presentation to the B&PSC to meet the requirements of the Annual Plan 2021-22. The planning report set a new estimated timetable to progress the 5-Year Review of the Mobile Fishing Permit Byelaw.
22 <sup>nd</sup> July 2021	Byelaw & Permitting Sub-Committee Meeting	<a href="#">Planning Report presented to B&amp;PSC</a> . The report had the aim to re-focus work to progress the 5-Year Review that had fallen behind the original expectations for completion.
August 2021	Officer Work	Officers experience complications associated with drafting work in attempts to include the management of sand eel trawling in potential new categories of permit conditions.
October 2021	Officer Work	<a href="#">Officers' paper</a> on the subject matter created for presentation to the B&PSC with a view to a change in approach.
21 <sup>st</sup> October 2021	Byelaw & Permitting Sub-Committee Meeting	<b>B&amp;PSC Members accepted (<a href="#">B&amp;PSC Minutes</a>) a change in approach for the workstream and actioned Officers to proceed with drafting work of the Byelaw and two Categories of Permit Conditions.</b>
January 2022	Officer Work	To recognise the national roll out of IVMS devices, Officers prepare and undertake consultation work with a view to changes to existing Category One Permit Conditions. Subject to B&PSC decision making, the change in the Permit Conditions would provide owners of vessels under 12 metres in length with a greater choice of approved IVMS devices.
20 <sup>th</sup> January 2022	Consultation – Providing a Choice of Remotely Accessed Electronic Reporting Devices	<b>The <a href="#">consultation</a> highlighted the proposed changes to Category One Permit Conditions. A Mail Chimp platform was used for direct circulation of information and hard copy was sent to Category One Permit holders with no email. The consultation was supported with information posted on the website and Facebook. The consultation ended on 7<sup>th</sup> February 2022.</b>



		The responses were summarised into a <a href="#">report (10<sup>th</sup> February 2022)</a> , for presentation to the B&PSC.
24 <sup>th</sup> February 2022	Byelaw & Permitting Sub-Committee Meeting	The IVMS <a href="#">Consultation Report</a> and an Officer's paper ( <a href="#">Agenda Item 7 – Amendments to Category One Mobile Fishing Permit Conditions</a> ) were presented to and considered by the B&PSC. The proposed changes related to the interpretation of a Remotely Accessed Electronic Reporting Device and the meaning of Required Information. <b>Decisions Taken (<a href="#">B&amp;PSC Minutes</a>):</b> <b>That the existing Category One Mobile Fishing Permits be amended to apply from 1st March 2022.</b>
Late February to 1 <sup>st</sup> March 2022	Officer Work	<b>Amended Category One Permits circulated (valid from 1<sup>st</sup> March 2022)</b> . Information posted on the website & Facebook. Work begins preparing a <a href="#">Final Report</a> (Providing a Choice of Remotely Accessed Electronic Reporting Devices) to document the complete process (published 29 <sup>th</sup> June 2022).
March to May 2022	Officer Work	Information assembled relevant to the review of the Byelaw and two Categories of Permit Conditions. Decision making required from the B&PSC to inform final drafting work.
9 <sup>th</sup> June 2022	Byelaw & Permitting Sub-Committee Meeting	B&PSC presented with multiple Officer papers relevant to the review of the Byelaw and the associated Permit Conditions with the majority focussed on consideration of spatial conditions – access within MPAs, mariculture sites and Heritage Assets Sites. Covering Officer paper ( <a href="#">Agenda Item 7</a> ) and papers ( <a href="#">7.1</a> , <a href="#">7.2</a> , <a href="#">7.3</a> , <a href="#">7.4</a> , <a href="#">7.5</a> , <a href="#">7.6</a> , <a href="#">7.7</a> , <a href="#">7.8</a> & <a href="#">7.9</a> ). <b>Decisions Taken (<a href="#">B&amp;PSC Draft Minutes</a>) to apply in drafting work for the re-make of the Byelaw and associated Permit Conditions:</b> <ul style="list-style-type: none"> <li>• <b>Demersal towed gear to be prohibited over the South Australian Scheduled Wreck</b></li> <li>• <b>Demersal towed gear to be prohibited in specified coastal mariculture sites</b></li> <li>• <b>Access to be maintained for demersal towed gear within a part of the Bideford to Foreland Point MCZ</b></li> <li>• <b>No management measures for demersal trawl gear within the Hartland Point to Tintagel MCZ</b></li> <li>• <b>That current management measures in the Skerries Bank &amp; Surrounds MCZ is maintained</b></li> <li>• <b>To defer a decision on access within the Start Point to Plymouth and Eddystone SAC until additional advice</b></li> </ul>

		<p><b>is provided by Natural England and Officers have reported on IVMS Camera Trials.</b></p> <ul style="list-style-type: none"> <li>• <b>That demersal towed gear is to be prohibited on the rock feature in the Morte Platform MCZ</b></li> <li>• <b>No logbook requirements are to be applied in a Category One Permit</b></li> <li>• <b>A requirement for submission of catch data is to be applied in a Category Two Permit</b></li> </ul>
29 <sup>th</sup> June 2022 into August 2022	Officer Work	Officers work with the Byelaw Technical Working Group to prepare advanced drafts of the Byelaw and both categories of Permit Conditions.

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## Potting Permit Byelaw (Including the Live Wrasse Fishery)

Key Dates	Comments	Information
<b>1<sup>st</sup> March 2015</b>	<p><b>Byelaw came into force.</b></p> <p>The whole Byelaw must be reviewed in 2020 (5 years).</p> <p>The Permit Conditions must be reviewed at least every 3 years</p>	<p><b>Provides Catch, Gear, Spatial &amp; Time Restrictions (2 Categories – Commercial &amp; Recreational Fishers)</b></p> <p>No Annexes were issued with original Permit Conditions Incorporated several legacy measures. 2 Old stand-alone Byelaws revoked.</p> <ul style="list-style-type: none"> <li>• Potting Restriction – Lundy Island MCZ</li> <li>• Pots used for Fishing for Crustacea</li> </ul>
<b>March/April 2015</b>	<b>Consultation to increase the MCRS of female brown crab to 150mm.</b>	<b>A change to the Catch Restrictions element of the Potting Permit</b>
<b>1<sup>st</sup> May 2015</b>	<b>Permit Conditions with new MCRS for female Brown Crab in force</b>	<b>All Permit Holders now have Potting Permit Conditions with the 150mm MCRS for female Brown Hen Crab</b>
<b>4<sup>th</sup> November 2016</b>	<b>Live Wrasse Pot Fishery</b>	<b>After seeing the emergence of the Live Wrasse Pot Fishery, D&amp;S IFCA informs all commercial Potting Permit Holders that it is considering new management measures</b>
<b>24<sup>th</sup> February 2017</b>	<b>Consultation for the Live Wrasse Pot Fishery</b>	<p><b>5 Proposals:</b></p> <ul style="list-style-type: none"> <li>• Implement a Fully Documented Fishery</li> <li>• Pot Limitation (60 pots per vessel)</li> <li>• Requirements to mark gear</li> <li>• Closed season (between 1<sup>st</sup> April &amp; 31<sup>st</sup> July)</li> <li>• Min &amp; Max Sizes</li> </ul> <p>120mm to 230mm (Rock cook, Goldsinny &amp; Corkwing) 150mm to 230mm (Ballan &amp; Cuckoo)</p>
<b>15<sup>th</sup> May 2017</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	<p><b>Report presented</b> &amp; considered (<a href="#">B&amp;PSC Minutes</a>).</p> <p><b>Decisions Taken:</b></p> <ol style="list-style-type: none"> <li>1. Implementation of Fully Documented Fishery</li> <li>2. 120 Pot limits per permit holder</li> <li>3. Gear marking “WRA” required</li> <li>4. Closed Season – 1<sup>st</sup> April - 30<sup>th</sup> June</li> <li>5. Introduction of Min &amp; Max sizes as set out in proposals.</li> <li>6. Issue of a Policy Statement,</li> <li>7. Requirements for fishers to allow officers aboard for surveys</li> <li>8. Voluntary Closed Areas</li> <li>9. Formal Review set for Nov 2017</li> </ol>

July 2017	<b>New Potting Permit Conditions came into force</b>	<b>A mail shot to issue the new Permit Conditions was conducted</b>
August 2017	Officer Work: Reporting	A Report created to document complete process. Report is published on D&S IFCA Website – Resource Library - (File F) – <a href="#">“Management of the Live Wrasse Pot Fishery” Version 3 – August 2017</a>
September 2017	<b>Mandatory Consultation for a Three-year Review of Permit Conditions Required</b>	<b>Multi-phase consultation begins (general Potting Conditions) – Phase One “open consultation” - (11<sup>th</sup> September to 23<sup>rd</sup> October 2017)</b>
November 2017	<b>Formal Review of the Live Wrasse Pot Fishery</b>	Members of the Byelaw & Permitting Sub – Committee began the Formal Review by studying a <b>Live Wrasse Fishery Data Analysis Research Report (November 2017)</b> by Dr Libby West & Stephanie Davies. <b>Consultation actioned</b> ( <a href="#">B&amp;PSC Minutes</a> ).
31 <sup>st</sup> January 2018	<b>Consultation conducted for the Live Wrasse Pot Fishery</b>	<b>2 Specific Proposals including proposed Permit Conditions:</b> <ul style="list-style-type: none"> <li>• <b>Change to closed season to be 1<sup>st</sup> May to 15<sup>th</sup> July inclusive.</b></li> <li>• <b>Change in the slot size for Corkwing Wrasse to be 140mm to 180mm.</b></li> </ul>
31 <sup>st</sup> January 2018	<b>Consultation conducted for general Potting Permit Conditions</b>	<b>6 Focussed Items (including proposed Permit conditions) that could result in changes to general Potting Conditions:</b> <ul style="list-style-type: none"> <li>• <b>Potting Permit Conditions to replace a reliance on a deeming clause.</b></li> <li>• <b>Potting Permit Conditions to prohibit the removal of spiny lobster from MCZ areas – Adding Bideford to Foreland Point MCZ to already protected Skerries Bank &amp; Surrounds and Lundy MCZ.</b></li> <li>• <b>Protection for spiny lobster that has recently cast its shell.</b></li> <li>• <b>Gear restrictions to protect otters in estuaries</b></li> <li>• <b>Managing the Whelk Fishery</b></li> <li>• <b>Lundy Island “No Take Zone” (as a Potting Permit Condition)</b></li> <li>• <b>Changes to Category Two Permit Conditions (hauling pots that belong to others)</b></li> </ul>
March 2018	End of both consultations	Information collated was presented to Byelaw & Permitting Sub-Committee in April 2018. <a href="#">Wrasse Formal Review Supplement Report</a> <a href="#">Potting Supplement Report – Consultation Findings</a>

12 <sup>th</sup> April 2018	Byelaw & Permitting Sub - Committee Meeting	<p><b>Decisions Taken (general potting) – (<a href="#">B&amp;PSC Minutes</a>):</b></p> <ul style="list-style-type: none"> <li>• Potting Permit Conditions to be implemented as proposed to replace a reliance on the deeming Clause.</li> <li>• Potting Permit Conditions to be implemented as proposed to protect spiny lobster that has recently cast its shell.</li> <li>• Potting Permit Conditions to be implemented to prohibit removal of spiny lobster from MCZ (this adds Bideford to Foreland Point MCZ) – New Annexes created.</li> <li>• Potting Permit Conditions to be implemented to protect Otters in estuaries (gear restrictions in areas defined in new Annexes)</li> <li>• Potting Permit Conditions to be implemented to introduce a phased in new MCRS for Whelk (45mm to 65mm in 10mm increases over two years from November 2018)</li> </ul>
12 <sup>th</sup> April 2018	Byelaw & Permitting Sub -Committee Meeting	<p><b>Decisions Taken (Live Wrasse Pot Fishery) – (<a href="#">B&amp;PSC Minutes</a>)</b></p> <ul style="list-style-type: none"> <li>• Potting Permit Conditions to be implemented to amend closed season to be 1<sup>st</sup> May to 15<sup>th</sup> July each year.</li> <li>• Potting Permit Conditions to be implemented to amend the slot size for corkwing wrasse to be 140mm to 180mm.</li> <li>• New guidance to be issued (Voluntary closed areas)</li> <li>• A date set for another review in November 2018</li> </ul>
May/June	Legal advice taken to refine wording in the Potting Conditions	4 New Annexes prepared for the general Potting Permit Conditions and, also new Application forms, policy and guidance made.
13 <sup>th</sup> August 2018	<b>New Potting Permit Conditions &amp; 4 Annexes came into force</b>	<b>A mail shot to issue the new Permit Conditions was conducted and the new Potting Permit Conditions, Annexes, Application Forms (&amp; Policy) posted on D&amp;S IFCA website.</b>
September 2018	Officer Work: Reporting	<p>Two Final Reports posted in file F of website Resource Library.</p> <ul style="list-style-type: none"> <li>• “<a href="#">Potting Permit Byelaw – A Three-Year Review of the Permit Conditions</a>” Edition 3 – 1<sup>st</sup> July 2018.</li> <li>• “<a href="#">Potting Permit Byelaw – Development and Management of the Live Wrasse Pot Fishery</a>” Edition 2 – 1<sup>st</sup> July 2018.</li> </ul>

<p><b>20<sup>th</sup> November 2018</b></p>	<p><b>Byelaw &amp; Permitting Sub-Committee Meeting (Non-Quorate Meeting)</b></p>	<p><b>A Formal Review of the Live Wrasse Fishery (2018-19) began.</b></p> <p>Members were presented with a Supplement Report: <b>Formal Review of the Live Wrasse Pot Fishery</b>. The report was a compilation of information including details about management already introduced and information and evidence compiled by D&amp;S IFCA.</p> <p>Members were also presented with a <a href="#">report</a>: <b>Live Wrasse Data Analysis (Nov 2018)</b> by Sarah Curtin &amp; Dr Libby West (D&amp;S IFCA).</p> <p>Members were also presented with a <a href="#">summary paper</a> compiled by Sarah Clark (D&amp;S IFCA): <b>Current Research relating to the Live Wrasse Fisheries in the South West.</b></p> <p><b>Members recommended that (subject to the findings of further evidence presented by D&amp;S IFCA Officers) there should be no changes to the current management of the Live Wrasse Pot Fishery. Management includes both the Potting Permit Conditions and separate Policy &amp; Guidance.</b></p>
<p><b>26<sup>th</sup> February 2019</b></p>	<p><b>Byelaw &amp; Permitting Sub-Committee Meeting</b></p>	<p>Members were presented with an <a href="#">addendum</a> to the Live Wrasse Data Analysis (Nov 18).</p> <p><b>Decisions Taken:</b>  <b>Wrasse - (<a href="#">B&amp;PSC Minutes</a>):</b></p> <ul style="list-style-type: none"> <li>• <b>Members endorse findings of the reports presented to them to date</b></li> <li>• <b>That existing management measures for the Live Wrasse Pot Fishery be Maintained</b></li> <li>• <b>That a comprehensive review of the Live Wrasse Pot Fishery will be conducted to reflect the three years of data that will have been collected and collated.</b></li> </ul> <p>Members were presented with a report about the work of the Technical Byelaw Working Group which highlighted an issue with the Potting Permit Condition 2.5.3 (Bait restriction for general potting)</p> <p><b>Decision Taken:</b>  <b>General Potting – (<a href="#">B&amp;PSC Minutes</a>)</b></p> <p><b>That Permit Condition 2.5.3 is subjected to consultation with a view to its removal.</b></p>

8 <sup>th</sup> March 2019	Consultation conducted on the potential removal of Potting Permit Condition 2.5.3	<u>Consultation</u> ended on 12 <sup>th</sup> April 2019. Responses assembled into a <u>Supplement Report</u> to be discussed by the Byelaw & Permitting Sub-Committee on 16 <sup>th</sup> May 2019
16 <sup>th</sup> May 2019	Byelaw & Permitting Sub-Committee Meeting	<b>Decision (<u>B&amp;PSC Minutes</u>) taken to remove the Potting Permit Condition 2.5.3 that related to a bait restriction.</b>
June/July 2019	Officer Work	Permit Conditions amended. Annexes refined. Preparation for circulation of new permits with a start date of 1 <sup>st</sup> August 2019.
1 <sup>st</sup> August 2019	<b>New Potting Permits and Annexes came into force</b>	<b>New Potting Permits Issued (Direct Circulation). Website &amp; Facebook news items posted to raise awareness.</b>
11 <sup>th</sup> February 2020	Byelaw & Permitting Sub-Committee Meeting	<p>The B&amp;PSC received and discussed the following <u>report</u>: <b>Three Year Comprehensive Review of the Live Wrasse Fishery in Devon &amp; Severn IFCA's District V 1.3.</b></p> <p>Members recognised the finding of the report and concluded that additional protection was required to protect rock cook wrasse.</p> <p><b>Decisions Taken (<u>B&amp;PSC Minutes</u>):</b>  <b>That D&amp;S IFCA continues to manage the Live Wrasse Pot Fishery using permit restrictions and the continuation of the Fully Documented Fishery (research), whilst having regard to changes in permit conditions relating to rock cook wrasse.</b></p> <p><b>That the Potting Permit Conditions are to be examined by the Byelaw Technical Working Group (BTWG) and amended in such a way as to require all rock cook wrasse to be returned to the sea.</b></p> <p><b>To continue the onboard observer programme, appropriate to the resources available to D&amp;S IFCA and proportionate to the continued commitment to the conservation objectives of the fishery.</b></p> <p>A formal consultation was required.</p>
March 2020	Officer/BTWG Work	Drafting of the Potting Permit Conditions in preparation for the formal consultation.
April/May 2020	Formal consultation conducted on potential changes to the Potting Permit Conditions	<p><b>The formal consultation "<u>Amendments to the Permit Conditions to Manage the Live Wrasse Pot Fishery</u>" ended on 15<sup>th</sup> May 2020.</b></p> <p><b>The responses and associated decision-making reports were assembled for presentation to the B&amp;PSC at their next meeting.</b></p>

April 2020	Officer Work	Data review and re-analysis of the Three-Year Comprehensive Review of the Live Wrasse Fishery in Devon & Severn IFCA's District. <b>Version 1.6</b> was produced and published.
18 <sup>th</sup> June 2020	Byelaw & Permitting Sub-Committee Meeting	<p><b>Decision Taken (B&amp;PSC Minutes):</b>  <i>That the Habitat Regulation Assessments (HRAs), relevant to the Live Wrasse Pot Fishery, are reviewed by officers and submitted to Natural England for formal advice.</i></p> <p><i>That the proposals for amendments to the Potting Permit Conditions are applied and amended permits circulated before 15<sup>th</sup> July 2020.</i></p> <p><i>That the formal advice received from Natural England is considered by the B&amp;PSC at the earliest opportunity.</i></p> <p>The Potting Permit Conditions would now prohibit the removal of rock cook wrasse from a fishery within D&amp;S IFCA's District. The slot size for rock cook wrasse would be removed from the Potting Permit Conditions as it would no longer be relevant. A schedule would be added to the Potting Permit Conditions to assist fishers measuring sea fisheries resources taken.</p>
July 2020	Officer Work	Permit Conditions amended in preparation for circulation of new permits with a start date of 10 <sup>th</sup> July 2020.
July 2020	Officer Work	Revised HRAs relevant to the Live Wrasse Pot Fisher were submitted to natural England for formal advice.
July 2020	<b>New Potting Permits came into force</b>	<b>New Potting Permits Issued (Direct Circulation). Website &amp; Facebook news items posted to raise awareness. Policy and Guidance updated.</b>
July 2021 +	Officer Work	D&S IFCA Environment Officers continue to undertake surveys and collect data on the Live Wrasse Pot Fishery.
25 <sup>th</sup> February 2021	Byelaw & Permitting Sub-Committee Meeting	<p>The B&amp;PSC received the following information:</p> <p>(Dr James Stewart &amp; Lauren Henly - Review of the Live Wrasse Fishery in Devon and Severn IFCA's District 2017 - 2020 <a href="#">Version 1.0</a>).</p> <p>A 2<sup>nd</sup> Report (A Summary Report (<a href="#">Version 1.0</a>)) was also presented to Members of the B&amp;PSC.</p> <p>Members were provided with a presentation highlighting amendments to the information as presented which included revised recommendations for a change in the slot size for ballan wrasse.</p>



		<p><b>Decisions Taken (<a href="#">B&amp;PSC Minutes</a>):</b>  <b>Members concluded that formal consultation should be undertaken with a view to amendments to Potting Permit Conditions.</b></p> <p><b>Members supported a change of approach regarding the collection of data from fishers.</b></p>
March 2021	Officer Work	Revised reports ( <a href="#">Full Report – V 1.1</a> and <a href="#">Summary Report V1.1</a> ) were created and published that incorporated the amendments highlighted at the February 2021 B&PSC meeting. The amended reports became the best available evidence.
<b>April/May 2021</b>	<b>Officer Work</b>	<b><a href="#">Formal Consultation (4 Weeks) &amp; Communication Work.</a></b>
June 2021	Officer Work	Responses managed and a summary report is prepared for the B&PSC.
<b>22<sup>nd</sup> July 2021</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	Members examined the <a href="#">consultation report</a> and the accompanying Officers' Paper ( <a href="#">Agenda Item 8</a> ) that included a recommendation to amend the Potting Permit Conditions – ballan wrasse slot size. <b>Decisions Taken (<a href="#">B&amp;PSC Minutes</a>):</b> <b>Members concluded that the slot size for ballan wrasse be amended from 15cm – 23cm to 18cm – 26cm.</b>
<b>Late July/Early August 2021</b>	<b>Officer Work</b>	<b>Potting Permit Conditions amended. Potting Permits circulated (Valid from 9<sup>th</sup> August 2021). Policy and Guidance was updated in accordance with the changes to management.</b> Website & Facebook news items posted to raise awareness.

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## Diving Permit Byelaw

Key Dates	Comments	Information
<b>1<sup>st</sup> March 2015</b>	<p><b>Byelaw came into force.</b></p> <p>The whole Byelaw must be reviewed in 2020 (5 years).</p> <p>The Permit Conditions must be reviewed at least every 3 years.</p>	<p><b>Provides Catch, Gear, Spatial &amp; Time Restrictions (2 Categories – Commercial &amp; Recreational Fishers)</b></p> <p><b>Permits only required for Divers that intend to take scallops, lobster &amp; crab – not other forms of Diving.</b></p> <p>Incorporated several legacy measures into the Permit Conditions but no revocation as relevant legacy measures still apply to “any person”.</p> <p>No Annexes are issued with original Permit Conditions.</p> <p>The Diving Permit Byelaw includes a deeming clause which will be highlighted in the review.</p> <p>Annexes will be created and used following a review.</p>
<b>13<sup>th</sup> November 2017</b>	<b>Byelaw &amp; Permitting Sub Committee Meeting</b>	<b>Officers actioned to begin the mandatory Three-Year review of Diving Permit Conditions (<a href="#">B&amp;PSC Minutes</a>)</b>
<b>1<sup>st</sup> December 2017</b>	<b>Mandatory Consultation for a Three-year Review of Permit Conditions Required</b>	<b>Multi-phase consultation begins – Phase One “open consultation” - (1<sup>st</sup> December 2017 to 12<sup>th</sup> January 2018.</b>
February/March 2018	Findings collated	<a href="#">Supplementary report</a> created for B&PSC
<b>12<sup>th</sup> April 2018</b>	<b>Byelaw &amp; Permitting Sub Committee Meeting</b>	Diving Discussions deferred until next meeting where the identified & focussed items will be highlighted for a 2 <sup>nd</sup> phase of consultation.
<b>August 2018</b>	<b>Byelaw &amp; Permitting Sub Committee Meeting Cancelled</b>	The meeting was rearranged for October 2018
Sept 2018	Officer Work: Reporting	The Diving Consultation Phase 1 Supplement published as a member’s paper on the Meetings Page of the D&S IFCA Website.
<b>11<sup>th</sup> October 2018</b>	<b>Byelaw &amp; Permitting Sub Committee Meeting</b>	<p><b>Members were presented with a Supplement Report: <a href="#">A Summary of Response from the Phase 1 Consultation.</a></b></p> <p><b>Members <u>agreed</u> that some specific items be subjected to a 2<sup>nd</sup> and focused period of consultation. Items included: Protection of Spiny Lobster, Scallop Bag Limit, Deeming Clause, Lundy No Take Zone</b></p>

<p>8<sup>th</sup> March 2019</p>	<p><u>Consultation</u> conducted on 7 specific items within the Diving Permit Conditions</p>	<ul style="list-style-type: none"> <li>• Number of scallops that can be taken by a recreational diver</li> <li>• Protection of spiny lobster that have recently cast their shell</li> <li>• Prohibition on the removal of spiny lobster from Tranche 2 Marine Conservation Zones (Bideford to Foreland Point)</li> <li>• Incorporating the Lundy Island - No Take Zone into the Diving Permit Conditions</li> <li>• To use Permit Conditions to replace a reliance on the deeming clause</li> <li>• Prohibition on the removal of parts of spiny lobster</li> <li>• Amending the Knoll Pins (Lundy Island) restrictions</li> </ul>
<p>16<sup>th</sup> May 2019</p>	<p>Byelaw &amp; Permitting Sub Committee Meeting</p>	<p><b>Decisions (<u>B&amp;PSC Minutes</u>) taken about changes to the Diving Permit Conditions.</b></p> <p><b>Decision Taken:</b>  <b>Number of scallops that can be taken by a recreational diver per calendar day increased from 15 to 25.</b>  <b>Other items set out in consultation list above all agreed for implementation.</b></p>
<p>June/July 2019</p>	<p>Officer Work</p>	<p>Diving Permit Conditions amended. 3 New Annexes created. Preparation for circulation of new permits with a start date of 1<sup>st</sup> August 2019.</p>
<p>1<sup>st</sup> August 2019</p>	<p><b>New Diving Permits and Annexes came into force</b></p>	<p><b>New Diving Permits Issued (Direct Circulation). Website &amp; Facebook news items posted to raise awareness.</b></p>
<p>17<sup>th</sup> August 2020</p>	<p>Byelaw &amp; Permitting Sub-Committee Meeting</p>	<p>An Officers' Paper was presented that explained that consultation could be undertaken regarding the scallop closed season that is relevant to Cat 1 Mobile Fishing Permit Holders and Cat 1 Diving Permit Holders.</p> <p><b>Officers were actioned (<u>B&amp;PSC Minutes</u>) to undertake an "open" type of consultation regarding the Scallop closed Season.</b></p>
<p>September/October 2020</p>	<p>Consultation on the Scallop Closed Season</p>	<p>The "<u>Have Your Say</u>" consultation highlighted existing restrictions and to seek the view of all stakeholders on existing management and potential alternatives. Information was directly circulated (Mail Chimp) to contacts on the mailing list and all permit holders.</p> <p>The responses were summarised into a report: development of the Mobile Fishing &amp;</p>

		<b>Divining Permit Byelaws – Scallop Closed Season – A Summary of Responses from the Pre-Consultation on the Scallop Closed Season (10<sup>th</sup> Feb 2021).</b>
25 <sup>th</sup> February 2021	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	Members presented with the <a href="#">Scallop Closed Season consultation report</a> which also included a recommendation for additional consultation relating to changes to Diving Permits, rather than any potential changes to Mobile Fishing Permit Conditions as part of the 5-Year Review of that Byelaw.  <b>Members did not agree with the Officers' recommendations and no further consultation, relating to the Scallop Closed Season, was conducted immediately following the B&amp;PSC meeting. (<a href="#">B&amp;PSC Minutes</a>)</b>
February to October 2021	Officer Work	Concerns raised by the B&PSC were examined by Officers. In October 2021 Officers prepared information for the B&PSC to consider at their meeting in October 2021, with a view to further consultation.
21 <sup>st</sup> October 2021	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	<b>Members actioned (<a href="#">B&amp;PSC Minutes</a>) additional consultation with commercial divers to gather views on different options for management (Scallop Closed Season)</b>
November/December 2021	<b><a href="#">Consultation – Scallop Closed Season – Have Your Say</a></b>	<b>Multiple Topics including:</b> <ul style="list-style-type: none"> <li>• <b>Access within specific sites during July, August, and September for the removal of scallop</b></li> <li>• <b>Bag Limit (2400 scallops per calendar day)</b></li> <li>• <b>Increase in MCRS</b></li> <li>• <b>Fitting of IVMS</b></li> </ul>
24 <sup>th</sup> February 2022	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	Members presented with the <a href="#">Scallop Closed Season Consultation Report (Jan 2022 V1.0)</a> and an accompanying Officers' paper ( <a href="#">Agenda Item 6</a> ) that included Officers' recommendations. <b>Decisions Taken: (<a href="#">B&amp;PSC Minutes</a>)</b> <b>To conduct formal consultation on changes to Category One Diving Permit Conditions based around the points (a-e as amended) as set out in the Officers' paper.</b>
March to April 2022	<b>Formal Consultation on changes to Category One Diving Permit Conditions</b>	<b>The <a href="#">formal consultation</a> set out the proposed changes with examples of how the Permit Conditions (and annexes) would function. The formal consultation was directly circulated (Mail Chimp) and supported with information on the website. It ended on 18<sup>th</sup> April 2022.</b>

<p>9<sup>th</sup> June 2022</p>	<p><b>Byelaw &amp; Permitting Sub-Committee Meeting</b></p>	<p>Members presented with the <a href="#">Diving Formal Consultation Report (V1.0 May 2022)</a> and an accompanying Officers' paper (<a href="#">Agenda Item 6</a>) which set out recommendations for changes to the Category One Diving Permit Conditions.</p> <p><b>Decisions Taken: (<a href="#">Draft B&amp;PSC Minutes</a>)</b></p> <p><b>That Category One Diving Permit Conditions are amended to take effect from 1st July 2022 to open access in the months of July, August, and September for the removal of scallops from specified sites under conditions (b to e) as set out in the Officers' paper.</b></p> <p><b>(b – e):</b></p> <p><b>b) To introduce a Minimum Conservation Reference Size of 110mm for scallop within the District in the months of July, August and September.</b></p> <p><b>c) To introduce a catch limit of 2400 scallops per vessel, per calendar day within the District during the months of July, August, and September.</b></p> <p><b>d) To require a fully functioning Remotely Accessed Electronic Monitoring Device (IVMS/VMS) to be fitted to vessels and with additional requirements if the device fails to transmit the required information.</b></p> <p><b>e) To introduce a catch restriction that means when diving for scallops in the District in the months of July, August, and September, no fishing outside of the District can take place on that fishing trip.</b></p> <p>The B&amp;PSC requested that the fishery is monitored, and a report is presented in early 2023.</p>
<p><b>June 2022</b></p>	<p><b>Officer Work</b></p>	<p><b>Category One Permits are amended and issued with accompanying Annexes.</b> Information is posted on the website and Facebook.</p> <p>A final Byelaw Development Report documenting the complete process is being created.</p>

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## Netting Permit Byelaw

Key Dates	Comments	Information
<p><b>1<sup>st</sup> March 2018</b></p>	<p><b>Byelaw provisions (Effective Date) came into force.</b></p> <p><b>Byelaw signed by Secretary of State on 8<sup>th</sup> May 2018.</b></p> <p>The whole Byelaw must be reviewed after 5 years.</p> <p>The Permit Conditions must be reviewed at least every 3 years</p>	<p><b>Provides Catch, Gear, Spatial &amp; Time Restrictions (2 Categories – Commercial &amp; Recreational Fishers)</b></p> <p>Incorporated several legacy measures into the Permit Conditions, but some stand-alone measures are still relevant as they apply to “any person”.</p> <p>3 old legacy measures were revoked.</p> <ul style="list-style-type: none"> <li>• Prohibition of Netting – River Exe</li> <li>• Trawling &amp; Netting Prohibition – part of Lundy Island Marine Conservation Zone</li> <li>• River Exe – Prohibition of Netting</li> </ul> <p>Legacy Byelaw 17 was not revoked as its legal definition still includes “long lines” which has yet to be subjected to a review by D&amp;S IFCA</p> <p>No Deeming Clause was placed in the Byelaw. The Permit Conditions are already used effectively so it is not needed.</p> <p>5 Annexes are issued with these original Permit Conditions.</p> <p><b>Key Conditions –</b></p> <ul style="list-style-type: none"> <li>• Netting within estuaries is now very restrictive – no fixed or drift nets. 20 metre seine net permitted in estuaries for sand eel (20mm mesh)</li> <li>• Netting closing line generally harmonise</li> </ul>

		<p>with Bass Nursery Area closing lines.</p> <ul style="list-style-type: none"> <li>• Restrictions in coastal zones (Annex 3) maintained as per legacy Byelaw 17 with a 3-metre headline restriction for fixed nets – subject to potential review if the EA provide evidence to support change.</li> <li>• Gear limits for recreational fishers – 25 metre max length at sea.</li> <li>• Catch restrictions introduced for recreational fishers</li> <li>• Protection for Spiny lobster (prohibition on removal) in three sites including Bideford to Foreland Point already established (Annex 1)</li> <li>• Old EA measures in Somerset areas re-established (Annex 5) which harmonise with Voluntary Angling Zones.</li> </ul>
June/July 2018	Presentation & GDPR	Presentation of Permit Conditions amended but not the content. Also, changes have been made to Application Forms (including privacy notices)
October 2021	Officer Work	Officers prepared information for the B&PSC in preparation for a review of both the Netting Permit Byelaw and the Netting Permit Conditions (Annual Plan 2021 -2022 Key Task)
<b>21<sup>st</sup> October 2021</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	<b>Members agreed with the Officers' recommendation.</b>

## Managing Hand Working Fishing Activity

There are many fishing activities that will be reviewed as part of this work. The Byelaw & Permitting Sub Committee (B&PSC) began to examine the management of these activities in October 2018. A draft planning report - Managing Hand Working Fishing Activity – 28<sup>th</sup> June was presented, refined, and agreed to be suitable for use.

The planning report divided the activity into three key sections and the required work would be divided into three key sections:

1. **The use of crab tiles**
2. **Bait Collection**
3. **A mixture of methods that have been categorised as “Hand Gathering”.**

It was planned so that each topic would be examined at B&PSC meetings during 2019.

It was planned so that the submitted information for each topic will include:

- **Environmental assessments/summaries of the assessments**
- **Reports of any relevant completed surveys**
- **An overview of any potentially relevant legacy Byelaw measures**
- **An overview of any relevant voluntary codes**

Key Dates	Comments	Information
November & December 2018	Officer Work: D&S IFCA Preparation ( <a href="#">Planning Report</a> )	Information and evidence are assembled relating to crab tiling. The information is to be used in a three-phase information gathering exercise throughout 2019 enabling all stakeholders to engage
4 <sup>th</sup> January 2019	Start of a “ <a href="#">Call for Information</a> ” engagement campaign (Crab Tiles)	A collection of information about the method and research work undertaken was assembled into a mail chimp circular that was directly circulated to stakeholders that had provided an email. Campaign was supported by the D&S IFCA website and Facebook. Multiple options were provided for stakeholders to respond by 8 <sup>th</sup> February 2019.
26 <sup>th</sup> February 2019	Byelaw & Permitting Sub-Committee Meeting	A supplement report – <a href="#">Information &amp; Evidence - Crab Tiles (Feb 2019)</a> was presented to members. The report included a summary of response from stakeholders and a summary of <b>Research and Assessment work</b> . Members did not formulate an initial position at this time on how the activity could or should be managed.
March 2019	Officer Work: D&S IFCA Preparation	Information and evidence are assembled relating to bait digging. The information is to be used in a 2 <sup>nd</sup> Phase information gathering exercise enabling all stakeholders to engage.
29 <sup>th</sup> March 2019	Start of a “ <a href="#">Call for Information</a> ” engagement	A collection of information about the method and research work undertaken was assembled into a mail chimp circular that



	campaign (Bait Digging)	was directly circulated to stakeholders that had provided an email. Campaign was supported by the D&S IFCA website and Facebook. Multiple options were provided for stakeholders to respond by 26 <sup>th</sup> April 2019.
16 <sup>th</sup> May 2019	Byelaw & Permitting Sub-Committee Meeting	A supplement report – <a href="#">Information &amp; Evidence – Bait Digging V.2 (May 2019)</a> was presented to members. The report includes a summary of response from stakeholders and a summary of <b>Research and Assessment</b> work. The previous report on Crab Tiles was re-presented ( <a href="#">Version 2</a> ) as it had been updated.
28 <sup>th</sup> June 2019	Start of a “ <a href="#">Call for Information</a> ” engagement campaign (Hand Gathering)	A collection of information about the different methods, the relevant legacy byelaws and research work undertaken was assembled into a mail chimp circular that was directly circulated to stakeholders that had provided an email. Campaign was supported by the D&S IFCA website and Facebook. Options were provided for stakeholders to respond by 26 <sup>th</sup> July 2019.
15 <sup>th</sup> August 2019	Byelaw & Permitting Sub-Committee Meeting	A supplement report – <a href="#">Information &amp; Evidence – Hand Gathering (30<sup>th</sup> July)</a> was presented to members. The report includes a summary of response from stakeholders and a summary of <b>Research and Assessment</b> work all relating to hand gathering fishing activities.
September 2019	Officer Work	Officers begin preparing an “options for management” discussion report for the B&PSC to consider in November 2019.
14 <sup>th</sup> November 2019	Byelaw & Permitting Sub-Committee Meeting	<b>Options for Management (Report): Decision taken (B&amp;PSC Minutes) to manage hand working fishing activity via a hybrid type of Hand Working Permit Byelaw.</b>  <b>This will include the establishment of a series of bag limits for different resources and spatial management as fixed provisions. It was envisaged that permits and the criteria to gain a permit would be developed in 2020.</b>  Further consideration of initial bag limits by B&PSC was planned for 23 <sup>rd</sup> January 2020 with consultation on the proposed bag limits planned for February 2020.
23 <sup>rd</sup> January 2020	Byelaw & Permitting Sub-Committee Meeting	A discussion report “ <a href="#">Structure and Bag Limits</a> ” was presented to the B&PSC in preparation for consultation work. <b>Decision taken (B&amp;PSC Minutes) to conduct a consultation on the setting of bag limits (catch thresholds) for a range of sea fisheries resources.</b>

7 <sup>th</sup> February 2020	Start of a “ <a href="#">Have Your Say</a> ” Consultation – The Development of Bag Limits for Recreational Fishers	A four-week consultation was undertaken and ended on 9 <sup>th</sup> March 2020. A series of bag limits (catch thresholds) were proposed as fixed provisions within a potential Hand Working Permit Byelaw. A mail chimp circular was directly circulated to all consenting stakeholders on the D&S IFCA mailing list. The campaign was supported by the D&S IFCA website and Facebook. The responses from the consultation were assembled into a report for presentation to the B&PSC at their next meeting.
18 <sup>th</sup> June 2020	Byelaw & Permitting Sub-Committee Meeting	A consultation report ( <a href="#">Developing Catch Thresholds – Reference Report – 20<sup>th</sup> May 2020</a> ) was presented to the B&PSC as an information item. Due to the complexity of the subject matter, there was no decision-making requirement at this B&PSC meeting.
July 2020 +	Officer Work: National Interest	Other IFCAs reported an interest in the subject matter via the Chief Officers Group. Work by D&S IFCA, including additional engagement with stakeholders, was suspended to potentially enable all IFCAs to discuss a consistent approach to byelaw development & management of this fishing activity.
March 2021	Officer Work: Annual Planning	Officers prepared the D&S IFCA Annual Plan 2021-22 for approval by Members. Continuation of work on the development of a Hand Working Permit Byelaw was not included in the <a href="#">Annual Plan 2021-22</a> to enable the D&S IFCA’s Officers to prioritise other byelaw related work and reviews of permit conditions.
April 2021 +	Officer Work: National Work	D&S IFCA joined FISHGIG (a National IFCA Working Group) to monitor developments and progress made by other IFCAs. FISHGIG had the aim of producing a guide that may lead to a consistent approach to byelaw development & the management of hand working/hand gathering fishing activity.
October 2021	Officer Work	Officers prepared information for the B&PSC to explain the difficulties associated with progressing with the development of the Hand Working Permit Byelaw.
21 <sup>st</sup> October 2021	Byelaw & Permitting Sub-Committee Meeting	<b>Members accepted the rationale for delays/suspension of the development of a Hand Working Permit Byelaw.</b>

## Emergency Application Byelaw/Exemptions Byelaw 2019

An Emergency Application Byelaw was introduced on 9<sup>th</sup> May 2018. This byelaw enabled dispensations to be issued. The content of the Byelaw was focussed on the following:

- a. Scientific Purposes
- b. Stocking Purposes
- c. Breeding Purposes

A replacement to the Emergency Applications Byelaw was needed. The Byelaw & Permitting Sub Committee (B&PSC) discussed how to proceed and introduce a replacement at their meeting in October 2018. Establishing the scope of the Byelaw formed part of those discussions. Members of the B&PSC agreed to formulate a Byelaw Technical Working Group (BTWG) to conduct drafting work on their behalf and terms of reference were agreed which included a reporting requirement.

Key Dates	Comments	Information
26 <sup>th</sup> November 2018 & 8 <sup>th</sup> February 2019	Preparation by D&S IFCA Officers and 2 separate BTWG meetings to conduct drafting work	A replacement “Exemptions” Byelaw was drafted by the BTWG. A report to explain aspects of this drafting process and the outcomes was formulated in preparation to be presented to members of the B&PSC in February 2019.
<b>26<sup>th</sup> February 2019</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	A BTWG report was presented to and discussed by the B&PSC. The Exemptions Byelaw 2019 had been drafted with a wider scope than the Emergency Application Byelaw. Members were satisfied with the draft Exemptions Byelaw 2019 and requested that an Impact Assessment be created to accompany the Byelaw in preparation for formal consultation.
March 2019	Extending the Emergency Byelaw	The Acting Chief Officer notified DEFRA that a six-month extension to the Emergency Byelaw was required so D&S IFCA has enough time to implement a replacement.
May/June 2019	Officer Work	Officers created the consultation Impact Assessment to accompany the draft Exemptions Byelaw. Two weeks’ notice was provided to Defra that D&S IFCA will consider “making” the Byelaw in June 2019.
<b>13<sup>th</sup> June 2019</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	Draft Byelaw and consultation Impact Assessment presented to the B&PSC. <b>Byelaw “made”. Both approved to be subjected to a formal consultation.</b>
<b>1<sup>st</sup> July 2019</b>	<b>Start of the formal consultation. Includes newspaper adverts, D&amp;S IFCA Website, and direct notification using Mail Chimp email circulars.</b>	<b>Consultation due to end on 15<sup>th</sup> August 2019.</b>
15 <sup>th</sup> August to 23 <sup>rd</sup> August 2019	Officer Work	Report prepared for B&PSC. Exemptions Byelaw 2019 – Formal Consultation Report (23 <sup>rd</sup> August 2019). The report highlighted

		how the consultation was conducted and documented the 3 supportive responses that were received.
<b>12<sup>th</sup> September 2019</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	<b>B&amp;PSC members recognised responses and no changes were required to the Byelaw as advertised. B&amp;PSC agreed to submit the Exemptions Byelaw for quality assurance prior to submission to Defra</b>
September & October 2019	Officer Work	Consultation responses managed by officers. Final Impact Assessment created, and a byelaw package assembled and sent to the MMO Byelaw QA Team for 28 working day assessment. Comments expected to be received by 21 <sup>st</sup> November 2019.
9 <sup>th</sup> November 2019	Exemption/dispensation issue	The Emergency Application Byelaw lapses. This limits the types of exemptions that D&S IFCA can issue.
21 <sup>st</sup> November 2019	Byelaw QA/MMO	Comments were received regarding the Exemptions Byelaw 2019 and the Impact Assessment. Changes to the Exemptions Byelaw 2019 were recommended to reduce its scope in line with the Emergency Application Byelaw to apply to the following: <ul style="list-style-type: none"> <li>• Scientific Purposes</li> <li>• Stocking Purposes</li> <li>• Breeding Purposes</li> </ul>
<b>12<sup>th</sup> March 2020</b>	<b>Authority Meeting</b>	The status of the Exemptions Byelaw and the delay having it confirmed by Defra was reported to members. It was explained that to satisfy Defra, the scope of the Exemptions Byelaw 2019 had been reduced and an amended Impact Assessment produced to reflect the changes.
<b>14<sup>th</sup> April 2020</b>	<b>Byelaw Confirmed</b>	<b>A signed copy of the Exemptions Byelaw 2019 (as amended) was received by D&amp;S IFCA.</b>
April/May 2020	Officer Work	A new application form was produced. A website display page was created to host the application form and provide information about the authorisations granted by the Authority.
11 <sup>th</sup> June 2020	Officer Work: Reporting	A final Byelaw Development report was created – <a href="#">The Development of the Exemptions Byelaw 2019</a> – A compilation of reports and information relevant to the creation of the Exemptions Byelaw 2019.

## Size of Vessels Byelaw (Remake)

A Size of Vessels Byelaw (18) was inherited from Devon Sea Fisheries Committee (DSFC) and must be formally reviewed by D&S IFCA. The review requires the re-making of the Size of Vessels Byelaw that will remain as a stand-alone byelaw, rather than the restrictions being applied to the activity Permit Based Byelaws developed by the Authority do date. The task of remaking the Size of Vessels Byelaw became a key task in D&S IFCA's Annual Plan 2021-22.

Key Dates	Comments	Information
22 <sup>nd</sup> July 2021	Byelaw & Permitting Sub-Committee Meeting	<p>A <a href="#">planning report</a> was presented to and discussed by the B&amp;PSC. The planning report and accompanying <a href="#">Officers' paper</a> (Agenda Item 9) set out weaknesses associated with the existing Size of Vessels Byelaw and recommended a course of action that included pre-consultation focussed on three separate elements:</p> <ul style="list-style-type: none"> <li>• Establishing a new size restriction of 15 metres in overall length.</li> <li>• Consideration regarding existing "Grandfather Rights"</li> <li>• Consideration regarding a "Sunset Clause".</li> </ul> <p><b>The B&amp;PSC agreed that the review should begin and actioned pre-consultation work.</b></p>
August 2021	Officer Work	Officers create the consultation information.
27 <sup>th</sup> August 2021	Start of the pre-consultation.	<p>A <a href="#">Mail Chimp email circular</a> was sent to all D&amp;S IFCA contacts. The consultation was supported by a <a href="#">news item</a> for the website and Facebook. The "Engagement &amp; Have Your Say" website display page was populated with information. Letters were sent to two vessel owners known to be impacted by potential change. The consultation ended on 24<sup>th</sup> September 2021.</p>
Late September/ early October 2021	Officer Work	Officers collated the responses from the consultation and prepared a report and accompanying Officers' paper for presentation to the B&PSC.
21 <sup>st</sup> October 2021	Byelaw & Permitting Sub-Committee Meeting	<p>The <a href="#">consultation report</a> and an accompanying <a href="#">Officers' paper</a> were presented to the B&amp;PSC.</p> <p><b>Decision Taken (B&amp;PSC Minutes): That drafting work should commence on the basis that:</b></p> <ul style="list-style-type: none"> <li>• 15 metres in overall length becomes the new restriction</li> <li>• There will be no "Grandfather Rights" or "Sunset Clause".</li> </ul>

December 2021 to February 2022	Work of the BTWG	The BTWG develop a draft Size of Fishing Vessels Byelaw. The advice from the BTWG was to include a period of grace/sunset clause of six months (Effective Date).
<b>24<sup>th</sup> February 2022</b>	<b>Byelaw &amp; Permitting Sub-Committee Meeting</b>	An Officer paper ( <a href="#">Agenda Item 9 – Developing the Size of Fishing Vessel Byelaw</a> ) was presented along with the <a href="#">draft Byelaw (V0.4)</a> . <b>Decision Taken (B&amp;PSC Minutes):</b> <b>That a six-month period of grace (Effective Date) is included in the Byelaw.</b> <b>That the Exemptions Clause to be inserted in the Byelaw includes “Maintenance”.</b>
March to August 2022	Officer Work	Drafting continues with a view to presentation of a final draft to the B&PSC in October 2022.