

Byelaw & Byelaw Review Update

Byelaw and Permitting Sub-Committee meetings have taken place on:

- 13th June 2019 (on the same day, but before the last Authority Meeting)
- 15th August 2019
- 12th September (planned to take place before the Authority Meeting)

Papers used at all B&PSC meetings can be found in Section B of the D&S IFCA [Resource Library](#). Papers for the most recent meetings are posted on the [Meetings Tab](#) and also on the secure [members area](#) of the website.

Exemptions Byelaw 2019

On 13th June 2019, the Byelaw & Permitting Sub-Committee (B&PSC) voted to “make” the Exemptions Byelaw 2019 so it could be subjected to a formal consultation period. An Impact Assessment was also approved by members so it could be used in the same process. The consultation ended on 15th August 2019, with two supportive responses received. The decision to submit the Byelaw to Defra for confirmation was a single agenda item for a B&PSC meeting today (12th September 2019).

Changes to Permit Conditions

Diving Permit Conditions

The Three-Year Review of the Diving Permit Conditions was completed following the decisions taken by the B&PSC in May 2019 to amend several of the permit conditions used to manage this activity. A [final report](#) has been created to document the consultations, decision making process and the outcomes. In summary, additional protection measures for spiny lobster have been implemented and the recreational bag limit for scallops has been increased from 15 to 25 scallops per calendar day. New Diving Permit conditions have now been issued that include the use of Annexes (charts).

Potting Permit Conditions

The exercise to amend a single condition of the Potting Permit Conditions is now complete. The specific condition related to the use of finfish of a specified size (Minimum Conservation reference Size) for use as bait within pots. This condition of the Permit has now been removed and new permits have been circulated. A [final report](#) has been created to document the consultation, decision making process and the outcomes.

Review of Hand Working Fishing Methods

Hand Gathering

Work related to the review of all defined Hand Working Fishing methods has continued. Information, including an overview of the method, current management and some compiled D&S IFCA research work was assembled within a [Mail Chimp circular](#) with the intention of engaging with stakeholders to gather further information and evidence. The four-week engagement process provided a mixed response which was summarised and assembled into a [supplement report](#) which was presented to and discussed by the B&PSC on 15th August.

The initial phase of the review into the management of all Hand Working Fishing Activities is now complete. To date the B&PSC have now received reports relating to the use of [crab tiles](#) (February 2019), the activity of [bait digging](#) (May 2019) and now [hand gathering](#) (August 2019).

Options for management including the potential introduction of a new byelaw or byelaws will be discussed by the B&PSC in November 2019.

Mobile Fishing

The Five-Year Review of the Mobile Fishing Byelaw

On 15th August the B&PSC were presented with a [report](#) that interlinked with a series of decision-making items as set out on the [agenda](#) for the meeting. Minutes were taken and the decisions taken will now be used to construct a draft (replacement) Mobile Fishing Permit Byelaw (with amended permit conditions) that will be presented back to the B&PSC in November. Depending on decisions taken in November 2019, the new Mobile Fishing Permit Byelaw will then be subjected to a formal consultation period.

In summary, key changes will be as follows:

- A third category of user (Category 3 Permit) will be developed for the use of a sand eel trawl. This third category will be relevant for both commercial and recreational users.
- There will be some changes to the interpretations used within the Byelaw
- There will be some changes to Category One (at sea) Permits regarding access areas
- Category Two Permit Conditions (estuary) will undergo a change in presentation and portions of it will be removed. Removed elements include parts where the permit doesn't currently manage any activity (Teign) or where no current activity is taking place and there is need for potential assessment of an activity (Dart Mussel Fishery).
- The principles for charging fees for a permit and how much this will be

Fees for Permits

The Five-Year Review of the Mobile Fishing Permit Byelaw provided an opportunity for members to consider the fees that are charged for permits. Part 3 of the [report](#) provided some background information about fees and some comparisons with other IFCA's. The report set out the administration costs for D&S IFCA and the principles adopted by the Authority to date regarding fees.

After some documented discussions, it was agreed that the principle for charging fees be amended to align with a full cost recovery for administration position. Based on the information provided to members, it was agreed that £40 for a two-year period would be the amount charged to acquire a Mobile Fishing Permit. Therefore, £40 will be the amount highlighted in the Impact Assessment that will be created to accompany the new Mobile Fishing Permit Byelaw during formal consultation, if the Byelaw is "made" by members of the B&PSC in November 2019.

The drafting of the Mobile Fishing Permit Byelaw will no longer state a fee on the face of the Byelaw. Other permit fees will remain at £20 for a two-year period, until they are also subjected to a five-year review.