

Development of the Size of Fishing Vessels Byelaw 2022 & Considering the Response to the Formal Consultation

Officers' Recommendation

That the Size of Fishing Vessels Byelaw 2022, as proposed in the formal consultation, is submitted to the Marine Management Organisation (byelaw quality assurance team) with a view to confirmation by the Secretary of State.

Background

On 20th October 2022 the B&PSC were presented with a proposed Size of Fishing Vessels Byelaw 2022 and an Impact Assessment which identified areas of change as compared to the existing Size of Vessels Byelaw. Drafting work to date has recognised the decision making of the B&PSC.

On 20th October 2023, the B&PSC identified aspects of the Impact Assessment to amend and agreed to proceed with a formal consultation regarding the potential implementation of the Size of Fishing Vessels Byelaw 2022. The formal consultation began on 25th November 2022 and ended on 20th January 2023.

Formal Consultation – Process

Defra's Byelaw making guidance sets out that the Authority (B&PSC) should examine objections before the Byelaw is then submitted for confirmation. The B&PSC must determine if there should be amendments to the Byelaw to recognise the points of objection raised during the formal consultation.

- A report has been prepared that documents how the formal consultation was conducted and details the response received. The report forms part of the B&PSC Members papers.

The formal consultation included a range of communication initiatives which included the use of the website and Facebook. In addition, the Mailchimp platform was used for direct notification of the consultation that was sent to **1510** contacts. The cost of advertising the proposed introduction of the Size of Fishing Vessels Byelaw 2022 within a selection of newspapers (a mandatory requirement) cost approximately **£4385**. Hard copy information was circulated to 30 permit holders with no email address at a cost of **£20.40**.

A range of information was made available during the formal consultation that included a copy of the proposed Size of Fishing Vessels Byelaw 2022 and the Impact Assessment.

Formal Consultation - Response

One response was received by the closing date of 20th January 2023. This response was submitted by the Wembury Marine Conservation Area Advisory Group and stated their support for the introduction of the Size of Fishing Vessels Byelaw 2022.

- **There is nothing within the response received to suggest that the B&PSC should consider amending the Size of Fishing Vessel Byelaw 2022.**

Next Stage of Process

Subject to the decision making of the B&PSC, Officers will work with D&S IFCA's Byelaw Technical Working Group (BTWG) to undertake quality assurance of the Byelaw before submitting it to the MMO. Officers will inform stakeholders about how the B&PSC considered

the consultation response. Officers will prepare a “final” Impact Assessment (IA). The Byelaw, the IA, and further details (such as proof of advertising and minutes from B&PSC meetings) will be sent to the Marine Management Organisation (byelaw quality assurance team).

Changes may be advised by the MMO before the Byelaw is sent to the Secretary of State for potential confirmation. There is potential that further decision making by the B&PSC will be required.

Background Papers

- B&PSC reports and minutes from meetings (D&S IFCA Website Resource Library)
- Formal Consultation Report (14th February 2023)