

Devon and Severn IFCA News

Have Your Say on the Proposed D&S IFCA Exemptions Byelaw 2019

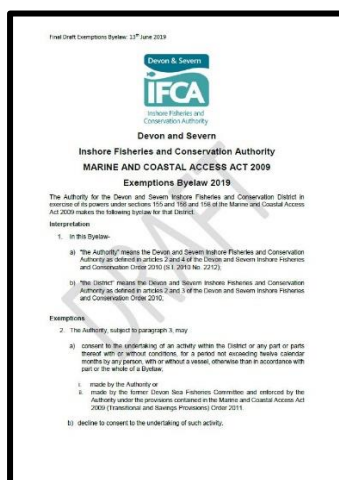
D&S IFCA are proposing to introduce a new Exemptions Byelaw and you can have your say

On 13th June 2019, members of the D&S IFCA Byelaw & Permitting Sub-Committee (B&PSC) agreed to make the Exemptions Byelaw 2019 so it could be subjected to a period of formal consultation. D&S IFCA are required to advertise the proposed byelaw and provide you with the opportunity to read it, along with the Impact Assessment that accompanies it. You have the opportunity to register your support or object to the introduction of the Exemptions Byelaw 2019. The responses will be collated and considered by the B&PSC after the 15th August 2019.

Section 155 & 156 Marine and Coastal Access Act

Notice is hereby given that pursuant to the above Act, Devon & Severn Inshore Fisheries and Conservation Authority intends to apply to the Minister for the Department for Environment, Food and Rural Affairs for the confirmation of the following Byelaw.

Exemptions Byelaw 2019



What is the Exemptions Byelaw and what does it achieve?

The proposed Byelaw enables the Authority to consider and potentially grant or decline permission for the conducting of an activity that would otherwise be a contravention of a Byelaw or a Permit Condition within a Byelaw that the Authority has inherited or introduced.

There are different scenarios where the Authority and stakeholders can benefit from the issuing of authorisations. This would include scientific work that could add to an existing evidence base or contribute to a longer-term data set, potential to explore new fisheries through pilot projects such as aquaculture or allow other activities such as gear recovery from a Marine Protected Area to be controlled.

The Authority has recognised that without an Exemptions Byelaw in place there could be an adverse impact on the Authority's ability to manage inshore fisheries as the opportunity to gain a better insight or understanding of the marine environment would be more restricted.

Any permission will only be issued, where in the view of the Authority, the permission does not materially detract from the Authority's duties as set out within section 153 and 154 of the Marine and Coastal Access Act 2009.

The Byelaw provides guidance regarding how any such application is considered and processed within a specified time. The application will be determined within 60 days of receipt of the application.

The Byelaw also provides the potential applicant with transparency regarding their responsibility to assemble the information or evidence as determined by the Authority so that the Authority can fully consider the application for an authorisation in accordance with the relevant paragraphs. If required, the Authority will be able to advise the potential applicant or applicants regarding the type and detail of information and evidence that must be submitted to support their application and the subsequent assessment of it.

A full text version of the above Byelaw and the associated Impact Assessment can be viewed on the D&S IFCA website or obtained by contacting the office. You can also use the following links to read the final draft [Exemptions Byelaw](#) and the [Impact Assessment](#) (consultation version).

How to comment?

Any person wishing to comment, support or object to the confirmation of the above Byelaw must do so in writing to:

Marine Conservation and Enforcement Team,
Marine Management Organisation,
Lancaster House,
Hampshire Court,
Newcastle Upon Tyne,
NE4 7YH

(or IFCAByelaws@marinemanagement.org.uk) by 15th August 2019 and must send a copy to the Acting Chief Officer at Devon and Severn IFCA, Brixham Laboratory, Freshwater Quarry, Brixham, Devon, TQ5 8BA (or consultation@devonandsevernifca.gov.uk) .

Need more Information?

The B&PSC are tasked with byelaw review work and the development of new byelaws. More information about their work can be found in our [guide](#).

You can follow our work by visiting the D&S IFCA website. You can also contact us, and we will add you to our mailing list. You will then receive our free quarterly e-newsletter.

Data Protection

D&S IFCA has a privacy policy that can be found on the home page of the D&S IFCA website. The responses will be collated and anonymised where appropriate for documenting in reports that will be presented to the B&PSC and published on our website.