

## Byelaw and Permitting Sub-Committee (B&PSC) Report Officers' Recommendation

**That Members note the content of the Officers' Report.**

The last three B&PSC meetings occurred on 31<sup>st</sup> August 2023, 16<sup>th</sup> November 2023, and 22<sup>nd</sup> February 2024. The finalised minutes from the August and November B&PSC meetings are published on D&S IFCA's website. Draft minutes from the February B&PSC meeting are now being prepared.

### Review of the Netting Permit Conditions

The last three B&PSC meetings included discussion and decision making relating to the review of the Netting Permit Conditions. In February 2024, the B&PSC reflected on the responses submitted during the formal consultation. As explained in the last update to the Authority, this was the highest response D&S IFCA has ever had to a consultation. In addition, Members of the B&PSC considered Officers' papers and the Officers' recommendations relating to changes to the Netting Permit Conditions.

Key decisions by the B&PSC:

- Not to re-open the Salcombe Estuary to fixed netting.
- To prohibit commercial and recreational netting in the Emsstrom Angling Zone.
- To retain a maximum length of 25 metres for a recreational net at sea.
- To prohibit combining recreational nets at sea.
- To introduce bag limits, per calendar day, for recreational netters – 10 plaice, 3 rays, 5 sole, and 15kg of sand eel.

Officers are now in the process of re-drafting the Netting Permit Conditions with a view to them being re-issued as soon as possible.

### Mobile Fishing Permit Conditions

As explained in the last update to the Authority, the B&PSC had to recognise that there had been a change to the Inshore Potting Agreement Licence Condition relating to spatial access in an area east of Start Point. Without an amendment, the D&S IFCA Mobile Fishing Permit Conditions would no longer be aligned with the Licence Condition. The Permit Conditions cannot be less restrictive than national legislation. The B&PSC agreed to a change to the Permit Conditions and the associated Annexes.

Officers re-drafted the Category One Mobile Fishing Permit Conditions and updated the Annexes. In late February, the amended package of information was circulated to all Category One Permit Holders and the website was updated. The amended conditions were applicable from 1<sup>st</sup> March 2024 and the updated Category One Mobile Fishing Permit Conditions have a version control – 1<sup>st</sup> March 2024.

### Byelaws – Quality Assurance by the MMO

On 22<sup>nd</sup> February 2024 officers sent the re-drafted Mobile Fishing Permit Byelaw 2022 back to the Marine Management Organisation (MMO) Byelaw Team. The Byelaw was accompanied with an updated Impact Assessment and a comments spreadsheet detailing the changes made (or not) to recognise the advice and comments from the MMO (Byelaw/Legal Team).

Officers have requested a virtual meeting with the MMO to assist with the final additions to the Impact Assessment. The additions relate to financial information (impact) that must be entered into the template.

### **Size of Fishing Vessels Byelaw 2022**

In December 2023, Officers made minor amendments to the proposed Size of Fishing Vessels Byelaw 2022. The minor changes were to recognise feedback from the MMO. The amended proposed Byelaw was returned to the MMO, and the Byelaw was submitted to Defra by the MMO on 15<sup>th</sup> December 2023. The MMO recommended to Defra that it is signed by the Secretary of State. At time of writing there has been no response from Defra. The Byelaw cannot be introduced until it is signed.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

### **Background Papers**

- B&PSC papers
- B&PSC reports
- Minutes from B&PSC meetings

(All are available within Section B of the [D&S IFCA Website Resource Library](#))

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