

## Byelaw & Permitting Sub-Committee (B&PSC) Report

### Officers' Recommendation

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

### Background

Since the last B&PSC report to the Authority, there have been two B&PSC meetings. These were held on 5<sup>th</sup> December 2024 and 27<sup>th</sup> February 2025. There was insufficient time to prepare a written report regarding the work of the B&PSC for the Authority meeting held on 12<sup>th</sup> December 2024.

### B&PSC Meeting – 5<sup>th</sup> December 2024

This meeting included agenda items relating to the management of potting and mobile fishing.

Members discussed responses received from a pre-consultation that had aimed to gather the views of potting permit holders that operate in the District. The pre-consultation added to information already collated from a series of port meetings. Members considered the recommendation by Officers to continue to formal public consultation with a view to implement pot capping for different types of pots and different levels of capping in parts of the District.

Members deferred the decision regarding formal public consultation and requested more information about potting activity in the District and for additional options for management to be provided in addition to pot capping.

Agenda Items 7, 8, 9, and 10 all related to mobile fishing activity and changes to Permit Conditions. B&PSC Members recognised that implementation of the proposed Mobile Fishing Permit Byelaw 2022 is delayed further. Therefore, the required changes in management should be applied through making changes to the Permit Conditions that align with the current Mobile Fishing Permit Byelaw.

Agenda Item 10 related to the re-opening of an area in Start Bay to demersal mobile fishing vessels. The area is referred to as Area C in D&S IFCA's Mobile Fishing Permit Conditions, and is also known locally as the "Corridor". B&PSC Members agreed to formally consult on a re-opening of this area with a view to it opening in March 2025 (1<sup>st</sup> March to 31<sup>st</sup> March inclusive).

### B&PSC Meeting – 27<sup>th</sup> February 2025

This meeting included agenda items relating to the management of mobile fishing and potting.

#### Mobile Fishing:

The agenda item for mobile fishing, included both an Officers' paper (with a recommendation), and a report that documented the objections received in the formal public consultation.

- [Agenda Item 6](#)
- [Formal Consultation Report – Mobile Fishing Permit Conditions](#)

Members noted the seven objections received in the formal consultation relating to the opening of Area C, also known locally as the "Corridor". Members considered the main points of objection as highlighted in the Officers' paper, and determined that no new information had been provided in the formal consultation to alter their view that the area should re-open as proposed. Members agreed with the Officers recommendation to re-open Area C (Annex 5a) from 1<sup>st</sup> March to 31<sup>st</sup> March inclusive.

Amended Category Mobile Fishing Permit Conditions and updated Annexes were circulated to permit holders on 28<sup>th</sup> February 2025.

**Potting:**

The agenda item for potting, included two items, both informing the discussions.

- [Agenda Item 7 - Officers' paper](#)
- [Agenda Item 7 - Discussion presentation \(Options to Introduce Potting Management Measures\)](#)

As requested by the B&PSC, the discussion presentation was used to set out details about the current potting fleet and extra detail about the engagement undertaken by Officers. The package of information highlighted four main concerns that had been identified in Authority and B&PSC meetings, as well as being raised by operators of pots in port meetings and the pre-consultation that had been actioned by the B&PSC in September 2024. The main concerns were set out for the B&PSC as follows:

- There is a need to safeguard existing operators against increased levels of effort being applied, in particular from the vivier fleet being displaced from Cornwall and offshore grounds.
- There is a need to consider the current levels of effort being applied to the fishery.
- There is a desire for managing the two coasts of the District differently to reflect the different fisheries and how fleet operate.
- There is an interest in localised measures being applied within the coastal belt around the District, including steps being taken to protect smaller scale fishing activity and to reduce conflict between commercial and recreational fishers.

The discussion presentation set out different options (potentially a combination) for management that could potentially be introduced to try and address the main points set out above, with strengths and weaknesses set out for each approach. An indication of the known levels of impact on existing operators relating to each option, if implemented following formal consultation, was also set out.

The Officers' paper set out a recommendation to formally consult on capping the number of pots that can be operated by a commercial vessel in the District, with different levels of capping to apply to the South and North Coast, and maximum levels to apply to pots targeting crab and lobster (and scallop), and pots targeting whelk. Members were informed that a management approach of pot capping would need to include the use of tags.

Members did not accept the Officers' recommendation to formally consult on the introduction of pot capping and instead determined that formal consultation be undertaken to prohibit vessels being used for potting in the District that have integral vivier tanks exceeding a volume of two cubic metres.

Now that the B&PSC has selected its preferred option for management, a Byelaw Technical Work Group (BTWG) meeting is being arranged. Members of the BTWG, including D&S IFCA's prosecuting solicitor, will determine the most appropriate mechanism to potentially introduce the prohibition. This may be possible via the existing potting permit conditions or by using a re-made Potting Permit Byelaw. The advice from the BTWG will determine how formal consultation will be undertaken – either with a view to change the current potting permit conditions, or as part of re-making the Potting Permit Byelaw. Members of the B&PSC will be updated in due course.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

**Background Papers**

- Recent B&PSC meeting papers, reports, and minutes (D&S IFCA Website – [Authority and B&PSC Meetings page](#))