



# Changes to Potting Permit Conditions

## Formal Public Consultation Proposal

A prohibition on potting vessels operating within the District for the purpose of fishing which are equipped with one or more vivier tanks below the uppermost continuous deck with a volume (in aggregate) that exceeds two cubic metres.

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### What is this about?

D&S IFCA is inviting you to respond to the formal public consultation on the proposal to prohibit potting vessels operating within the District that are equipped with one or more vivier tanks below the uppermost continuous deck exceeding a volume (in aggregate) of two cubic metres.

It is proposed that this prohibition will be a gear restriction in the Potting Permit Conditions. To amend the Potting Permit Conditions, D&S IFCA must follow a process that includes formal public consultation.

### Rationale for the Proposal

Based on the information presented to D&SIFCA's Byelaw and Permitting Sub-Committee (B&PSC), it is the view of the Members of the B&PSC that the prohibition on vessels fitted with vivier tanks will safeguard existing operators against increased levels of effort being applied, in particular from the vivier fleet being displaced from Cornwall and offshore grounds.

### Your Opportunity to Engage

We are directly contacting everyone on our (email) mailing list and explaining what the proposed change is and how you can respond. We are also writing to permit holders that have not provided us with an email address. Your view is important, and we also encourage you to forward this information or to notify others that may have an interest in the formal public consultation.

All stakeholders (for example, owners of fishing vessels, fishermen that work on vessels owned by others, organisations, or anyone with an interest in the marine environment) can respond to the formal public consultation. Information is available on the D&S IFCA's website to support this formal public consultation. The formal public consultation begins on **24<sup>th</sup> April 2025** and will end on **23<sup>rd</sup> May 2025**. Details of how to respond to this consultation can be found towards the end of this document. This formal public consultation includes a privacy notice relating to the protection of any personal information provided.

### The Process for Change

The findings of this formal public consultation will be documented, and the findings are expected to be presented to the D&S IFCA Byelaw and Permitting Sub-Committee (B&PSC) in June or July 2025.

A list of the B&PSC Members can be found on D&S IFCA's website or by clicking [here](#).

The Members of the B&PSC will determine if the change as proposed will be implemented and, if so, a date will be set when the new Potting Permit Conditions will come into force.

## The Proposed Permit Condition

If the prohibition is implemented via the Potting Permit Conditions, it is envisaged that the Potting Permit Conditions will be amended to include the following wording, or similar:

*A permit holder or named representative is not authorised under this Permit to use within the District a vessel for the purpose of fishing which is equipped with one or more vivier tanks below the uppermost continuous deck with a volume (in aggregate) that exceeds two cubic metres.*

It is also envisaged that an interpretation will be implemented that would set out the following, or similar:

*“vivier tank” means a tank or storage compartment used or capable of being used to contain live sea fisheries resources immersed in or dampened by water.*

This interpretation intentionally does not apply to containers that store sea fisheries resources on the deck of the vessel.

Regardless of whether the vivier tanks (as detailed) are in use whilst potting within the District, the fact that the vessel is fitted with such a tank or tanks will mean the vessel cannot be used for potting within the District. The extent of the D&S IFCA's District can be viewed [here](#).

## Existing Operators with Potting Permits – Removal of Pots

The Members of the B&PSC are aware that some potting vessels that have vivier tanks (as detailed) hold valid permits to operate pots within the District. If the prohibition is agreed, a date will be set when the amended Potting Permit Conditions will come into force. Prior to this date there will be an opportunity for existing operators, impacted by the change, to remove pots already deployed in the District.

## New Policy

Application forms to gain a Potting Permit will be amended. It is envisaged that D&S IFCA will develop a policy of not issuing a Potting Permit to an owner of a vessel, where that vessel has vivier tanks fitted that would not comply with the Potting Permit Conditions. A refund of £20 will be paid to owners of potting vessels fitted with vivier tanks (as detailed) that already have a valid Potting Permit, and the Potting Permit will be cancelled.

## Information provided to the B&PSC

Information has been gathered from different sources and presented to the B&PSC. These include the findings from a series of port meetings with fishers around the District and information relating to potting management in the Southwest of England gathered from other sources. Between 18<sup>th</sup> October 2024 and 15<sup>th</sup> November 2024, D&S IFCA conducted an informal “Have Your Say” consultation with the findings documented in a report and presented to the Members of the B&PSC in December 2024.

Officers' recommendations relating to the management of potting were presented to the Members of the B&PSC in their meetings held on 5<sup>th</sup> December 2024 and 27<sup>th</sup> February 2025. The Officers' papers presented at both these B&PSC meetings can be read by visiting D&S IFCA's website:

Authority & B&PSC Meetings page:

<https://www.devonandsevernifca.gov.uk/authority-meetings/>

or by visiting Section B of the website Resource Library:

<https://www.devonandsevernifca.gov.uk/resource-library/b-internal-practice-and-procedure/>

The Officers' papers presented to the Members of the B&PSC on 27<sup>th</sup> February 2025 can also be read by visiting the same website page or by using the links below:

- [Agenda Item 7 \(Options for Management - Potting Formal Consultation\)](#)
- [Agenda Item 7 \(Discussion Presentation - Potting Management\)](#)

The minutes from the most recent B&PSC meetings can be read using the links below.

- [Final B&PSC meeting minutes from 5<sup>th</sup> December 2024](#)
- [Draft B&PSC meeting minutes from 27<sup>th</sup> February 2025](#)

## Your Response

You have the opportunity to object, or comment on the proposal. This is not a questionnaire, and your response can be as detailed as you wish. We very much encourage you to explain the reasons for your views and provide supporting information, if you have any, so that all the information can be considered in the decision-making process.

Responses sent by email or letters are preferred, however you can also telephone us or meet with us in person if you prefer. It is useful for us if every response contains the following information:

- A) Your name and contact details (if not already on our mailing list).
- B) What interest do you (or your organisation) have in potting activity, and this proposed prohibition? (e.g., will you be impacted by this potential change)
- C) How were you made aware of this formal public consultation? (e.g., by this document, D&S IFCA's website, D&S IFCA Facebook, from someone else, or other source).

### **Sending in your response/contacting us**

1. Contact us via email – [consultation@devonandsevernifca.gov.uk](mailto:consultation@devonandsevernifca.gov.uk)
2. Write to us: D&S IFCA, Brixham Laboratory, Freshwater Quarry, Brixham, TQ5 8BA.
3. Call us to find out more about the formal public consultation – 01803 854648 (Extension 856)

**This formal public consultation begins on 24<sup>th</sup> April 2025 and will end on 23<sup>rd</sup> May 2025.**

## What do we do with your information – Privacy Policy.

We protect any personal data that you may provide. Any personal data submitted in this information collecting process will not be shared with other organisations or placed in the public domain. The content of responses will be summarised and anonymised where appropriate for documenting in reports that will be presented to the Byelaw & Permitting Sub-Committee and published on our website. D&S IFCA has a privacy policy which can be found by visiting our website (home page) [www.devonandsevernifca.gov.uk](http://www.devonandsevernifca.gov.uk)

- You can change your preferences at any time.
- We have a duty to consult with D&S IFCA Permit Holders.
- You can manage your preferences by contacting D&S IFCA.

End.