

DSIFCA 13_25 – Fishing without a Permit

On the 19th May 2025, a D&S IFCA officer became aware that the Commercial Potting Permit of the vessel in question had expired on the 22nd April 2025. Liaising with the permitting team regarding the status of the vessel's permit renewal, the officer learned that two emails had been had sent to the owners of the vessel, reminding them of the upcoming expiration date. These were sent on the 31st March and 10th April, respectively.

On further inspection of the permit database, it was found that the vessel had a valid Commercial Netting Permit and that there were two email addresses associated with this permit that differed from that of the Commercial Potting Permit. The officer then sent an email to all three addresses informing them of the expired Commercial Potting Permit and the potential for the vessel to be committing offences if she continued to pot without a permit.

On the 20th May, a representative of the company that owns the vessel wrote an email apologising for the oversight and asked to commence the process for renewing the Potting Permit. The renewal process was completed that day and the vessel was issued a new Potting Permit. Nevertheless, the vessel was shown to be operating between the 22nd of April and 20th of May without a valid permit.

Relevant Permit Conditions and Regulations

D&S IFCA Potting Permit Byelaw – Paragraph 2

“It is prohibited for a person to use pots for fishing with the District otherwise in accordance with a permit.”

Offences to consider:

- Operating pots within the D&S IFCA District otherwise than in accordance with a permit. Contrary to Paragraph 2 of the Devon and Severn Inshore Fisheries and Conservation Authority Potting Permit Byelaw and Section 163 of the Marine and Coastal Access Act 2009.

Outcome

The Authority reviewed the case and was satisfied that the evidential test has been met. The Authority considered the Public Interest in this case and determined the offence was caused by an administration error which was rectified without delay once they were notified and in line with the Authority's Compliance and Enforcement Strategy, an Official Written Warning was issued for the offence.