

DSIFCA 06_25 – Retention of undersized lobster

On 5th March 2025, D&S IFCA officers conducted an inspection of store pots at the berth of a commercial fishing vessel moored at Plymouth Yacht Haven Marina. The vessel is registered under a valid D&S IFCA Commercial Potting Permit.

During the inspection, two store pots were found to contain European lobsters (*Homarus gammarus*). One pot held 20 lobsters, all of which met the Minimum Conservation Reference Size (MCRS) of 90mm. The second pot held 21 lobsters, one of which measured 89mm, falling below the MCRS when assessed using an official D&S IFCA gauge.

The vessel owner arrived during the inspection and was shown the undersized specimen. While he acknowledged the officers findings using the D&S IFCA gauge, he stated that he had measured each lobster using his own gauge and believed all to be compliant. Officers measured the owner's gauge and found it to be correctly set at 90mm, though imagery of the measurement showed a visible gap between the lobster's eye socket and the gauge edge.

The undersized lobster was returned to the sea, unharmed. The individual was interviewed under caution during which officers findings were accepted and it was established the store pot inspected contained catch from fishing activities undertaken on more than one day and from pots set in both Cornwall and in Devon and Severn Districts. The individual was cooperative, explained his own recording system for catch compliance, and demonstrated pride in following relevant byelaws.

Relevant Permit Conditions and Regulations

D&S IFCA Potting Permit – Condition 1.3.1(e):

“A permit holder or named representative is not authorised under this Permit to remove from a fishery within the District:

e) a lobster less than 90mm measured as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace.”

Offences to Consider

- Operating pots within the D&S IFCA District otherwise than in accordance with condition 1.3(e) of the D&S IFCA Potting Permit, in that one lobster was removed from a fishery that was under 90mm. Contrary to paragraph 2 of the D&S IFCA Potting Permit Byelaw and Section 163 of the Marine and Coastal Access Act 2009.

Outcome

The Authority reviewed the case and determined that the evidential test had not been met. In line with the Authority's Compliance and Enforcement Strategy, an Advisory Letter was issued for the offence.