

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

Officers' Recommendation

That Members note the content of the Officers' Report.

Background

The most recent B&PSC meeting took place on 26th February 2026 at Exeter Racecourse. The Officers' papers from this B&PSC meeting are published on D&S IFCA's website, and draft minutes are now being prepared. The next B&PSC meeting is expected to take place in late May 2026, with an exact date and location to be confirmed.

At the February B&PSC meeting, Members were informed that MMO appointee Dr Simon Thomas had resigned from the Authority. Members thanked Dr Simon Thomas for his work on the B&PSC.

Management of Potting

Co-Development of a Voluntary Code of Conduct:

On 26th February 2026, the B&PSC were presented with a Code of Conduct, co-developed with fishers with the aim to minimise the impact of potting on defined seagrass beds within the Torbay Marine Conservation Zone (MCZ). The finalised Code of Conduct can be viewed [here](#).

A news item will be developed to advertise the Code of Conduct to a wide audience and direct notification will be used to provide fishers with the Code of Conduct and detailed charts of seagrass beds before the fishery begins in the Spring.

Octopus Update:

Members were provided with an Octopus Update Report that included analysis of landings data for 18 South Devon Vessels 2023 to 2025. B&PSC Members requested that the Officers' paper is presented once again at the Authority meeting as an item to note.

Management of Netting

To recognise issues associated with the use of non-powered fishing vessels, which can undermine the regulatory framework, Members of the B&PSC agreed in October 2025 to re-make the Netting Permit Byelaw and to develop new Permit Conditions. Some focussed pre-consultation was actioned and on 26th February the B&PSC was provided with the pre-consultation responses (four responses) relating to the use of non-powered vessels and a coastal heritage herring fishery near Clovelly.

A new byelaw is likely to take up at least two years to be introduced and because of this Officers presented a paper to the February B&PSC meeting highlighting that a proposed alternative shorter-term approach to address the identified issues was available. This alternative option included suspending work on a new Netting Permit Byelaw and considering changes to the current Permit Conditions. Members agreed with this change in approach and actioned formal consultation on changes to the current Category One Netting Permit Conditions. Officers are now preparing information for the formal consultation which will include the following:

- A prohibition on the catch, retention, and landing of bass by a Category One Permit Holder operating a non-powered vessel or a licenced fishing vessel without a bass authorisation;
- A prohibition on the removal of more than five lobsters (including spiny lobster), and twenty five crabs (mixture of species as defined) in any calendar day from a fishery within the District from a non-powered vessel or a licenced fishing vessel without a shellfish fishing entitlement;
- A limit on the amount and length of nets that can be fished by a Category One Netting Permit Holder operating a non-powered vessel;
- A provision in the Permit Conditions for Category One Netting Permit Holders operating non-powered vessels to supply catch data.

Members also agreed to consult on the removal of a requirement to mark fixed nets at sea with a flag at one end of the net.

Management of Mobile Fishing

Members of the B&PSC were provided with information about a new razor clam dredge fishery. In order for the fishery to be able to take place, permit conditions will need to be developed and this requires formal consultation. Officers are now preparing information for the formal consultation, expected to begin in late March. At the next B&PSC meeting, Members will determine if the new fishery can commence, with a series of restrictions including the use of REM.

Members of the B&PSC were provided with information about two mariculture sites in the District that would benefit from legislation prohibiting access by demersal mobile fishing vessels. Although the sites have already been licenced by the MMO, formal consultation is required to amend the Permit Conditions to add the relevant provisions and Annexes. Officers are now preparing information for the formal consultation, expected to begin in late March. At the next B&PSC meeting, Members will determine if access by demersal mobile fishing vessels into the mariculture sites will be prohibited.

The formal consultation will include both the razor clam fishery and mariculture sites and will run for four weeks.

Additional Information: The New Mobile Fishing Permit Byelaw 2022

On 4th March 2026, D&S IFCA received a signed copy of the Mobile Fishing Permit Byelaw 2022. The confirmation of this Byelaw represents the end of seven years of work by Officers and Members. After initial discussions and development work involving the B&PSC between 2019 to 2022, the Byelaw was made by the B&PSC on 20th October 2022 triggering formal consultation. The Byelaw was sent to the MMO for Quality Assurance (QA) on 17th May 2023. The QA process included a huge amount of correspondence between D&S IFCA Officers and the MMO, including multiple drafts of the Byelaw being produced, and later the Permit Conditions which were also examined by the MMO QA Team. On 4th September 2025, the byelaw package was submitted by the MMO to Defra with a recommendation it is confirmed.

The Byelaw comes into force 14 days after it has been confirmed. At time of writing Officers were preparing to roll out the new Permit Conditions and Annexes that function with the new Byelaw. The new Permit Conditions will be valid on 18th March 2026.

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](#))
- [Code of Conduct](#)