



Byelaw & Permitting Sub- Committee Meeting

Final Minutes from 16th
October 2025

Version Control and Drafting

Date	Comments
Version 0.1 31 st October 2025	1 st Draft of minutes developed by PPO Townsend for circulation to Officer's present at the meeting for potential internal amendment and/or additions.
Version 0.2 6 th November 2025	Additions by CO Mander and DCO Clark applied. Draft minutes V0.2 circulated to B&PSC Members.
Version 0.3 25 th November 2025	Comments and minor amendments suggested by Members applied to draft minutes.
Version 1.0 (Final) 31 st March 2026	Amendments suggested by Mark Day and Felicity Slyvester (pages 10 and 11) applied. Minutes published as final.

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Minutes of the Byelaw and Permitting Sub Committee Meeting

Held at Exeter Racecourse on 16th October 2025

Present:

Dr Emma Bean (Chair)	Professor Mike Williams	Mark Day
Felicity Sylvester	Charlie Ziemann	Jon Dornom
Guy Baker	Wayne Thomas	Didi Alayli
David Morgan	Dr Simon Thomas	Dr Pamela Buchan
Alistair Dewhirst	Cllr Louise Wainwright	Kate Sugar (NE)

Officers Chief Officer (CO) Mat Mander, Deputy Chief Officer (DCO) Sarah Clark, Principal Policy Officer (PPO) Neil Townsend.

Introduction:

All Members were welcomed to the meeting. The Chair and B&PSC Members thanked Dave Saunders and Jasmine Rix (Natural England), who had both left the B&PSC, for their contributions to the work of the B&PSC. The Chair welcomed Alistair Dewhirst to the B&PSC in his role as an MMO Appointed Member. The Chair welcomed Cllr Louise Wainwright to her first B&PSC meeting. The Chair welcomed Kate Sugar who was representing Natural England until a representative from Natural England is officially appointed.

Agenda Item 1

Apologies for Absence

PPO Townsend informed Members that apologies had been received from Simon Toms (Environment Agency), Rachel Irish (Marine Management Organisation), and Cllr Sarah Wilson (Devon County Council).

PPO Townsend informed Members that it was unknown if Cllr Dermot McGeough (Devon County Council), Cllr Jayne Stansfield (South Gloucestershire Council), and Cllr Josh McCarty (Plymouth City Council) would be attending the meeting.

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Agenda Item 2

Declaration of Interest

As per Paragraph 9.40 of the D&S IFCA's Standing Orders, CO Mander informed Members that Jon Dornom, David Morgan, and Charlie Ziemann had been provided with a dispensation to participate in discussions relating to Agenda Item 6, but not to vote on any motions relating to Agenda Item 6. Members acknowledged this decision by CO Mander. The Chair said that all Members can update their own declarations of interest, that are held on file, by contacting CO Mander.

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Agenda Item 3

To consider and approve the draft minutes of the B&PSC meeting held on 26th June 2025.

The draft minutes (version 0.3) from the June B&PSC meeting were examined page by page. Pamela Buchan highlighted minor errors on pages 10 and 11 relating to the spelling of the name of Jon Dornom, and

regarding Plymouth City Council, to insert the word “City” in every instance. The amendments were noted by PPO Townsend.

That the minutes (as amended) provide a true and accurate record.

Proposed:	Mike Williams	Seconded:	Jon Dornom
In favour:	11		
Against:	0		
Abstain:	3		

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Agenda Item 4:

Matters requiring urgent attention.

The Chair consulted with the Chief Officer and there were no matters requiring urgent attention.

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Agenda Item 5:

Members of the public – questions or comments for the meeting.

The Chair consulted with the Chief Officer and there were no questions or comments from members of the public for the meeting.

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Agenda Item 6:

Potting – To Consider the Implementation of a Potting Permit Condition

The Chair asked CO Mander to introduce the agenda item.

Presentation

CO Mander invited Members to consider the Officers’ advice relating to the implementation of a Potting Permit Condition. The proposed Potting Permit Condition, and interpretation related to the use of vivier tanks, whilst a vessel was fishing within the District. CO Mander highlighted that Members had supported Option 1 presented at the June B&PSC meeting as set out in the Officers’ paper:

Option 1

- *A permit holder or named representative is not authorised, whilst fishing in the District, to store sea fisheries resources in a vivier tank or tanks below the uppermost continuous deck that have a volume (in aggregate) that exceeds two cubic metres.*

Although B&PSC Members supported Option1, CO Mander said that Members had requested Officers to gain the thoughts of fishers, and selected B&PSC Members, on a second provision relating to an amount of live marine resources that could be stored on board a vessel (with vivier tanks exceeding a capacity of over 2 cubic metres). CO Mander highlighted how Officers had planned and undertaken telephone interviews to gain additional information and had based the starting point for conversations on setting a limit of 3 tonnes as a catch restriction. CO Mander guided Members through the findings of the engagement set out in Section 4 of the Officers’ paper, that demonstrated a mixed and inconclusive response. CO Mander said that although

the findings were inconclusive, this should not prevent Members considering how to proceed and possibly determining the catch limit to apply as a Potting Permit Condition.

Comments and Questions

Alistair Dewirst commented that the main provision, and potentially a second element to that restriction, would only apply to vessels with vivier tanks exceeding 2 cubic metres, and not for example a catamaran type of vessel. Alistair Dewirst asked for additional information relating to vessel design and if the interpretation of vivier tank agreed to date by the B&PSC was sufficient. CO Mander said that catamaran types of vessels do have large deck carrying capacity; however, the restrictions being discussed would not apply to that vessel type, as this is what the B&PSC had agreed to.

Jon Dornom provided Members with detail regarding the construction of vessels built with large integral vivier tanks, how the tanks have a relationship with the sea going stability of these vessels, and their capacity to hold large quantities of shellfish in the main tanks, and deck tanks, and in other containers. Jon Dornom said that the work of the B&PSC and Officers had taken about 15 months to reach this point, but there had been some changes during that time, including the influx of octopus that had changed his perspective on the issue as a whole. Jon Dornom said that in his view it may be best to do nothing at this time and return to discussions on managing potting, and vivier vessels, when a new Potting Permit Byelaw is being discussed. Jon Dornom said that a new Potting Permit Byelaw could set out what vessel type could fish in the District, potentially at the discretion of the Chief Officer.

Mike Williams said that a new byelaw would take a long time to develop and whatever was included in a byelaw must be legally sound, therefore not including everything Members may want it to include. The Chair commented that Members had already supported Option 1, as a Potting Permit Condition, but the key question for Members was to consider whether a catch limit was also to be applied as a second or associated Potting Permit Condition. David Morgan said that the findings of the engagement were inconclusive, and trying to determine a catch limit to apply as a Potting Permit Condition through discussion by B&PSC Members, or even including the views of a larger pool of fishers from any additional consultation, would be challenging and take too long.

David Morgan said that he was disappointed that the restriction on the use of vivier tanks whilst a vessel is fishing in the District is weaker than a total prohibition of vessels fitted with vivier tanks, which was the B&PSC's proposal in the formal consultation, and the restriction as now set out would achieve very little. CO Mander said that although the restriction on use of vivier tanks whilst fishing in the District would not impact many vessels, it will ensure that all potting vessels are operating in the same way when active within the District, for example removing the ability for vessels with vivier tanks (as specified) to fish in and out of the District on a repeating pattern adding catch to the vivier tanks.

Mark Day said that he would like to move forward with the single restriction on the use of specified vivier tanks, whilst a vessel was fishing within the District (as per Option 1). Regarding the application of a catch restriction, it was the view of Mark Day that this could be discussed again in the future, potentially also recognising other vessel types such as catamarans. Members including Guy Baker, Pamela Buchan, and Wayne Thomas all favoured completing the process with no additional catch limit being applied.

Mike Williams said that to recognise the capacity of all types of potting vessel, the B&PSC could consider a catch restriction. DCO Clark highlighted that an expansion of catch restriction to all potting vessels would be beyond what was formally consulted on. PPO Townsend said that if Members wished to consider and discuss

different management approaches, including those not supported to date by the B&PSC, new Officers' papers would need to be prepared that may lead to another formal consultation with new content.

Regarding the restriction on the use of vivier tanks exceeding a capacity two cubic metres whilst fishing in the District, Simon Thomas said that he was aware of a vessel in Cornwall with integral vivier tanks over two cubic metres that operates as a day boat. Although not active in the D&S IFCA District at this time, Simon Thomas commented that the restriction would impact this operator. CO Mander confirmed that this would be the case.

Members discussed the current influx of octopus and how the associated issues were impacting the inshore potting sector. Members agreed that it was important to monitor events and that future discussions and potential management measures may support recovery of the inshore potting fishery. The Chair said that discussions on the influx of octopus can be discussed as part of Agenda Item 11.

Decision Making:

That a new Potting Permit Condition and interpretation of vivier tank as set out in Section 6.1 of the Officers' paper is introduced.

Potting Permit Condition - Provision:

A permit holder or named representative is not authorised, whilst fishing in the District, to store sea fisheries resources in a vivier tank or tanks below the uppermost continuous deck that have a volume (in aggregate) that exceeds two cubic metres.

Interpretation:

"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.

Proposed: Alistair Dewhirst Seconded: Mark Day

There were no amendments put forward.

In favour: 11
Against: 0
Abstain: 1

Agenda Item 7:

Developing a Voluntary Code for Potting on Seagrass in Torbay MCZ

The Chair asked CO Mander to introduce the agenda item.

Presentation

CO Mander highlighted the background information in the Officers' paper leading to the recommendation to introduce a voluntary code of conduct to minimise the impact of potting on areas of seagrass within the Torbay MCZ. CO Mander explained that due to the cuttlefish pot dragging that occurs when strings of more than two pots are being hauled, action was needed to minimise impact. However formal management via the Potting Permit Conditions was not the only option. CO Mander highlighted that although the small number of cuttlefish fishers known to be active near the seagrass areas in Torbay had no intent to cause damage, their own conclusions through engagement were that it is impossible for them to change every aspect of how

they operate their fishing gear to avoid all damage. This includes how they haul the pots in changeable weather and tidal conditions.

CO Mander explained that initially Officers had considered using a formal management approach. However, in practice, the zoning areas of seagrass beds, whilst also excluding rocky areas tight to the shore where crab and lobster fishing takes place, was challenging. It was the view of Officers that zoning too great an area around seagrass beds as a Potting Permit Condition would be overly precautionary.

CO Mander also explained that a wider issue, beyond the remit of D&S IFCA, is the lack of management of anchoring of recreational vessels near or on the seagrass beds. CO Mander informed Members that unless this issue is addressed by the MMO, this activity is likely to cause damage to seagrass beds and this was also a consideration for Officers when preparing their recommendation. CO Mander said that there will be different views on how effective voluntary codes of conduct can be over time. However, considering the good engagement to date, and the relatively small numbers of fishers involved in the cuttlefish fishery, he had confidence that it could be successful and would help to protect the seagrass beds from potting activity. CO Mander said that if a voluntary code was introduced, its effectiveness could be monitored over time and that some issues associated with the objective may be able to be addressed with engagement with the fishers, before a need to potentially introduce formal management.

Comments and Questions

Pamela Buchan asked for some clarity regarding the responses from fishers and quotations set out in the Officers' paper and asked that Officers should ensure to identify what responses were a direct lift of a quote and where Officers had summarised the response. DCO Clark provided clarity on this matter. A wider discussion began on the issues faced by fishers and the need to protect the seagrass beds. Jon Dornom said that he was surprised the fishers do not seem able to adapt their fishing practices to avoid pot dragging, even with strings of pots. CO Mander explained how structured telephone calls had been used to gain the view of fishers including what they felt was possible or not in terms of adapting their fishing practices to avoid damage to the seagrass. CO Mander explained that it was the view of fishers that they do not like to use pairs of pots, with a preference for singles, although this would increase the numbers of marker buoys in the areas.

It was the view of Mike Williams that voluntary codes do not work and D&S IFCA should formally regulate. CO Mander said that in the longer term formal regulation may be necessary; however, a voluntary code could be used to test and evaluate how formal regulation and monitoring could work in practice – a first step for management.

Felicity Sylvester expressed the view that she hoped the voluntary code will be successful and supported by fishers, especially with the engagement of fisher undertaken by D&S IFCA Officers. Mark Day said that he was supportive of voluntary codes in the right circumstances, and given the small scale activity and other factors beyond the control of D&S IFCA that needed management, such as anchoring, he would support the recommendation from Officers. To have Permit Conditions restricting activity, but no management of anchoring would be, in his view, disproportionate. Alistair Dewhirst asked a series of questions, including the extent of pot types covered by the potential voluntary code and how vessel monitoring can support effective management. CO Mander confirmed that the expectation was that all fishing vessels would eventually have vessel monitoring systems as per the national roll out and that the Code of Conduct would apply to all pots, not just cuttle pots. David Morgan highlighted that effective use of anchors can minimise pot dragging and, with sufficient guidance for fishers, his view was that formal regulation or a voluntary code may not be needed.

at all. CO Mander highlighted the assessment work conducted by Officers and the expectation from Natural England that D&S IFCA must act to recognise its statutory duties (Marine and Coastal Access Act – Section 154). Kate Sugar said that Natural England would be supportive of a voluntary code but care must be taken with the wording (measures) within a voluntary code, for example to make it clear that seagrass beds should be avoided.

Kate Sugar thanked the IFCA Officers for their detailed work on this matter and said that Natural England would be supportive of a voluntary code but care must be taken with the wording of the measures. She recommended that the proposed measure “Where possible potting on seagrass should be avoided” should be removed entirely, as this is a code of conduct to be adhered to when potting over seagrass (so the decision to pot over seagrass has already been taken). Kate Sugar added that she believed the use of a voluntary code in the first instance is right approach in this example, followed by monitoring of the success of the voluntary code and then D&S IFCA has recourse to formally regulate the activity if adherence to the code fails. The Chair and other Members also commented on the wording set out in the Officers paper, as the basis for a voluntary code, and recommended removing the words “where possible” to add strength to the messaging.

Didi Alayli and Pamela Buchan stressed the importance that Officers effectively monitor compliance and report back to the B&PSC at future meetings, suggesting a twelve month reporting cycle. CO Mander confirmed that the Code of Conduct would be introduced in early 2026, before the fishing season begins and that the B&PSC will receive its first report about the monitoring of compliance and effectiveness of the voluntary code in Autumn 2026.

Jon Dornom highlighted that seagrass beds are present in Salcombe Estuary; however, there is excessive anchoring more than likely causing damage to these beds and questioned what action would be taken. CO Mander agreed that anchoring is an issue, however as it is not a fishing activity, it is for the MMO to manage, not D&S IFCA.

Regarding the Officers’ recommendation, Pamela Buchan highlighted how important it would be to get the input of fishers into the development of the voluntary code and highlighted “co-development” in a motion put forward.

Decision Making:

That Members agree to the co-development and implementation of a Voluntary Code of Conduct to minimise the impact of potting on defined areas of seagrass within the Torbay MCZ

Proposed: *Pamela Buchan* **Seconded:** *Alistair Dewhirst*

There were no amendments put forward.

In favour: 14
Against: 1
Abstain: 0

Agenda Item 8:

Update: Mobile Fishing Permit Byelaw 2022

The Chair asked CO Mander to introduce the agenda item.

Presentation

CO Mander highlighted the different sections in the Officers' paper, which was for Members to note. CO Mander highlighted the delays experienced during a prolonged quality assurance process conducted by the MMO; however, CO Mander reported that a good working relationship had now been built up between D&S IFCA Officers and the MMO Byelaw QA Team. CO Mander emphasised that although the Byelaw, now awaiting confirmation by Defra, was quite different to the version advertised during formal consultation, it was not materially different and retained the key elements to meet the objectives of the Byelaw agreed by the B&PSC. CO Mander explained that the Byelaw can act as a template for the creation of other new D&S IFCA permit based byelaws.

Comments and Questions

David Morgan highlighted that the recommended wording by the MMO for use in byelaws (and permit conditions) is "must not" instead of "not authorised" and questioned whether this had a bearing on the wording of the Potting Permit Condition agreed in Agenda Item 6. PPO Townsend explained that as new byelaws are made over time, potentially including a new Potting Permit Byelaw, the wording in associated permit conditions will harmonise with each new byelaw. PPO Townsend said that using the words "not authorised" in the current Potting Permit Conditions would not present an issue.

There were no other comments of questions.

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Agenda Item 9:

Development of the Netting Permit Byelaw

The Chair asked CO Mander to introduce the agenda item.

Presentation (Non-Powered Vessels & Category Three Permit Conditions)

CO Mander explained that to develop a new Netting Permit Byelaw, some key content needed to be agreed to enable Officers to begin drafting work. CO Mander explained that the Officers' paper examined several topics that can be discussed in turn; however, the main discussion point related to the use of non-powered vessels (NPVs).

CO Mander highlighted that the current Netting Permit Byelaw is the only D&S IFCA permit based byelaw that enables NPV's (that have no Certificate of Registry or valid Fishing Licence) to gain a commercial (Category One Netting Permit). CO Mander explained that this was not an oversight, rather it had been recognised at time of making the Byelaw that scope to enable NPVs to gain a Category One Netting Permit should be included in the Byelaw to enable some forms of heritage fisheries to continue. Based on this the B&PSC had developed a specific byelaw making principle for the Netting Permit Byelaw, that being:

- Not to separate commercial users, dependent on the issue of a fishing licence (specific to the Netting Permit Byelaw)

CO Mander explained that Officers believed that heritage fisheries still exist within the District. However, Officers believe that the commercial use of a mud horse (which was one of the heritage fisheries considered)

had now ceased. CO Mander highlighted that traditional use of herring nets may still be undertaken in the Clovelly area. CO Mander highlighted that at this time there were ten Category One Netting Permits issued, with several of these relating to persons based in Clovelly.

Although there are only ten NPVs netting within the District, CO Mander reported on the wider issues associated with the non-regulated use of NPVs on a regional and national level. CO Mander highlighted the information provided in the Officers paper about the increased numbers of NPVs, and that national fisheries legislation does not apply to NPVs, therefore seriously undermining the national regulatory framework. CO Mander provided examples of non-traceability of catch and highlighted that many NPVs only exist on paper and do not physically exist. CO Mander explained that although the issue had been raised with the MMO and Defra by D&S IFCA and Cornwall IFCA, no meaningful action had been taken to address the problems. CO Mander explained that D&S IFCA could use the new Netting Permit Byelaw to improve the regulation of NPVs, while still preserving heritage fisheries, by potentially introducing a specific category of permit conditions (Category Three) as explained in the Officers' paper.

Comments and Questions (Non-Powered Vessels & Category Three Permit Conditions)

Jon Dornom asked for some information concerning how NPVs sell their catch. CO Mander highlighted that according to the MMO the Buyers and Sellers Regulation was not intended to apply to NPVs and that a generic code "NPV001" was used by the MMO to reference catches by NPVs. CO Mander informed Members that Defra may act on the basis of needing to improve traceability of fish as part of Trade and Cooperation Agreement. Jon Dornom added that some markets, including Brixham market, have refused to sell catch due to a lack of traceability.

Felicity Sylvester commented that to her knowledge the NPVs at Clovelly no longer sell fish to a market, however the fishers should be able to continue selling to a market, and D&S IFCA's management measures should not make it more difficult for fishers being able to sell their fish. CO Mander explained that some engagement work by Officers (pre-consultation) could potentially establish if the operators at Clovelly were still commercially active. PPO Townsend said if the fishers were still active this would help to justify the need to develop a Category Three Permit, but if there was no demand for traditional commercial coastal fisheries to continue, a Category Three Permit may not be developed as part of the new Byelaw. Felicity Sylvester stated that why would fishers at Clovelly want to pay for another permit when they already had a Category One Permit and this would potentially impact them financially. PPO Townsend explained that the new Categories of Permit would replace what was in place at this time. The Chair said that, as she understood it, the potential Category Three Permit is providing an opportunity for those operators using NPVs to continue fishing commercially, and would not remove their ability to continue conducting traditional forms of coastal fishing if they were still active. CO Mander highlighted that the fees for all permits are planned to be £40, which would not have a significant financial impact.

Mark Day and Simon Thomas both favoured the potential to better regulate NPVs whilst also providing fishing opportunity. Mark Day said that care was needed with what constitutes "heritage" as this could be abused. CO Mander explained that engagement would help inform what a Category Three Permit would need to include for its tailored management measures and the objective of preserving heritage fisheries undertaken by NPVs could be set out in the Impact Assessment that accompanies the new Byelaw

Decision Making (NPVs and Category One Permits):

The Chair highlighted the Officers' recommendation (a, b, and c) on page 4. Mike Williams provided a motion to include all three parts:

That Members agree that:

- a) the deferred principle, *not to separate commercial users, dependent on the issue of a fishing licence (specific to the Netting Permit Byelaw)*, is no longer adopted by the B&PSC.
- b) the Netting Permit Byelaw is developed to introduce three categories of permit, to recognise heritage fisheries that involve the use of non-powered vessels.
- c) the B&PSC byelaw review/byelaw making principles are included as an Annex in the B&PSC's Terms of Reference.

Proposed: **Mike Williams**

Seconded: **Simon Thomas**

There were no amendments put forward.

In favour: **14**

Against: **0**

Abstain: **1**

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Presentation (Other Criteria to gain a Permit and Age Limits)

CO Mander explained that the current Netting Permit Byelaw did not specify the minimum age of an applicant to gain either a Category One (commercial) or a Category Two (recreational) Netting Permit. CO Mander said that in the view of Officers, the application process was too open and risked being abused. CO Mander said that regarding commercial operations, it was the understanding of Officers that national legislation sets the minimum age to be in command of a commercial fishing vessel at 16 years old. CO Mander said that basis of this legislation was to protect young people engaged in fishing. Although the Authority cannot regulate on the basis of health and safety, CO Mander highlighted that Permit Holders have a responsibility to understand and abide by the Netting Permit Conditions. CO Mander set out that it was the view of Officers that the minimum age to be a commercial or recreational Netting Permit holder should be 16 years of age; however, this would not prevent younger recreational fishers going to sea under the supervision of an older person with a Netting Permit.

Comments and Questions (Other Criteria to gain a Permit and Age Limits)

Mark Day said that the Maritime and Coastguard Agency (MCA) had changed the legislation and that 15 year olds were now able to go to sea on commercial fishing vessels when not at school and providing they are not remunerated. CO Mander explained that 15 year olds were legally able to go to sea but that their activity would be restricted and that they could not be the master of the vessel. Mike Williams said that in his view 16 years old was too high for a recreational user as hobby activities are more likely to be undertaken at a younger age. Mike Williams said he would suggest the minimum age to gain a recreational permit could potentially be 14 years old. Members agreed that different ages should be set for Category One and Category Two Permit Holders and this became the basis of the motion that followed.

Decision Making (Other Criteria to gain a Permit and Age Limits)

That the Netting Permit Byelaw is developed with eligibility to gain a commercial Netting Permit set at 16 years of age and eligibility to gain a recreational Netting Permit set at 14 years of age.

Proposed: **Mike Williams**

Seconded: **Mark Day**

There were no amendments put forward.

In favour: 15
Against: 0
Abstain: 0

Presentation (Exemptions and Named Representatives for Category Two Permit Holders)

CO Mander highlighted the information set out in the Officers' paper relating to the scope of exemptions and the potential that Category Two Netting Permit Holders would have no need to have named representatives to retrieve fishing gear. CO Mander highlighted that exemption clauses within byelaws are often now wider than the traditional scientific, stocking or breeding purposes. CO Mander explained that the new D&S IFCA Size of Fishing Vessels Byelaw 2022 included maintenance within its exemptions clause and the new, but not yet confirmed, Mobile Fishing Permit Byelaw 2022 also included an exemptions provision for maintenance purposes. CO Mander highlighted that Southern IFCA had included educational purposes in an exemptions provision in one of their new byelaws. CO Mander said it was the intention of Officers to draft the Netting Permit Byelaw with both maintenance and educational purposes included in the exemption provisions along with scientific and stocking and breeding purposes.

Comments and Questions (Exemptions and Named Representatives for Category Two Permit Holders)

Pamela Buchan asked for an example of what type of activity would be covered by an educational exemption and the parameters to gain such an exemption. CO Mander explained that detail would be included in the accompanying Impact Assessment to justify the inclusion of educational purposes and an example of what it could be used for. Jon Dornom asked if educational purposes would include removal of a berried lobster from a fishery in the District for an educational type of event, such as the Salcombe Crab festival. CO Mander confirmed that this was a good example of a potential educational exemption. DCO Clark informed Members that depending on the species, national legislation may apply and therefore an exemption from the MMO would also be needed.

Decision Making (Exemptions and Named Representatives for Category Two Permit Holders)

That the exemptions clause is based on maintenance, scientific, stocking or breeding purposes and educational purposes are included in the Byelaw (with details and additional rationale for their inclusion set out in the Impact Assessment).

Proposed: Pamela Buchan **Seconded:** Mike Williams

There were no amendments put forward.

In favour: 15
Against: 0
Abstain: 0

Presentation (Fees for a Permit)

CO Mander highlighted the information set out in the Officers' paper. CO Mander highlighted that setting a fee at £40 to cover a two year period would be consistent with the new, but not yet confirmed, Mobile fishing Permit Byelaw 2022. PPO Townsend informed Members that the fee for a permit would be detailed in the Impact Assessment and not appear within the Byelaw itself; however, the Byelaw would include a mechanism to review and amend the fees for a permit if this was ever required.

Comments and Questions (Fees for a Permit)

Alistair Dewhurst enquired how a fee of £40 for a two year period had been established and if this still represented an accurate cost of administration. CO Mander explained that some cost analysis had been undertaken to qualify a £40 permit fee, and the salary of the Marine Development Officer, who processes most permit applications, is supported by the permit fees. CO Mander highlighted to Members that if a full cost analysis was undertaken again, the £40 fee may be too low; however, being set at £40 minimises the risk of this level of fee for administration being challenged.

Felicity Sylvester commented that a fee of £20 per year to have a permit is considerable and is potentially a barrier for younger people getting started with their fishing careers. CO Mander disagreed and said that a £40 for a two year period is a modest amount and a lot lower than some other IFCA's charge for different types of permits.

Decision Making (Fees for a Permit)

That the fee for all categories of netting permits is to be initially set at £40 to cover a two-year period.

Proposed: **Simon Thomas** **Seconded: Mike Williams**

There were no amendments put forward.

In favour: **15**
Against: **0**
Abstain: **0**

Agenda Item 10:

Amendments to the Mobile Fishing Permit Conditions

The Chair asked CO Mander to introduce the agenda item.

Presentation

CO Mander explained that this agenda item was for Members to note. CO Mander informed Members that depending on the outcome of discussion by the Inshore Potting Agreement (IPA) Committee, the Authority may be required to amend the current Category One Mobile Fishing Permit Conditions. CO Mander explained that there was potential that a co-managed area (MMO Licence Condition and D&S IFCA Permit Conditions) in Start Bay may be closed in 2026 for demersal mobile fishing. CO Mander highlighted that this scenario had arisen in the past, and not acting would result in an ultra vires situation. CO Mander highlighted that two potential approaches were explained in the Officers' paper, with one option, the favoured option, dependent on the new Mobile Fishing Permit Byelaw 2022 being confirmed as soon as possible. PPO Townsend explained that the option provided using the new Mobile Fishing Permit Byelaw 2022 (if confirmed) to notify, rather than consult, therefore removes a need for formal consultation, that is confusing to stakeholders as the views offered in any such consultation related to this issue cannot influence D&S IFCA's decision making.

Comments and Questions

There were no comments or questions from Members. Members noted the different approaches that may be taken to maintain the alignment of Category One Mobile Fishing Permit Conditions with the Inshore Potting Agreement (IPA) Licence Condition as set out in the Officers' paper.

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Agenda Item 11:

Octopus Update

The Chair asked DCO Clark to introduce the agenda item.

Presentation

DCO Clark provided Members with a summary of the Officers' paper, highlighting D&S IFCA's engagement with Potting Permit holders and the responses from five fishers that set out their observations about the numbers of octopus being caught and the decline in catches of brown crab. DCO Clark also highlighted that fishers had observed predation by octopus on other species such as lobster, scallop and whelk.

DCO Clark provided Members with details about the D&S IFCA presentation to the Shellfish Association of Great Britain (SAGB) meeting of the Crustacea Committee. DCO Clark also highlighted the update on research by the Marine Biological Association (MBA), and how knowledge had been exchanged between South West and Brittany Fishers and scientists.

Comments and Questions

Simon Thomas informed Members that findings from the MBA research would be published soon. David Morgan highlighted an inaccuracy, in the Officers' paper on page 4, regarding the management measures that had been introduced in two areas of North and South Finistère, France

Simon Thomas provided Members with an estimate of how much crab a 4kg octopus can consume and also informed Members with some landing data he had available relating to declines in crab, scallop and lobster in ICES Area 7e. DCO Clark also highlighted that Cefas had estimated, from the preliminary data that feeds into the Annual Scallop Stock Assessment, that the scallop stock biomass had declined significantly and was one tenth of what it was in 2024.

In response to Mike Williams, CO Mander explained that D&S IFCA had provided Defra with details of the impact of the influx of Octopus, which was more port orientated, rather than using the 7e ICES area. CO Mander said that work by Cefas would add to those findings and that Defra would be fully aware of the need to support the industry.

Kate Sugar drew attention to the South West Marine Ecosystems annual webinar series and conference as a useful annual review of the state of local ecosystems, and highlighted that information from the IFCA about octopus and fisheries impacts would be really useful input to the fish and fisheries part of this process for the review of 2024, which is starting now.

Regarding support for the industry, Mark Day informed Members that he had heard some rumours about decommissioning of scallop vessels to remove capacity. Both Jon Dornom and David Morgan welcomed the consideration of decommissioning in the fishing industry.

Members thanked Officers for the information and noted its content.

Date of the Next B&PSC Meeting.

PPO Townsend explained that the next B&PSC meeting would be expected to take place in February 2026, and an exact date would be confirmed via email correspondence.

End.