

Amendments to the Netting Permit Conditions – Proposal (2)

Officers Recommendation

That Members agree to amend the Category One Netting Permit Conditions as proposed in the formal public consultation, and set out below, with the changes to apply from 1st July 2026.

Proposal 2 - Shellfish Fishing Entitlement.

A Category One Netting Permit Condition will be introduced that prohibits 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. The proposed amended Category One Permit Condition would be as follows (or similar wording):

A Category One Permit Holder **operating a non-powered vessel or a licenced fishing vessel** without a shellfish entitlement is not authorised to remove from a fishery within the District in any calendar day more than:

- a) a total of five lobsters, however comprised, from the species of lobster or spiny lobster; and
- b) a total of twenty-five crabs, however comprised, from the species of edible crab, spider crab, velvet swimming crab and green crab.

The proposal is to amend a Permit Condition that is already in place. The B&PSC have recognised that the current Permit Condition (1.5.1) already prevents a Permit holder (with a powered vessel) that has no shellfish entitlement on their Fishing Licence from removing more than 5 lobsters and 25 crab from a fishery in each calendar day. The B&PSC were informed that the current wording would not apply to non-powered vessels.

The additional words **“operating a non-powered vessel or a licenced vessel”** strengthens the provision removing any uncertainty with this Permit Condition and provides consistency in management between powered and non-powered vessels.

Response:

Nine responses commented on proposal (2), with eight responses by organisations and one response from a commercial fisher operating nets. There was support, qualified support and **one objection** to this proposal.

Support:

The Environment Agency stated they support proposal (2) without further detail set out in their response. The Wembury Advisory Group were supportive as the amendments will close a potential loophole. The British Spearfishing Association were also in support using similar rationale, as were the Angling Trust (and by extension the Bass Anglers Sportfishing Society).

Qualified Support:

Qualified support for proposal (2) was provided by British Divers Marine Life Rescue, the Seal Research Trust, and Devon Wildlife Trust. All three organisations had the view that the limits are needed; however, 5 lobsters and 25 crab per day for fishers without a shellfish entitlement is an excessive amount.

Objection:

The single objection from a commercial fisher was based on the cost of obtaining a Category A Fishing Licence with a shellfish fishing entitlement. The fisher has a powered vessel.

Consideration by B&PSC:

The levels of 5 lobsters and 25 crab set out in D&S IFCA's Permit Conditions was not based on evidence considered by the Authority. The levels set in the Permit Conditions mirror national legislation.

The response from the commercial fisher failed to recognise that the current Permit Condition (without amendment) already applies to commercial fishers with a powered vessel operating under a Category One D&S IFCA Netting Permit. This fisher (if they obtain a D&S IFCA Permit) will already be restricted to removing no more than 5 lobsters and 25 crab, per calendar day, from a fishery in the District if they do not have a Fishing Licence with a shellfish fishing entitlement.

It is the Officers' view that there is no new information or evidence to suggest that the B&PSC should not proceed with the change as proposed. The Permit Conditions can be amended and circulated to apply from 1st July 2026.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers

B&PSC Papers and meeting minutes ([Section B of D&S IFCA Website Resource Library](#)) and Agenda Item 6 (Annex A) – A summary of Response from the Formal Consultation