Additional Formal Consultation on Changes to Category One Mobile Fishing Permit Conditions

1. Background

In April 2026 D&S IFCA formally consulted, in board terms, about changes to the Category One Mobile Fishing Permit Conditions. This included the following:

- A proposed interpretation for razor clam dredge
- The introduction of Remote Electronic Monitoring (REM) to be fitted to vessels engaged in the razor clam dredge fishery
- An indication of the location of where the fishery would be authorised, recognising uncertainties associated with shellfish classification areas for the harvesting of razor clams.

As highlighted in responses to the formal consultation, the lack of detail regarding the exact location where the fishery would potentially be authorised caused concern.

2. Additional Detail

D&S IFCA can formally consult once again providing more detail on the information made available to stakeholders to include:

- Additional interpretations
- A 140mm minimum conservation reference size for razor clams as recommended by Natural England
- Draft permit conditions demonstrating how REM must be installed, how it must function, and requirements if the equipment fails to be fully functioning
- An exact location for the fishery shown in an Annex to the Permit Conditions

The formal consultation will also include information and links to new information assembled by D&S IFCA Officers including:

- Razor Clam Dredge Fishery – Research and Evidence Review (Agenda Item 8 Annex C)
- Seabed Habitat Assessment for Potential Razor Clam Fishery off Exmouth (Agenda Item 8 Annex D)

The formal consultation will set out every proposed change to the Category One Mobile Fishing Permit Conditions, along with an explanation of how the changes to the Permit Conditions function as set out in Section 3 below.

D&S IFCA will formally consult for four consecutive weeks with the findings documented and reported to the B&PSC. Communication initiatives will include direct notification and use of D&S IFCA's website.

3. Changes to the Category One Mobile Fishing Permit Conditions

The following shows the changes that would be set out in the formal consultation, along with an explanation of each change.

3.1 Interpretations

Interpretation of Razor Clam Dredge

The interpretation of razor clam dredge is as follows:

"razor clam dredge" means a dredge where:

i) any part of the dredge does not exceed one metre in width; and
ii) any blade fitted to the bar of the dredge does not exceed 400mm millimetres in depth, and
iii) that the dredge uses a continuous air lift retrieval system to bring the catch immediately to the surface, and

The interpretation of razor clam dredge defines the specification and is needed to allow the Permit Conditions to function.

Interpretation of REM

The Mobile Fishing Permit Byelaw 2022 already includes an interpretation for remote electronic monitoring system (REM).

"remote electronic monitoring system" means an integrated system using an array of electronic equipment, such as gear sensors and video cameras used to remotely monitor fishing activities on a relevant fishing vessel.

The interpretation for remote electronic monitoring system will be set out in the Category One Permit Conditions. In addition, the REM collects data (required data) which will also be defined as follows:

"required data" means camera footage, gear sensor data, and vessel positional data.

Species

The Permit Conditions already include a species list, needed to link provisions such as minimum conservation reference sizes. Razor clam will be added as follows:

"razor clam" means a razor clam of the species *Ensis spp.*;

3.2 Limitation on Catches

The Permit Conditions contain provisions in a section under the title of "**Limitation on Catches**". Paragraph 3.1 introduces what size of species cannot be removed from a fishery in the District as follows:

1.3 A permit holder or a named representative must not remove from a fishery within the District:

A list of species (defined in the interpretations) is then set out, including how they are to be measured. Razor clams will be included in the list as follows:

a razor clam less than 140 millimetres measured along the length of the shell;

3.3 Dredging Provisions

The Permit Conditions contain provisions in a section under the title of "**Dredging**". The amendments, and new provisions are shown below. The numbering of paragraphs may be subject to change. The provisions limit the gear type, and combination of dredges that can be used in the District. Although paragraph 2.4 sets out that a maximum of **two dredges** can be used, the Monitoring and Control Plan will set out that only **one dredge** can be used. Paragraph 2.5 links to the spatial restriction (access area) for the use of the razor clam dredge as set out in paragraph 12.1 of the Permit Conditions.

2.1 A permit holder or a named representative must not fish within the District with a dredge other than a scallop dredge, or an alternative dredge, or a razor clam dredge.

2.4 A permit holder or a named representative must not fish with more than two razor clam dredges at any one time within the District.

2.5 A permit holder or a named representative must not fish with razor clam dredges at any time within the District, unless in accordance with paragraph 12.1.

2.6 A permit holder or a named representative must not fish with alternative dredges, razor clam dredges, and scallop dredges when used in combination.

3.4 Remote Electronic Monitoring

The Permit Conditions will include a new section under the title "**Specified Equipment (Remote Electronic Monitoring System)**". The new provisions in this section are all modelled on similar provisions for the use of vessel monitoring devices. The paragraph numbering shown below may be subject to change.

Specified Equipment (Remote Electronic Monitoring System)

4.4 A permit holder or a named representative must not operate a relevant fishing vessel with a razor clam dredge within the District unless:

a) the vessel is fitted with a remote electronic monitoring system; and
b) the remote electronic monitoring system is fully functioning at all times and the required data is received by the remote electronic monitoring system supplier and made available to the Authority via the supplier's platform;

4.5 A permit holder or a named representative must not operate a relevant fishing vessel with a razor clam dredge within the District unless:

a) a permit holder has provided in writing a copy of the manufacturer's approved engineer's installation report confirming that the system is fully functional.
b) subject to paragraph 4.6, the required data is received by the remote electronic monitoring system supplier and made available to the Authority via the supplier's platform, except when a relevant fishing vessel is within an area as defined by the co-ordinates set out in the attached Annex 14 to these permit conditions.

4.6 Where network coverage is lost, and the required data is not transmitted, the required data must be stored and then forwarded to the remote electronic monitoring system supplier when network coverage is restored.

Explanation: The above provisions ensure that a vessel cannot operate razor clam dredges without REM being fitted, and that the fitting of the equipment meets D&S IFCA's requirements, as detailed in another section of the Permit Conditions. The above provisions ensure that REM must be fully functional, and that the required data (for monitoring) is available to the Authority. Annex 14 (Annex 13 currently) are harbour areas where the transmission of IVMS and REM is not required.

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The Permit Conditions will include a new section under the title "**Failure of a Remote Electronic Monitoring System**". The new provisions in this section are all modelled on similar provisions for the failure of vessel monitoring devices. The paragraph numbering shown below may be subject to change.

Failure of a Remote Electronic Monitoring System

6.1 Unless paragraph 4.6 applies, if the remote electronic monitoring system installed in accordance with paragraph 7.2 has failed to transmit the required data, for whatever reason, a permit holder or a named representative must ensure that:

a) the relevant fishing vessel, if at sea, immediately ceases fishing and returns to one of the areas as defined by the co-ordinates set out in the attached Annex 14 to these permit conditions or leaves the District; or

b) if the relevant fishing vessel is already in an area as defined by the co-ordinates set out in the attached Annex 14 to these permit conditions, the relevant fishing vessel remains there in accordance with paragraph 6.2.

6.2 If, as a result of a failure of the remote electronic monitoring system to transmit the required data and in compliance with paragraph 6.1, a permit holder or named representative must not sail the relevant fishing vessel in the District, unless:

a) the remote electronic monitoring system vessel has been inspected, repaired, or replaced by the manufacturer's approved engineer, and an approved engineer's report has been received by the Authority in writing that contains the information specified in Paragraph 7.2; or

b) a written authorisation has been issued in respect of the relevant fishing vessel under paragraph 4 of the Byelaw.

Explanation: The above provisions (some linked to other relevant provisions) ensure that action must be taken if the REM is not fully functional. No fishing can take place with razor clam dredges unless the equipment is fully functional. As well as not being able to fish without fully functioning REM, a vessel that is fitted with REM (in this case a single vessel), and has returned to a home port, is not able to sail in the District unless action is taken to repair or replace the REM.

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The Permit Conditions will include a new section under the title "**Installation, Inspection, Repairs, or Replacement of a Remote Electronic Monitoring System**". The new provisions in this section are all modelled on similar provisions for the requirements relating to the installation, inspection, and replacement of an inshore vessel monitoring device.

Installation, Inspection, Repairs, or Replacement of a Remote Electronic Monitoring System

7.2 A report by a manufacturer's approved engineer for the installation, inspection, repair, or replacement of a remote electronic monitoring system vessel must contain the following information:

Installation or replacement:

a) the name of the engineer;

b) the engineer's employer (if applicable);
c) name of the relevant fishing vessel;
d) port letters and numbers of the relevant fishing vessel;
e) date of installation;
f) geographical location of installation;
g) time of installation;
h) serial number of the REWIRE vessel monitoring device;
i) confirmation that the required data is received by the remote electronic monitoring system supplier and made available to the Authority via the supplier's platform;
j) image of the location of the REWIRE vessel monitoring device
k) image of the camera locations on the relevant fishing vessel

3.5 Razor Clam Dredge Fishery Areas

The Permit Conditions will include a new section under the title "**Razor Clam Dredge Fishery Areas**". The new provisions in this section are all modelled on similar provisions for spatial management relating Marine Protected Areas, Heritage Asset Sites, and Coastal Mariculture Sites. The paragraph numbering shown below may be subject to change.

Razor Clam Dredge Fishery Areas

12.1 A permit holder or a named representative must not access the District with a razor clam dredge, unless:

a) the razor clam dredge gear is stowed on deck and no fishing is taking place; or

b) the razor clam dredge gear is used for fishing in the area as defined by the co-ordinates set out in the attached Annex 13 to these permit conditions.

Demonstration of the Annex

The formal consultation will include coordinates and a chart of the access area as follows:

Point	Latitude	Longitude
1	50° 35.465 N	003° 25.240 W
2	50° 35.465 N	003° 23.290 W
3	50° 35.189 N	003° 23.290 W
4	50° 35.189 N	003° 25.240 W

The green box shown on the chart below will be the access area. The finalised Annex will include a Legend and an explanation of the specific Annex.

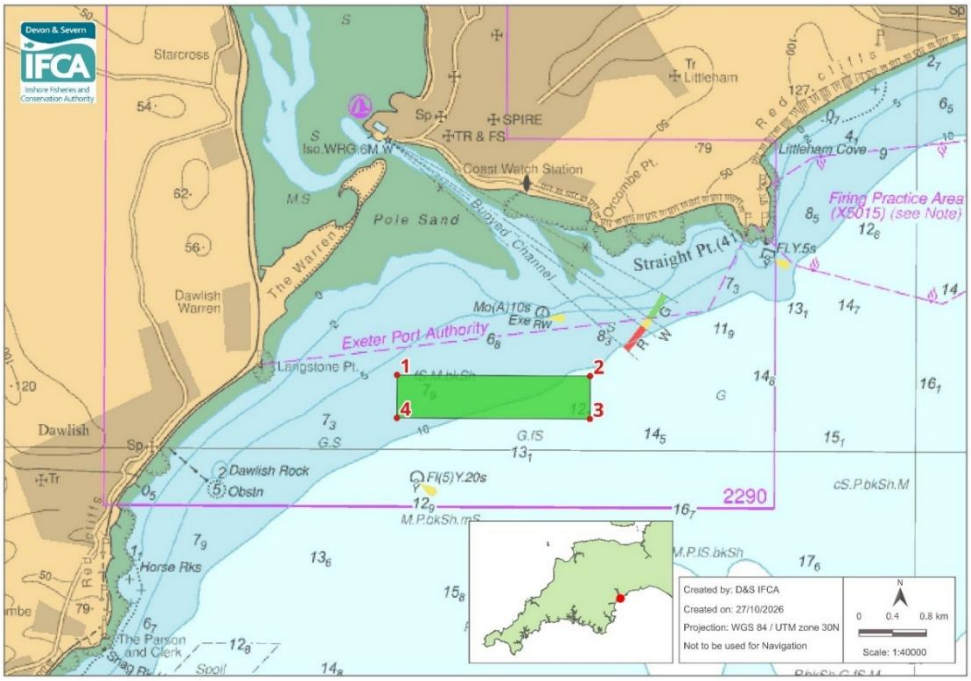


Figure 1: A simulation of Annex 13 to inform Members at the November 2026 B&PSC meeting.

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Explanation:

The combination of earlier provisions shown in this Officer's paper, with the spatial management results in the following:

- A vessel with razor clam dredges on board, must have the razor clam dredge stowed on deck when operating in the District, with the exception that when the razor clam dredge is used for fishing, it can only be within the Annex 13 access areas.
- When fishing in the access areas with razor clam dredges, the fishing operation is monitored using REM.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers

B&PSC Papers and meeting minutes

Formal Public Consultation – Mobile fishing Permit Conditions – April 2026

Agenda Item 7 (Annex A) – from the June 2026 B&PSC meeting: Mobile Fishing Formal Consultation Report (May 2026)