

Title: North Western Inshore Fisheries and Conservation Authority Byelaw 5 Heysham bass nursery area prohibition of fishing Lead department or agency: NWIFCA Other departments or agencies: MMO, Natural England	Impact Assessment (IA)
	IA No:
	Date: 09/08/2012
	Stage: Development/Options
	Source of intervention: Domestic
	Type of measure: Primary legislation
Contact for enquiries:	

Summary: Intervention and Options

What is the problem under consideration? Why is government intervention necessary?

Statutory Instruments 1990 No.1156 & 1999 No.075 establish the Heysham Bass Nursery Area (HBNA) around Heysham Power Plant and prohibit fishing for bass from boats and fishing for any sea fish from boats using sandeels as bait. This was designed to protect the large number of undersized, young bass that use the warm outflows of the power station as a nursery area and feeding ground. This did not prevent fishing by use of shore based nets or by recreational and professional anglers fishing from the shore. Shore based fishing has now reached a level where there is a significant detrimental impact on the bass nursery with no obvious positive commercial benefit. Enforcement of the minimum landing size is also very difficult in this area due to its lack of accessibility.

What are the policy objectives and the intended effects?

1, To properly protect young fish in the bass nursery area; 2, to promote a greater adult population of bass and increased supply of sized bass for commercial fishing outside the HBNA in line with the goal of promoting increased sustainable exploitation of fisheries within the NWIFCA District; 3, to facilitate better enforcement of the bass minimum landing size (MLS) and 4, to promote good relations and understanding between the various users of the bass fisheries in the NWIFCA in line with good fisheries management.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

1) Do nothing: this undermines the sustainability of the fishery. IFCO observations indicate that significant quantities of undersize bass are being removed or discarded.
 2) Pursue voluntary agreements to protect the HBNA: the current mandatory regulation on landing sizes is being frequently breached so voluntary solutions seem unlikely to succeed. Voluntary measures are not compliant with EU legislation guidance on management of SAC.
 3) Introduce a byelaw regulation to either prohibit all shore based fishing or all fishing for all sea fish in the HBNA. This is the preferred option. It alone will effectively enhance protection of bass in the HBNA giving benefits of better fisheries management including compliance with the bass MLS, reduction in destructive fishing, better commercial and recreational bass fishing in the district and better relations between fishing sectors. Only the less responsible fishermen would object to this option.

Will the policy be reviewed? It will be reviewed. **If applicable, set review date:** 03/2015

What is the basis for this review? Duty to review. **If applicable, set sunset clause date:** Month/Year

Are there arrangements in place that will allow a systematic collection of monitoring information for future policy review?

Yes

SELECT SIGNATORY Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister: _____

Date: _____

Summary: Analysis and Evidence

Policy Option 1

Description:

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate:

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate			

Description and scale of key monetised costs by 'main affected groups'

There is no change in costs to commercial fishing as the rest of the District surrounding the HBNA will continue to be available for fishing. Recreational anglers living in the area may experience very minor costs in travel no more than approximately 1km along the coast to avoid the HBNA. Local businesses catering to angling should see no impact on business. Enforcement will require new signage prepared in house at negligible cost. Other costs are unchanged.

Other key non-monetised costs by 'main affected groups'

A small area of the district currently available for net fishing and angling will be closed. Recreational anglers will lose a popular fishing spot but the NWIFCA believes the area is mostly used by fishermen wishing to land undersize fish.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate			

Description and scale of key monetised benefits by 'main affected groups'

There is expected to be a small increase in available sized bass for commercial fishing outside the HBNA as more HBNA fish are allowed to reach the MLS. This will benefit commercial and recreational fishing. Enforcement will become significantly more effective and represent better value for money.

Other key non-monetised benefits by 'main affected groups'

Enforcement of MLS will be far simpler to achieve. The community environment will benefit from a better protected HBNA. Relations between different fishing interests will improve, such as between anglers, netters, boat fishermen, professional and recreational fishermen. At present each interest tends to blame the others for damage to the bass stocks.

Key assumptions/sensitivities/risks

The byelaw can be effectively enforced.
Fisheries will continue to be available.

Discount rate (%)

Direct impact on business (Equivalent Annual) £m):			In scope of OIOO?	Measure qualifies as
Costs:	Benefits:	Net:	Yes/No	IN/OUT

Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?		Other			
From what date will the policy be implemented?		Byelaw start date in 2013			
Which organisation(s) will enforce the policy?		NWIFCA and partner bodies			
What is the annual change in enforcement cost (£m)?		£0m			
Does enforcement comply with Hampton principles?		Yes			
Does implementation go beyond minimum EU requirements?		No			
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)		Traded: 0		Non-traded: 0	
Does the proposal have an impact on competition?		No			
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?		Costs: n/a		Benefits: n/a	
Distribution of annual cost (%) by organisation size (excl. Transition) (Constant Price)	Micro	< 20	Small	Medium	Large
Are any of these organisations exempt?	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No

Specific Impact Tests: Checklist

Set out in the table below where information on any SITs undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

Please note this checklist is not intended to list each and every statutory consideration that departments should take into account when deciding which policy option to follow. It is the responsibility of departments to make sure that their duties are complied with.

Does your policy option/proposal have an impact on...?	Impact	Page ref within IA
Statutory equality duties¹ Statutory Equality Duties Impact Test guidance	No	
Economic impacts		
Competition Competition Assessment Impact Test guidance	No	
Small firms Small Firms Impact Test guidance	No	
Environmental impacts		
Greenhouse gas assessment Greenhouse Gas Assessment Impact Test guidance	No	
Wider environmental issues Wider Environmental Issues Impact Test guidance	No	
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	No	
Human rights Human Rights Impact Test guidance	No	
Justice system Justice Impact Test guidance	No	
Rural proofing Rural Proofing Impact Test guidance	No	
Sustainable development Sustainable Development Impact Test guidance	No	

¹ Public bodies including Whitehall departments are required to consider the impact of their policies and measures on race, disability and gender. It is intended to extend this consideration requirement under the Equality Act 2010 to cover age, sexual orientation, religion or belief and gender reassignment from April 2011 (to Great Britain only). The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Evidence Base (for summary sheets) – Notes

Use this space to set out the relevant references, evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Please fill in **References** section.

References

Include the links to relevant legislation and publications, such as public impact assessments of earlier stages (e.g. Consultation, Final, Enactment) and those of the matching IN or OUTs measures.

No.	Legislation or publication
1	
2	
3	
4	

+ Add another row

Evidence Base

Ensure that the information in this section provides clear evidence of the information provided in the summary pages of this form (recommended maximum of 30 pages). Complete the **Annual profile of monetised costs and benefits** (transition and recurring) below over the life of the preferred policy (use the spreadsheet attached if the period is longer than 10 years).

The spreadsheet also contains an emission changes table that you will need to fill in if your measure has an impact on greenhouse gas emissions.

Annual profile of monetised costs and benefits* - (£m) constant prices

	Y ₀	Y ₁	Y ₂	Y ₃	Y ₄	Y ₅	Y ₆	Y ₇	Y ₈	Y ₉
Transition costs										
Annual recurring cost										
Total annual costs										
Transition benefits	N/A									
Annual recurring benefits	N/A									
Total annual benefits	N/A									

* For non-monetised benefits please see summary pages and main evidence base section



Microsoft Office
Excel Worksheet

Evidence Base (for summary sheets)

Problem under consideration;

1. This Byelaw is required to prohibit shore based angling and netting in the Heysham bass nursery area (HBNA) in Morecambe Bay. Shore based fishing has increased in the HBNA in recent years to a level where it causes conflict with other fishing sectors and is believed to have a significant impact on bass population levels in the NWIFCA District. The initial legislation which created the HBNA left a lacuna by not prohibiting these forms of fishing. The SI applied only to fishing from boats. Allowing fishing of any sort in a nursery area is contrary to good fisheries management. Angling and netting were not prohibited as their effects at the time were limited and national fisheries legislation did not then routinely cover shore based fishing. Since the SI was passed, shore based angling and netting has become far more common, intrusive and damaging. It has not been possible to obtain accurate statistics but it is believed that many thousands or even tens of thousands of undersized bass are being caught then landed or discarded in the HBNA each year. While many may be being returned as claimed by fishermen, they are often being fished from a high sea wall over rocks and the process of removing and returning causes very high mortality as observed by IFCOs. Shore based netting, which leaves the fish trapped out of water as the tide recedes is similarly destroying many undersized fish. A high proportion are taken by other predators such as foxes or seals. An unknown proportion, believed to be significant are sold illegally by unlicensed fishermen, as commercial fish to shops, dealers and restaurants both in the local area and beyond.
2. The area where the fishing takes place is difficult to access and can only be approached from one exposed track. Fishermen illegally taking undersized fish have too much warning of approaching enforcement officers allowing discarding of retained undersize bass. The location also makes gathering data on illegal activity very difficult. It is reasonable to assume that this fishing is damaging the fish stocks of bass in the HBNA and since the HBNA supplies growing fish to the surrounding seas, in the wider NWIFCA District. Allowing this fishing to continue is not compatible with the NWIFCA objective to promote sustainable fishing.
3. The fishery causes tension between fishing sectors and wider fishing interests in the district. Commercial fishermen using boats to fish for bass in the rest of the district are most discontented. They believe anglers and netters in the HBNA destroy subsequent generations of sized bass while exploiting a legal loophole and a poor enforcement regime. The anglers and netters also have disputes with one another over who is responsible for discarding of fish and each believes the equipment of the other causes damage to their fishing gear.
4. The HBNA includes tidal waters enclosed by a line drawn 085° true from No. 7 buoy (54° 01.22N, 002° 56.28W) to the shore, a line drawn 020° true from No. 7 buoy towards the Dolphin (54° 02.40N, 02° 55.52), and a line drawn 102° true through the leading lights to Heysham Harbour.

Rationale for intervention;

5. The more liberal approach that is currently in force has not proved successful in protecting the HBNA. Anglers and netters fishing from the shore are failing to fish in a manner which is sustainable by focusing too heavily on the easily catchable but undersized fish in the HBNA. The fishing methods used including large barbed hooks, set nets and returning to the sea by air from a great height down a sloping stony seas wall, cause injury to released fish from which many do not recover.
6. Attempts to find a voluntary or compromise solution have been fruitless; in part due to the difficulty of enforcing specific fishing regulations of any kind in this hard to reach area. The NWIFCA considers that the fishermen using this area are generally the less responsible sector intent on taking and in many cases selling, undersize fish. There is no other legitimate reason for fishing in this area as there are few large fish in this nursery area and few of any other species which might be attractive to anglers. Fishermen in the HBNA appear to be less interested in the sport of catch and return of large fish. These fishermen are not a group who would tend to comply with voluntary regulations. The fact that voluntary regulations for management of SAC are not compatible with EU Commission views on management measures in SAC is a further reason for not further pursuing voluntary measures.

7. This fishery is reducing the reputation of this NWIFCA for good fisheries management causing deterioration in relations between fishing interests. Only further legislative intervention in the form of a full IFCA Byelaw can remedy the situation.
8. **Policy objectives;**
 - i. To properly protect young fish in the bass nursery area.
 - ii. To promote a greater adult population of bass and increased supply of sized bass for commercial fishing outside the HBNA in line with the goal of promoting increased sustainable exploitation of fisheries within the NWIFCA District.
 - iii. To facilitate better enforcement of the bass minimum landing size (MLS).
 - iv. To promote good relations and understanding between the various users of the bass fisheries in the NWIFCA in line with good fisheries management.

Description of options considered (including do nothing);

9. **A: Do nothing.** Continue the status quo where all boat based fishing and fishing with certain bait is prohibited but other forms of fishing, particularly shore based angling and netting continue without prohibition. The position of fishing from unpowered rafts, sailboards, canoes and similar floating objects which may be claimed to fall outside the definition of a boat is left unclear This option is to simply leave the current SI in place and continue to enforce it.
10. **B: Repeal all byelaws and establish voluntary measures.** This would involve no longer using mandatory control of the bass fishery in the NWIFCA district and instead attempt to gain industry and stakeholder cooperation in adhering to certain voluntary standards.
11. **C: Introduce a new bye law prohibiting shore based fishing for bass in the HBNA.** This would bring angling and netting from the shore under the same regulations as pertain to boat fishing under the HBNA SI. It would allow all fishers (boat and shore) to continue to fish for other species and most importantly to claim they are fishing for other species while actually fishing for bass. This option is unsatisfactory because it does not address this major enforcement loophole.

Recommended Option

12. **D: Introduce a new Byelaw prohibiting all fishing for sea fish in the HBNA.** This would make a blanket ban on all forms of fishing or being in possession of the equipment to fish in the HBNA. Only activities such as bait digging or collecting shellfish could continue. This is the only option which adequately addresses the enforcement loopholes of the taking of undersize fish whenever IFCOs are not on site and the lack of prohibition on fishing in the area, claiming to be fishing for other species while actually targeting bass

Costs and benefits of each option (including administrative burden);

13. **A: Do Nothing** The benefit to doing nothing is the certainty and stability it provides. However, there are no other benefits and a variety of costs arising from the unsatisfactory elements of the regulation of this fishery. The IFCA objective of promoting sustainable fisheries management would suffer as there would continue to be significant and damaging fishing of undersized bass. This creates a knock on cost for the bass fishing industry in the district as the undersized fish do not reach full size and therefore never become available stock for commercial fishing. The environment and biodiversity of the district might also suffer as the population of bass is damaged by fishing in the nursery area. The credibility of enforcement would suffer as it is proving very difficult to enforce minimum landing sizes in the bass nursery area. Relationships between different fishing interests would also continue to deteriorate.
14. **B: Repeal All Byelaws and Establish Voluntary Measures** The benefit of this could be a substantial saving in administration and enforcement costs if the voluntary schemes were successful. In addition there is theoretically a potential for substantial intangible benefit in stakeholder involvement in self-regulation. There are potential efficiency benefits for the fishing business in being able to set their own minimum standards. However, there is strong reason to suggest that a voluntary scheme would not be successful in modifying behaviour of fishermen and adequately managing the bass fishery in the district. At present there is already a significant

problem with non compliance with mandatory standards and interest in creating and complying with voluntary standards is low. It is therefore considered likely that adopting a voluntary scheme would result in all the same problems as maintaining the status quo except perhaps to an even greater extent. There is little support for voluntary regulations on the authority in the local community or in Government. Voluntary measures are now not considered by the European Commission to be compliant with the EU Habitats Directive. The HBNA is part of the Morecambe Bay SAC, a designated European Marine Site, so voluntary measures are not a suitable form of management to establish sufficient protection to comply with the Habitats Directive.

15. **C: Introduce a byelaw prohibiting all fishing for sea bass in the Heysham bass nursery area.** This option would in theory provide most of the benefits of the recommended option but it leaves a serious enforcement difficulty. Boat based fishing (provided sand eels are not used as bait) and shore based fishing could continue for other fish species within the HBNA. However allowing this fishing to continue creates a serious enforcement difficulty. The approach to the area where shore based fishing occurs is along an exposed single lane track and the top of a sea wall. Anglers fishing on the site have too much of warning of approaching enforcement officers to dump illegal catches of bass and claim they are fishing for other species. This would be similar to the current situation where undersize bass can be discarded as IFCOs approach. Netters would return dead bass to the sea and also claim to be fishing for other species and accidentally catching bass as a by-product.
16. A prohibition based on the type of bait, such as sand eels as in the Order, is not appropriate for shore based fishing as a far greater range of bait is used and such a prohibition would be equally difficult to enforce. Even in the case of boat based fishing the bait type prohibition would create the same enforcement difficulties of catch dumping and usage of other baits suitable for catching bass. In any case the amount of boat based fishing in the HBNA for species other than bass is negligible. Boat based fishermen are generally aware they cannot catch any commercially viable quantity of other fish species in the HBNA without illegally fishing bass and so rarely attempt to do so.
17. As there is so little boat based fishing in the HBNA, and what little there is will be just as successful in any other area of Morecambe Bay, there is no cost represented by the loss of a small fishing area for boats fishing for species other than bass using bait other than sand eel. The complications in enforcement created by this option are therefore not balanced by any benefits it presents over the recommended option (see recommended option below) and so the recommended option is preferred to this one.

Recommended Option: Introduce a byelaw prohibiting all fishing for sea fish in the Heysham bass nursery area.

18. **D: Fishery Benefits:** The bass fishery would be adequately protected from all the damaging impacts of angling and netting. Shore based angling results in a significant wastage of undersized fish, estimated to be in the many thousands yearly. Fishery officers working in the area believe as many as 80% of the fish caught in the area could be undersized and that on a good day up to a thousand fish could be caught. This is based on observations they have conducted of the fishery in progress and informal counts they have conducted of the fish caught. Formal counts are not practical as the fishery is by its nature highly unpredictable given seasonal and weather variations, as is incidence of anglers and netters on the site at any given time.
19. In this case the informal observations based on experience of the fishery officers are likely to be more reliable than a formal study without committing excessive and unavailable resources to the project. The bass is known to be a sensitive and a rather slow reproducing fish (See *Sea Bass: Biology, Exploitation and Conservation* by Pickett & Pawson 1994) and so the negative impact of the observed fishing is likely very high. Due to the fact that fish often have to be dragged up a sea wall to be caught and are often thrown callously back down the same wall it is unlikely many fish survive the experience. Similarly, netting, though much less common than angling, by means of stationary nets set up to catch fish on the outgoing tide, is to some extent indiscriminate in the fish it catches. Given the high concentration of young undersized fish the netting also has a significant adverse effect on the nursery area.
20. There is inherent environmental and sustainability benefit in protecting a nursery area of this sort (See for example, "The role of technical measures in the recovery of the UK Sea Bass", Pawson, Pickett & Smith 2005 available at www.sciencedirect.com). It is indeed; rather anomalous that

shore based fishing has been allowed to continue in the area for so long. There will therefore be some benefit to the management, sustainability and total catchable population of bass in the district. Clearly how large this benefit will be is impossible to quantify as other factors may prevent some of the fish protected from reaching full size in any case. However, it is expected that more fish can be allowed to reach commercial size with a corresponding commercial benefit.

21. **Enforcement benefits.** The sea wall from which shore based angling occurs can only be accessed along a single track path which can be seen from the fishing spots, it is therefore very difficult to catch any fishermen engaged in removing undersized bass, even though there have been a large number of reports of this occurring. The proposed byelaw would make all fishing illegal, thus removing the enforcement problem.
22. The application of the byelaw to an area 10m from the shore boundary ensures that no one can fish or be in possession of fishing gear anywhere on the seawall to the seaward side of the Power station boundary fence. This provision is intended to facilitate clear limits for enforcement.
23. The bass in the nursery area are often a good “dinner plate” size, some 7-10cm short of minimum landing size. This size has considerable value and presents a temptation to breach the law. If there is a blanket prohibition on fishing for sea fish in the area, along with an offence of being in possession of fishing equipment to do so, then the offence is clearer and easier to detect so the chances of successful prosecution are increased.
24. Measures prohibiting only the catching of bass would not be adequate as the same equipment can be used to catch other sea fish species which live in the area. Fishermen engaging in illegal fishing can too easily dump their catch and claim to be fishing for another species. It is for this reason it is not practical to introduce any legislative measures which stop short of full prohibition of fishing for sea fish.
25. **Community benefits:** There will be further benefits of improved relations between fishing interests. At present, commercial bass fishermen are unhappy about the large scale wastage of the undersized bass caused by the angling and netting. Few are prepared to go on record about witnessing offences but the daily logs of enforcement officers record such complaints. Anglers and netters blame each other for damage to the fishery and gear sabotage. Anglers complain that their lines become caught in the nets and the netters complain about snags. Prohibition of fishing in this small contested area should lead to better spacing of fishermen and so promote more peaceful relations. All parties on the authority are in agreement that the best solution to these problems is to prohibit fishing in the area.
26. **Costs of this byelaw:** Costs to the NWIFCA can be met from general spending. They include making and advertising the byelaw and closing off a small area of the district to fishing by means of signage in the area which will be made in house by the NWIFCA.
27. Costs to commercial fishing should be zero because no commercial fishing is permitted in the HBNA. Outside the HBNA much of Morecambe Bay and the wider NWIFCA District consists of habitat that is equally suitable for larger bass so there is plenty of other opportunity for the anglers and netters to carry on their activities elsewhere.
28. There may be a certain social cost for recreational anglers, the nursery is a favourite fishing place because of the ease with which fish can be caught and so it is a draw for large groups to fish together. This however, is not a good enough reason to justify continuing to allow fishing to take place given the adverse impact on the fish stock. The social fishing could easily relocate elsewhere, though this may impose a small additional transport cost for some.
29. There is only a negligible level of boat based fishing for other fish species not using sand eel as bait which is occurring in the area of the bass nursery. On the whole boat based fishermen are aware it is virtually impossible to fish for other species in the Heysham Bass Nursery Area without catching undersized bass and committing an offence and so do not attempt to do so. The rest of the Morecambe Bay area is just as productive for catching other fish species from boats and so the commercial impact will be equally negligible. The onshore enforcement benefit far outweighs this cost.
30. It is necessary to prohibit fishing for all sea fish in the Heysham Bass Nursery Area as there is no fishing technique which will discriminate between species.

Risks and Assumptions

31. It is assumed that there will continue to be viable fishery within the NWIFCA district and a bass nursery at Heysham. There is no reason to believe this will change, there is a long standing fishery and a long standing nursery area. It is also assumed that the NW IFCA will continue to be in a position to enforce the byelaws within the district. Again there is no reason not to believe this is the case. The NW IFCA has reliable long term strategies and is financially secure.

Wider Impacts

32. There should be few wider impacts of this byelaw change. There may be a small knock on effect on businesses in Heysham catering to anglers and netters if some chose of their customers choose to cease fishing as a result of the loss of this area. This should only be a slight effect as it is expected many will continue in the local area. This cost is outweighed by the significant benefit to the environment and sustainable fisheries management and the benefits to the commercial fishery.

Summary and Preferred Option including implementation

33. The preferred option is to introduce a new byelaw which prohibits all fishing for sea fish and the possession of fishing equipment to do so in the Heysham Bass Nursery Area (HBNA).

34. The purpose of this new byelaw is to promote the proper management of the bass fishery in the NWIFCA district and specifically to prevent the destruction of undersized bass in the HBNA. This byelaw is necessary as many thousands of valuable fish are being wasted before they reach commercial size. The environment and fish stocks are damaged and the value of the wider commercial fishery outside the HBNA reduced.

35. The HBNA presents enforcement challenges due to its single, exposed access route and so a blanket prohibition including the prohibition of possession of equipment is necessary to achieve better management. There will be some costs to the social fishery and the parts of the local community which rely on it however these are outweighed by the benefits to the commercial fishery and the wider community through better environmental management. There will also be a significant enforcement benefit.

Annexes

Annex 1 should be used to set out the Post Implementation Review Plan as detailed below. Further annexes may be added where the Specific Impact Tests yield information relevant to an overall understanding of policy options.

Annex 1: Post Implementation Review (PIR) Plan

A PIR should be undertaken, usually three to five years after implementation of the policy, but exceptionally a longer period may be more appropriate. If the policy is subject to a sunset clause, the review should be carried out sufficiently early that any renewal or amendment to legislation can be enacted before the expiry date. A PIR should examine the extent to which the implemented regulations have achieved their objectives, assess their costs and benefits and identify whether they are having any unintended consequences. Please set out the PIR Plan as detailed below. If there is no plan to do a PIR please provide reasons below.

<p>Basis of the review: [The basis of the review could be statutory (forming part of the legislation), i.e. a sunset clause or a duty to review, or there could be a political commitment to review (PIR)];</p> <p>The effectiveness of the byelaw in achieving its objectives will be kept under continuous review to study how it is working and identify any changes which may be required. The NWIFCA will require reports and data on this review process and Defra will review the performance of all IFCA in 2015.</p>
<p>Review objective: [Is it intended as a proportionate check that regulation is operating as expected to tackle the problem of concern?; or as a wider exploration of the policy approach taken?; or as a link from policy objective to outcome?]</p> <p>The review is intended to check that regulation is operating as expected, will evaluate the policy approach taken and will provide a link between policy objective and outcome.</p>
<p>Review approach and rationale: [e.g. describe here the review approach (in-depth evaluation, scope review of monitoring data, scan of stakeholder views, etc.) and the rationale that made choosing such an approach]</p> <p>The review will evaluate the effectiveness of all elements of the byelaw.</p>
<p>Baseline: [The current (baseline) position against which the change introduced by the legislation can be measured]</p> <p>The baseline position is the current scale of fishing in the Heysham Bass Nursery as at September 2012.</p>
<p>Success criteria: [Criteria showing achievement of the policy objectives as set out in the final impact assessment; criteria for modifying or replacing the policy if it does not achieve its objectives]</p> <p>Compliance with and endorsement of the measure by the Fishing industry, Satisfactory enforcement of the byelaw by Fishery Officers and partners, Bass fishing moving towards sustainable exploitation, Commercial fishery continuing to see valuable returns.</p>
<p>Monitoring information arrangements: [Provide further details of the planned/existing arrangements in place that will allow a systematic collection of monitoring information for future policy review]</p> <p>Compliance with this byelaw will be monitored by Fishery Officers on routine patrols. Fishing activity will be compared with activity levels prior to the new byelaw. Any impacts on Bass populations in the areas surrounding the Bass nursery area which may result from the new byelaw will be noted.</p>
<p>Reasons for not planning a review: [If there is no plan to do a PIR please provide reasons here]</p>

Add annexes here.