



North Western IFCA
Technical, Science and Byelaws Sub-Committee
18 October 2011
Strathmore Hotel, Marine Road East, Morecambe 10.30 a.m.

Agenda Item: 5

PROPOSED NWIFCA BYELAW 3

**REQUIREMENT FOR A PERMIT TO FISH FOR COCKLES AND MUSSELS
IN THE NWIFCA DISTRICT**

Purpose of Report

1. To make Members of the Technical, Science and Byelaws (TSB) Sub-Committee aware of evidence based issues associated with enforcement of byelaw no. 5.
2. To consider the form and content of a new shellfish permit scheme under an NWIFCA byelaw that would allow improved regulation and enforcement of shellfisheries within the district.

Recommendation

1. Members debate the structure and objectives of the proposed new byelaw.
2. Officers be instructed to seek the views of the MMO with a view to completing the byelaw to be made at the December meeting of the NW IFCA.

Detail

1. The byelaw is presented for discussion and if approved, it would be made at the December meeting of the NW IFCA. All aspects of the byelaw are available for detailed consideration by the TSB and Members views on how a shellfish permit scheme should operate in the NW IFCA District, are invited.
2. Enforcement Officers continue to be extremely concerned that shortcomings within the existing Byelaw no. 5 created by the tight restrictions on the number of permits, the allowance for new entrants and the provision for non-commercial fishers not to require a permit, have the effect of making meaningful enforcement virtually impossible. The new byelaw is designed to overcome the difficulties of the existing Byelaw no. 5.
3. The new byelaw would provide for the Authority to charge for permits and could allow for any other terms and conditions considered appropriate. These could include daily catch limits, the requirement to submit catch returns and the use of specific equipment such as riddles.
4. The provisions for proving the identity of permit holders are no less stringent than those in place for the existing Byelaw no. 5.

5. It may be necessary to take legal advice on the wording of some elements of the byelaw and the agreement of the MMO will be required to all the detailed provisions before the IFCA makes the byelaw.

**Enforcement Director and Chief Executive
6 October 2011**