

Sussex Inshore Fisheries and Conservation Authority

Shellfish Permit Byelaw 2015

Supplementary information for byelaw conditions and permit fees.

1) Introduction

The Sussex IFCA Shellfish Permit Byelaw 2015 contains a range of conditions in the form of technical measures to manage crustacea, gastropod and cephalopod fisheries within the Sussex IFCA District. The Byelaw provisions enable and specify the charging of permit fees and associated equipment for commercial and recreational permits.

The following information is a summary of specific byelaw provisions detailing: permit fees, tag charges and flexible conditions. The document should not be regarded as a full explanation of all byelaw provisions. The Authority recommends that the information be read with reference to the full byelaw where a full understanding of the regulations is necessary.

The information has been provided as summary points which relate to specified paragraphs within the Shellfish permit Byelaw as shown in brackets.

2) Species managed (para. 1)

The Byelaw encompasses all aspects of fishing for the following specified shellfish species within the Sussex IFCA District.

- cuttlefish (*Sepia officianlis*)
- edible crab (*Cancer pagurus*)
- lobster (*Homarus gammarus*)
- prawn (*Palaemon Spp.*)
- spider crab (*Maia squinado*)
- velvet swimming crab (*Necora puber*)
- whelk (*Buccinum undatum*)

3) Scope of Byelaw (para. 13, 24)

The Byelaw applies to all methods of fishing (including potting, netting and trawling) where lobster and edible crab exploitation takes occurs. A permit is required by all commercial fishers who may remove more than 2 lobsters and 5 edible crabs per day from the Sussex IFCA fishery.

In regard to all other species the byelaw applies only to commercial pot and trap fisheries.

A recreational permit is required to fish for specified shellfish species using any form of pot/trap

4) Permit Fees

The Marine and Coastal Access Act 2009 Section 156(4)(a) enables the Authority to charge for permits issued under IFCA byelaw regulations. Sussex IFCA is funded through an annual levy on the local Authorities of East and West Sussex County Council and Brighton and Hove City Council. This funding is directly supported by Council tax charges on the Sussex community.

Sussex IFCA funding from Government has remained unchanged since the establishment of the IFCA in 2009. The Authority anticipate further funding pressures in future years as service requirements increase.

Cost recovery for the delivery of a local Authority services to support management is normal practice in statutory permitting and licensing processes. It is necessary for the IFCA to achieve cost recovery for both the administration and any equipment issued to permit holders.

a) Commercial Permits (para. 19,20, 22)

i) A fee for a Commercial Permit and tags is payable on application.

- Permit fee £200
- Cost of tags 15p/tag (issued according to maximum numbers)

ii) Period for which the permit applies

- 2 years from the date of permit issue

iii) A fee is payable for the replacement of lost or destroyed permits, certificate discs and tags.

- Replacement Permit £10
- Replacement Disc £10
- Replacement tags, fixed administration charge £3
- Replacement tags 15p/unit

Tag replacement

A policy and procedure for the application of replacement tags will be described and provided to permit holders.

b) Recreational Permits (para. 28,29,30)

i) Payment for a Recreational Permit including tags is payable on application.

- Permit fee £10
- Permit applies for one year from the date of issue
- No separate charge will be made for tags issued

ii) A fee is payable for the replacement of lost or destroyed permits and tags.

- Replacement Permit £5

- Replacement tags, fixed administration charge £2
- Replacement tags 15p/unit

5) Shellfish Permit Conditions

Permit conditions are defined as

a) General Permit Conditions (para. 32-42):

That apply to both commercial and recreational permit holders

b) Commercial Permit Conditions (para. 43-45):

That apply to commercial Permit holders only

c) Recreational Permit Conditions (para. 46):

That apply to recreational permit holders only

All of these conditions are intended to be long term measures that would require an amendment to the byelaw to be removed or amended.

d) Flexible Permit Conditions (para. 47-49):

As implied by the term 'flexible' these conditions may not stay the same for a long period. As flexible conditions they enable the Authority to implement adaptive management in response to the status of the shellfish stocks and associated fisheries.

An important example is the intended approach toward managing the amount of fishing effort in the District's fisheries by means of a limitation on maximum pot numbers. Pot limits will be periodically reviewed against the status of the stock and trends in key indicators such as catch per unit effort.

The Authority will be seeking to achieve a stock biomass at or approaching a level at which maximum sustainable yield (MSY) for the inshore fishery is achieved.

6) General Permit Conditions

a) Lobster and Crab pot escape hatches (para. 32-33)

The permit holder must use pots fitted with an escape hatch as follows:

- The escape gap is located in the exterior wall of the pot or (in the case of a multiple chambered pot) an escape gap located in the exterior wall of each individual chamber.
- The escape gap must be of sufficient size so that a rigid box shaped gauge 80 millimetres wide by 45 millimetres high and 100 millimetres long may be passed through the gap. (this size will enable all existing voluntary escape hatches that have been provided by Sussex IFCA to meet the byelaw requirements.

Further guidance:

- Fishermen can if they wish fish with escape hatches of larger dimensions.

- Estimated cost per unit to fishermen direct from manufacturer is 37p (ex. vat)
- The Authority intends to develop the opportunity to reduce costs to fishermen through bulk ordering and purchasing along with pot tags.

b) Whelk pot escape holes and riddles (para 34 – 36)

- The permit holder must only use whelk pots with a minimum of 4 escape holes, the diameter of the round hole should be 25mm minimum
- The escape holes must be positioned at least 150mm from the inside base of the pot or no more than 50mm from the top of the pot
- The holes must not be obstructed
- All whelks must be passed over or through a riddle with a minimum bar spacing of 25mm.

7) Specified Flexible Permit Conditions (para. 47)

a) Catch restrictions:

No restrictions are proposed on the quantity of shellfish that may be removed by commercial permit holders.

The approach the Sussex IFCA has adopted toward shellfish management through the Shellfish Permit Byelaw is to the application of input controls (i.e. effort management and technical measures), as opposed to output controls (catch quota type systems). This management policy minimises by-catch and post capture mortality.

b) Bait restrictions:

No bait restrictions are presently defined

c) Gear restrictions:

Pot limitation

Commercial Permit Holders

(a) Lobster and Crab Pots

The Authority terms a lobster and crab pot as a single type irrespective of whether it is non-parlour, single or double parlour or 'inkwell' in design.

Specified limit:

Within IFCA 3 nautical mile limit - retention of the pre-existing 300 pot limit.

Within IFCA 6 nautical mile limit - 600 pots

(b) Whelk Pots

Specified limit:

Within 3 nautical mile limit – a maximum of 300 pots

Within IFCA 6 nautical mile limit - 600 pots

(c) Cuttlefish Pots

Specified limit:

Within 6 nautical mile - a maximum of 300 pots

(d) Prawn Pots

There are no present proposals regarding limitations on prawn pots or individual tags.

Recreational Permit Holders

A maximum number of the following types of pots can be used by a permit holder within 6 nautical miles:

- 5 crab/lobster
- 5 whelk
- 5 prawn
- 2 cuttlefish

ii) Configuration of gear

All commercial and recreational gear associated with lobster/crab, whelk and cuttlefish will be configured with a marker buoy/dahn at both ends of the string of pots or traps.

Where more than one pot or trap is fished on a single string the float element of the markers shall not be less than 250mm in diameter. Where a single pot or trap is used the float element of the markers shall not be less than 150mm in diameter.

The Authority may consider permit holder requests and define exceptions to the diameter of buoys/dahns in geographic areas where tidal flow is too high to practically meet the requirement.

Further marking of gear to define the pair of buoys on each string and orientation of gear may be explored through voluntary measures.

d) Spatial restrictions:

No spatial restrictions are proposed for fisheries management or conservation needs.

e) Time restrictions:

No time restrictions are proposed

Date of guidance (Byelaw confirmation date)

29th April 2016