

**NWIFCA Technical, Science and Byelaw
Committee**

6th February 2018: 10:00 a.m.

**AGENDA
ITEM NO.
11**

POTTING BYELAW REPORT

Purpose: to provide information to Members on a proposal for a Flexible Permitting Byelaw for Potting.

Recommendation: i. that Members approve the revised approach to the lobster byelaw;
ii. that members approve Officers work towards a draft flexible permitting byelaw for potting to be brought back to TSB in May 2018.

1. Work on the NWIFCA Lobster Protection byelaw was held up while Defra brought in a Statutory Instrument prohibiting landings of berried and V-notched lobsters. This has now been resolved with the introduction of SI. 2017 No. 899. The Lobsters and Crawfish (Prohibition of Fishing and Landing) (Amendment) (England) Order 2017.
2. During this time the approach to byelaw making has changed across all IFCA following development of flexible permitting byelaws, which the majority of IFCAs, including NWIFCA, now have in place. (These are published on each IFCA's website).
3. Perusal of other IFCA's examples and discussions with NWIFCOs has brought a change of approach to the lobster protection byelaw, with a proposal to draft a flexible permitting byelaw that covers all potting fisheries in the District.
4. A single potting byelaw can include all the different regulation required for all relevant species, and will include both commercial and recreational permits.
5. The byelaw can include species not currently fished to future proof it in the eventuality that climate change brings other species to the district (eg. cuttlefish).
6. The benefits of this approach are:
 - i. the byelaw will be simpler and more comprehensive;
 - ii. the byelaw and permit fees will achieve cost recovery;
 - iii. the byelaw will be similar to those developed or being developed by other IFCA;
 - iv. the byelaw will have similar structure to and standard wording of the other NWIFCA flexible permitting byelaws and provide a more consistent suite of byelaws. Current NWIFCA flexible permit byelaw is the Dredge Byelaw, with revised Byelaw 3 (cockle and mussel gathering) in draft, and in future netting byelaw will follow same format;
 - v. the one byelaw would enable the NWIFCA to revoke five existing byelaws: NWSFC BYELAWS 30 and 31; and CSFC BYELAWS 8, 25 and 26.

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