

**NWIFCA Technical Science and
Byelaw committee meeting
10th of May 2022: 10:00 a.m.**

AGENDA ITEM

5A

NWIFCA Netting Byelaw

Recommendations:

- Members approve the report
- Officers progress through the Byelaw process

Background

1. As a part of consolidating existing byelaws Head of Enforcement has begun the process of implementing a District wide NWIFCA Netting Byelaw.
2. The Byelaw is a flexible permitting Byelaw which will assist the Authority with regulation and standardisation for all stakeholders across the District. Flexible permit conditions allow better more adaptive and targeted management.
3. Head of Enforcement has begun drafting a Byelaw in consultation with IFCOs.
4. Developments to the Byelaw have taken place over the winter after comments from members at the November TSB meeting.

Work Completed

5. Comments received at the November TSB meeting suggested that the introduction of a category covering commercial intertidal netting would be beneficial in separating the boat and intertidal netting sectors. Officers agree and this has been put in place as Category Two.
6. Category Three is for stakeholders fishing recreationally either from a boat or the shore.
7. Suggested fees for the three permit categories have not been decided
8. Flexible permit conditions have begun to be drafted in coordination with the Byelaw as it is appropriate for much of the regulations to be in the permit conditions where they can be adaptively managed.

Flexible permit conditions

9. At inception each of the three categories of permit would need to have certain flexible conditions imposed relating to them.
10. Officers have proposed some initial flexible conditions which are in Annex 2 of this report.
11. Most gear restrictions have been incorporated from existing byelaws, however officers propose differences between the length of net between the category two and three permits.
12. Not proposed net lengths have been drafted for commercial vessels fishing under a category one permit.
13. Mesh size for nets is has to be a minimum of 89mm however officer will consult with industry on what appropriate mesh size across the district would be. With some fish sizes such as Bass much larger now in may be appropriate to raise this to 110m. The Cumbrian area of the District officers advise that fishermen use 130mm.
14. Spatial zones have been discussed by officers and it is proposed that the Cumbrian “boxed” areas which are in fact semi-circles from central points of estuaries should be altered to be line boxed areas. Other rivers will continue with fixed coordinates and straight lines demarking areas where fishing is prohibited at certain times of year.
15. Officers believe that if directed a permit system to issue 25 permits under the National Statutory instrument could be issued under the flexible permit conditions. An issuing process

for these would however need to be drafted. But effectively the mechanism to issue a permit under the flexible permit conditions is in place.

Small mesh nets (Flue & Whitebait filter nets)

16. Currently under NWSFC byelaw 8 whitebait filter nets could be used anywhere in the previous NWSFC District. Officers propose to revoke this Byelaw and only permit the use of whitebait filter nets in the areas fished by a few permit holders under NWSFC Byelaw 26. The use of whitebait filter nets leads to the landing of undersize juvenile fish in protected areas and is difficult for officers to identify the fish species during inspections for species which have a minimum size. This would form a grandfather rights clause in the Byelaw for existing fishermen which would end once those permits were not renewed.
17. Flue nets have been included within category two. This allows this fishing practice to continue as it is a selective fishing method using large meshes with nets being actively fished for short periods of time.

Seine Netting

18. Officers wish to investigate if Seine netting can be included in an effort to consolidate NWSFC Byelaw 3 and also not loose prohibitions in Cumbrian boxed areas. This would need specific definitions. Beach seining is an incredibly effective fishing method, in addition the ability to restrict powered vessels using a net to encircle shoaling fish.

Application process

19. Officers suggest that an application process similar to is in place for permits now would allow permits to be issued based on the type required. For example fishers stating how many nets and what length they are on the application, as well as where they intend to fish. This will assist with the issuing of tags.