

**NWIFCA Technical, Science and Byelaw
Committee**

7th August 2018: 10:00 a.m.

**AGENDA
ITEM NO.**

8

NWIFCA POTTING PERMIT BYELAW 2018

Purpose: i) to provide an update on work carried out since May TSB on the proposed flexible permitting byelaw for potting.

Recommendation: i) that Members approve the report;
ii) that Members approve the work of Officers;
iii) that Members approve the circulation of the draft byelaw by email to TSB for comment.

Background:

1. A full report was provided to members at the May TSB meeting on the proposed flexible potting byelaw, where it was agreed to circulate a draft of the byelaw by email for Members comment.

Progress since May:

2. According to NWIFCA Byelaw making procedure, a draft of the byelaw and the management measures within had been circulated to all NWIFCA officers for comment, amendment and suggestion.
3. A series of comprehensive comments had been returned by officers, which has enabled some of the issues within the byelaw to be clarified and substantial progress made.
4. All comments have been amalgamated into an easy to assimilate table format with actions shown as either;
 - i. incorporated into the second draft;
 - ii. responded to with justification for not using; or
 - iii. circulated for further discussion with officers.

Current Position:

5. Although it had been hoped to have sent a firm draft out to members before now, two elements have meant the work is not yet at that stage:
 - i. pressure of other work priorities;
 - ii. the complicated nature of the byelaw.
6. On point (ii) it is important to take the time to ensure that measures are thought through thoroughly and that those for one fishery mesh well with those for the others. If this process is rushed the resulting byelaw could prove unenforceable and confusing. Taking the time to fully understand the implications also provides understanding that may not exist, and evidence to be incorporated into the required Regulatory Impact Assessment for the byelaw.

Next Stages:

7. Officers with key knowledge of the fisheries and the issues will meet to go through the outstanding points.
8. Once completed a revised draft will be emailed to Members for comment and discussion at November TSB.

Main Management Measures:

9. The specified species within the proposed byelaw are:
 - i. cuttlefish (*Sepia officinalis*);
 - ii. edible crab (*Cancer pagurus*);
 - iii. lobster (*Homarus gammarus*);
 - iv. prawn (*Palaemon spp.*);
 - v. spider crab (*Maia squinado*);
 - vi. velvet swimming crab (*Necora puber*);
 - vii. whelk (*Buccinum undatum*);
 - viii. Norwegian lobster (*Nephrops norvegicus*).
10. The flexible permitting byelaw approach enables a fee for permits to be charged and a suite of conditions to be attached to permits which can include some or all of the following:
 - i. General Permit Conditions that apply to both commercial and recreational permit holders. such as:
 - Requirement for escape gaps in pots;
 - Use of riddles to separate undersize individuals;
 - Restrictions of types of bait.
 - ii. Commercial Permit Conditions that apply only to commercial potters.
 - iii. Recreational Permit Conditions that apply only to hobby potters.
 - iv. Flexible Permit Conditions that can provide the NWIFCA with a mechanism for flexible management – with specified procedure for changing these conditions - which may include such measures as:
 - Catch restrictions;
 - Gear restrictions – eg. pot limitation or configuration of gear;
 - Spatial restrictions;
 - Temporal conditions.

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31st August 2018