



## **North Western IFCA**

### **Byelaw 7 (Netting Permit Byelaw)**

### **Bass Entitlement Application Guidance**



## At a Glance

- Only 26 entitlements are available across the district
- You can use the entitlement for one net only
- Bass must be taken as a bycatch only – you cannot target bass directly
- Your application will be anonymised and scored by a panel of members
- There is no appeals process if you are unsuccessful

### 1. Background

NWIFCA is currently awaiting confirmation from Defra of its new Byelaw 7 (Netting Permit Byelaw). Once this byelaw is confirmed, we will have the ability to issue up to 26 Category 2 permit holders with an entitlement to retain European seabass (*Dicentrarchus labrax*) (hereafter “bass”), caught as bycatch in shore-set, intertidal fixed nets being fished for commercial purposes. This entitlement will act as an exemption from the current prohibition on retaining bass in such nets<sup>1</sup>.

### 2. What is a Bass Entitlement?

An entitlement provided under Byelaw 7 for up to 26 Category 2 permit holders will allow those individuals to retain bass in a shore-set, intertidal fixed net being used for commercial purposes. Normally, bass caught in these nets must be released. This entitlement is an exemption that allows a limited number of fishers to keep them. The regulation that created the ability for NWIFCA to issue these entitlements specifically state “26 nets”<sup>2</sup>; this means that for the 26 individuals receiving this entitlement, they will be able to retain bass in only one net each. In the first instance, fishers with this entitlement will be allowed to swap which net is used to retain bass, but on any given day / tide, bass may be retained from one net only, and this net will need to be tagged to show it holds a bass entitlement. NWIFCA may vary flexible permit conditions in the future to require permit holders to only always use one specific net and may include further restrictions on those nets (*i.e.* mesh size, length, configuration).

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<sup>1</sup> Article 10(1) of Council Regulation (EU) 2020/123 (as retained in UK law).

<sup>2</sup> Section 2(2) of The Sea Fisheries (Amendment etc.) Regulations 2021.

In the initial stages of these entitlements being issued, NWIFCA does not propose specifying or limiting the quantities of bass that can be retained as bycatch by a permitted fisher in their permitted net. However, we may vary flexible permit conditions in the future to require permit holders with this entitlement to only retain specific quantities of bass, whether via a set individual quota, as a maximum percentage of total catch, and / or any other means.

To monitor the quantities of bass being retained as bycatch from entitlements, permitted individuals will be required to provide returns to NWIFCA. These returns requirements may align with those under the standard Category 2 flexible permit conditions, but we may at any time in the future increase and expand the reporting requirements for those holding a bass entitlement, given the sensitive nature of the fishery.

### **3. How will NWIFCA decide who gets a Bass Entitlement?**

The following process will be followed in determining the distribution of the 26 entitlements based on set, weighted criteria. Individuals applying for a bass entitlement will complete an application form available to download from NWIFCA's website. This application form will cover several set criteria, and applicants will accrue points for each depending on their answers, from which they can then be ranked in a list. The 26 highest scoring applicants will be offered entitlements first with all other applicants going onto a waiting list in order of the points they scored.

The assessment and scoring of applications will be carried out by a decision panel of a small number of NWIFCA committee members (between three and five), who will assess each application and give a score for each answer. The panel's individual assessments of each application will then produce an overall score for each applicant, and ultimately a list of the 26 individuals to receive an entitlement, along with a score-ordered waiting list.

Assessment of applications will be 'blind' in that application forms will be anonymised by our Administration Team at the point of submission, so that panel members will not know whose application it is they are assessing.

To avoid a cluster of bass entitlements in one area of the district, there will be a maximum of 20 fishers provided with an entitlement from any one of our nine funding local authorities<sup>3</sup>. If more than 20 of the highest scoring fishers are from the same local authority, the lowest scoring of those will be placed on the waiting list and would only receive an entitlement when a fisher from their own local authority gives up theirs.

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<sup>3</sup> These are Cumberland, Westmorland and Furness, Lancashire County, Blackpool, Halton Borough, Sefton, Liverpool City, Wirral, and Cheshire West and Chester Councils.

#### 4. What are the application and eligibility criteria?

To be eligible to apply for a bass entitlement, applicants must meet both of the following requirements:

- Live within the NWIFCA district<sup>4</sup>
- Have no significant unspent convictions for bass-related offences in the past five years (*i.e.* fines or prosecutions issued by NWIFCA or another relevant fisheries authority).

Applications that do not meet these criteria will not be considered further.

Eligible applications will then be assessed by the decision panel against the following criteria:

- Intention and justification for wishing to hold a bass entitlement
- Experience of commercial fishing with intertidal nets within the district in the past five years
- Evidence of sales of fish caught in intertidal nets set within the district from the past five years
- Demonstrable routes to markets for bass, preferably within the district<sup>5</sup>
- Good fisheries compliance history.

The application form will ask for specific information to allow the panel to assess applicants against these criteria. To guide applicants, the form will also indicate the weighted scoring applied to each criterion.

Each application will be assessed and scored against four weighted questions on the application form. Applicants can achieve a maximum overall score of 60 points.

Scoring for each question will be on a 0–3 scale:

- 0 = No evidence provided
- 1 = Limited or weak evidence
- 2 = Adequate evidence
- 3 = Strong evidence

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<sup>4</sup> Has an address within one of the nine funding local authorities.

<sup>5</sup> Buyers based within one of the nine funding local authorities or the North West more generally.

The four questions and their weightings are:

Question	Score Range	Weighting	Maximum Score (Mark x Weighting)
1. Please explain why you wish to hold an entitlement to retain bass as a bycatch in one of your Category 2 permitted nets.	0-3	x5 (25%)	15
2. Please describe how you would intend to fish with a net with a bass entitlement (type of net, when and where you would use it, and target species).	0-3	x6 (30%)	18
3. Please describe your experience of commercial fishing with intertidal fixed nets within the district over the past five years, and the level to which your livelihood depends on this.	0-3	x6 (30%)	18
4. Please describe where you would intend to sell your bass if you were provided with an entitlement.	0 or 3*	x3 (15%)	9
<b>TOTAL OVERALL SCORE</b>			60

\*Question 4 will be marked as either 0 (no evidence or unsuitable route to market) or 3 (clear and suitable route to market).

Applicants must provide supporting evidence for each question where relevant (e.g. sales receipts, fishing records, permits). NWIFCA officers may request additional proof if it is missing from the original submission. Applications may be disregarded if satisfactory evidence is not provided, and any information provided which is proven to be false or deliberately misleading will render the application ineligible.

## 5. Can I appeal if I don't get a Bass Entitlement?

Because only 26 entitlements can legally be issued, there is no appeals process. However, unsuccessful applicants will be automatically placed on the waiting list (if eligible).

The decision-making process described above will ensure that the decisions taken on who does and does not get an entitlement are as transparent and fair as possible, particularly with the inclusion of blind application assessments by an independent panel of NWIFCA members.

## **6. How and when will I find out about my application?**

Successful applicants will be notified by NWIFCA that they are eligible to receive a bass entitlement as soon as possible after the entire decision-making process has been completed and all applications have been assessed. Once they receive notification of a successful application, fishers will be provided with an entitlement to retain bass as a bycatch in their shore-set intertidal fixed net for the remainder of the permitting period within which the decision falls. There is the potential for this decision-making process to be completed *before* Byelaw 7 is confirmed (*i.e.* comes into force). If this is the case, successful applicants will have to wait until the Byelaw is confirmed and their associated Category 2 permit has been issued.

Unsuccessful applicants will be notified as soon as possible after the entire decision-making process has been completed, and either informed of their position on the waiting list, or that their application was deemed ineligible due to their not meeting all the eligibility criteria as described above.

## **7. Will I have to renew my Entitlement?**

After the first permitting period, which runs April to March each year, entitlements will then be reissued annually at the same time the permitted fishers renew their Category 2 permit. Fishers will be free to give up their entitlement at any time, or by not renewing their entitlement as part of their Category 2 permit renewal.

In the event any fisher gives up their entitlement, it will then be offered to the person at the top of the waiting list.

*North Western Inshore Fisheries and Conservation Authority*

*September 2025*