

**NWIFCA Technical, Science and Byelaw
Committee**

1st November 2016: 10:00 a.m.

**AGENDA
ITEM NO.**

5

**RESTRICTIONS ON DREDGING: DRAFT BYELAW
AND REGULATORY IMPACT ASSESSMENT**

Purpose of Report: Provide update on progress with the byelaw

Recommendation: Comment on the draft byelaw and charging proposals in the RIA.

Introduction

1. A further draft of the byelaw is at Annex A and a draft Regulatory Impact assessment (RIA) at Annex B. This report shows key changes made to the draft byelaw and progress with preparing the RIA.

Byelaw changes

2. The prohibition section has been simplified. The requirement to provide details of dredge vehicles relevant permit conditions have been taken out. The returns procedure has been made more flexible.
3. TSB is asked to approve the wording of the byelaw for making by the Authority in December

RIA first draft

4. This draft has been sent to MMO for comment by Defra. The main issue of concern to the Authority is the permit charging regime. Defra have agreed to comment on the proposed charging scheme as set out in the RIA. The Authority needs approval to make a scale of charges based on vessel size or catching capacity.
5. As reported in September, Treasury guidance suggests charging for public services should be the same for all users. The RIA shows that the range of vessels sizes and the small number of vessels which wish to participate in NWIFCA fisheries means that a single charge for all users could not achieve the objective of full cost recovery as recommended in the guidance. Therefore a scale of charges for 3 different sizes of vessels is proposed.
6. The RIA shows the management costs of dredge fisheries using the example of the Morecambe Bay seed mussel dredge fisheries to be in the region of £50K per year.

Questions for the Authority

7. Comments are again invited on the wording of the byelaw.
8. At this stage focus should be placed on the costs of the dredge fisheries to the Authority and the structure of charges for dredge fishing permits.

Consultation

9. An informal consultation was conducted in August and September with industry and those expected to have an interest in the byelaw as agreed at the August TSB.
10. No substantive comments were received. Minor suggested changes to the byelaw have been incorporated where possible. The main concern was that dredge permits would become available and that dredging in the District would increase. The title of the byelaw has been changed to address this confusion.
11. No draft or proposed charging regime has yet been published but users are aware that charging will be part of the permit scheme. Industry has indicated that it would be content with charging for permits for cost recovery. Also that a scale of charges is essential if the scheme is to be equitable.
12. As usual and required under the byelaw making process, a full and formal 1 month consultation will take place after the byelaw is made by the Authority.

CEO
24 October 2016