

# Guidance for permit applicants

## **Byelaw 4 Potting Permit 2020**

The Potting Permit Byelaw introduces a permit-based system for the use of pots and traps across the NWIFC District. The byelaw brings in a consistent management scheme across the District, and removes restrictions contained in an inherited Cumbria Sea Fisheries Committee byelaw that required fishers to have escape gaps in whelk pots.

Byelaw 4 regulates fishing for the following species: lobster, edible crab, Norwegian lobster, whelk, prawn, shrimps, cuttlefish, spider crab, velvet swimming crab, crawfish and any teleost (bony) or cartilaginous (sharks and rays) fish species.

Any person fishing from a non-registered fishing vessel or from the shore by a method of fishing that does NOT include pots or traps, can only take the number of individual species specified in paragraph 3 of the Byelaw. Anyone wishing to fish using pots or traps, or obtain more than the specified amounts must apply for a permit.

There are two categories of permit, Category One and Category Two.

### **Category One:**

A Category One Permit is required by the owner of a registered fishing vessel. The owner may apply for multiple Category One Permits so long as they relate to different specified species. Only one permit is allowed per species. For edible crab and lobster, one permit will cover both species.

Category One Permits for edible crab and lobster are split into three classes (A, B and C). The classes relate to whether the fishing vessel has shellfish entitlement or not, and include different fees and pot limitations, details of which are included in the flexible permit conditions.

Applications for Category One permits for all species, apart from whelks, are open and applications can be found on our website.

Whelk permits closed on the February 2021, NWIFCA will review re-opening of the whelk permit applications in 2023.

### **Category Two:**

A Category Two Permit, is for anyone fishing recreationally with pots and will be granted to either the owner of a non-commercial fishing vessel, or a person without a vessel. Only a single Category Two Permit is required to pot for any of the specified species.

#### **Flexible permit conditions:**

The byelaw allows the Authority to introduce, remove or vary (in accordance with the review procedure) flexible permit conditions in relation to catch, bait, technical measures and gear restrictions, spatial and time restrictions, and number of permits.

## **Differences between old and new regulations**

The new byelaw introduces changes to regulations across the district. We encourage applicants to familiarise themselves with the conditions of the new byelaw and to identify the conditions they need to meet. The following table highlights the main differences between the old and new regulations, and stipulates a grace period that NWIFCA will grant applicants from the introduction of the byelaw, to allow them to transition to the new regulations.

<b>Original legislation</b>	<b>New legislation</b>
<p>Byelaw: Cumbria Sea Fisheries Committee Byelaw 25 Requirement for escape Gaps in Pots, Creels and Traps 20 October 1997</p> <p>Escape gap size was 74 mm wide, 44 mm high, 100 mm long</p>	<p>Byelaw 4 Potting byelaw. Flexible permit condition 2.(j)</p> <p>Escape gap size is now 80 mm wide, 45 mm high, 100 mm long</p>
<p>Those in the old North West Sea Fisheries Committee area had no requirement for escape gaps in</p>	<p>Byelaw 4 Potting permit byelaw. Flexible permit condition 2 (j) and 2 (i)</p> <p>The byelaw requires those fishing for crab and lobster using pots to have at least one unobstructed rigid escape gap per pot in the lowest part of the exterior wall, or in the lowest part of the parlour area.</p>

	The escape gap size must be 80 mm wide, 45 mm high, 100 mm long
North West Sea Fisheries Committee byelaw 11  Cumbria Sea Fisheries Committee byelaw 4  No buoy size or colour was specified in these byelaws with reference to marking of gear.	Byelaw 4 Potting permit byelaw. General permit condition 30 (b)  All buoys must be red, yellow or orange with a minimum circumference of 84 centimetres
North Western Sea Fisheries Committee Byelaw 30 Fishing for Lobster, crawfish, crab, prawn and whelk  For recreational fishers, 2 lobsters ( <i>Homarus gammarus</i> ) could be retained.	Byelaw 4 Potting permit byelaw. Prohibitions and restrictions 3 (a).  For recreational fishers, and any fisher using methods other than pots and traps, may only retain 1 lobster ( <i>Homarus gammarus</i> )

### Minimum landing sizes:

The current minimum landing sizes for the species included in the byelaw are currently specified in Byelaw 19 Specified fish sizes and in national legislation. Please note, Byelaw 19 covers North Western Sea Fisheries Committee district.

### Transition period:

Over the past year, applicants for both recreational and commercial permits have been contacted by NWIFCA to confirm that they have provided the information required for a permit.

Those who have provided all the information will be contacted shortly for payment, and will receive their permit shortly after payment has been received.

Tags will be available for collection at an organised timeslot 2 weeks after payment.

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In order to allow fishing to commence while permit holders wait for tags, a grace period has been granted to allow those who have received their permit letters to fish without the use of tags, and provide time to put the tags on gear.

This grace period for tags will end on the 7<sup>th</sup> of July for recreational permit holders and the 14<sup>th</sup> of July for commercial permit holders.

Permit confirmation letters must be held by the applicants and be available on request to any enforcement officer.