

**NWIFCA Technical, Science and Byelaw
Committee**

4th February 2020: 10:00 a.m.

**AGENDA
ITEM NO.**

8

FOR ACTION: BYELAW REVIEW

Purpose: To update Members on the Byelaw Review meeting held in December with Officers, present the outputs of this meeting, including actions and recommendations for the next steps

Recommendations: Members to agree a time-scale for remainder of the byelaw review to be completed

Members to agree a policy on whether a vessel size byelaw should be developed or not

Members agree that the Byelaw Review is a priority area of work for the NWIFCA and swift, effective progress should not be impeded

Members to approve a second meeting of TSB Chair and Vice-Chair with Senior Officers to continue productive discussions on byelaw review

Background

1. TSB Members have been calling for a more detailed discussion on the byelaw review process for some time, acknowledging that it is important to stop for a moment before developing the next byelaw and take the time to look at the strategic overview.
2. It has been nearly a decade since the formation of the IFCA and the byelaw review process started. As such, it is important that we collectively review our plan of action, considering our current suite of byelaws and how changes in external regulation, activity within fishing sector, and the environment, might influence how our current regulatory needs and priorities have changed.
3. For all new regulation we must consider: the aim, the justification, how it will interact with other legislation and regulations, how different sectors will be affected, how it will contribute towards sustainability and conservation, the simplest way to achieve the desired result, and the order of priority (understanding that this is liable to change due to external factors).
4. At the November TSB meeting Members approved a meeting of the Chair and Vice-Chair of TSB to be held with Senior Officers in December 2019. The aim of this meeting was to give Officers the opportunity to input their thoughts, knowledge and experience on the byelaw review process before bring it back to the TSB for further discussion.
5. Before the meeting, the Deputy Senior Scientist helpfully circulated some points for consideration (Annex A) and a spreadsheet (Annex B) that compiles all of the byelaws by gear type (excluding the cockle & mussel, and potting byelaws under development).

December Byelaw Review meeting

6. A meeting was held on 19 December 2019 at the Carnforth Office with the following Officers and Members in attendance: Stephen Atkins (CEO), Mandy Knott (Senior Scientist), Jon Haines (Deputy Senior Scientist), Joe Moulton (Head of Enforcement), Cath Dobson (Senior Operational Support Officer), Hugh Thinnesen (Master, North Western Protector), Trevor Jones (Vice-Chair TSB) and Emily Baxter (Chair TSB).

7. The discussion covered the following items on the agenda:
 - i. Overall goal and target of the Byelaw Review;
 - ii. Analysis of the byelaw table developed by the CEO (presented at the past few TSB meetings) – with an initial focus on the possible vessel size/engine power, minimum fish size, and static netting byelaws
 - iii. Risk, need, priority and other emerging issues
 - iv. Actions to be taken forward
8. For each possible new byelaw discussed, a number of questions were discussed (where relevant) and comments were noted on flip charts:
 - i. What is the justification for the new byelaw?
 - ii. What do we want to achieve with a new byelaw?
 - iii. Is it specific to a particular sector/species/gear?
 - iv. Analysis of the possible new byelaws table – missing, erroneous or surplus byelaws?
 - v. Which strategy might be relevant: status quo, consolidate or redevelop?
 - vi. What do we know at the moment?
 - vii. What additional evidence is required to achieve our aim?
 - viii. What are the implications (positive/negative) of implementing new measures? Which other byelaws/SIs/Tech Cons/legislation will it interact with?
 - ix. Are there any suitable, relevant and well-written byelaws implemented by other IFCAs?
9. A summary of the discussion and comments made at this meeting, as well as the outputs (actions and recommendations) are presented in Annex C of this report and will be presented at the meeting to allow discussion.
10. It is hoped that the structured format for the discussions with senior officers and subsequent discussions are useful to both officers and TSB members, and that will help to re-invigorate the byelaw review progress. However, comments on the process are invited as well as any suggestions for improvements going forward.

Chair of TSB
24 January 2019