

Title: North Western IFCA Netting Byelaw Impact Assessment IA No: NWIFCA RPC Reference No: Lead department or agency: Other departments or agencies:	Impact Assessment (IA)
	Date: 22/01/2024
	Stage: Development/Options
	Source of intervention: Domestic
	Type of measure: Primary legislation
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Summary: Intervention and Options	
RPC Opinion: RPC Opinion Status	

Cost of Preferred (or more likely) Option (in 2019 prices)			
Total Net Present Social Value £m	Business Net Present Value £m	Net cost to business per year £m	Business Impact Target Status Qualifying provision

What is the problem under consideration? Why is government action or intervention necessary?

Additional management is required to ensure that the Authority can meet its statutory duties. Across the NWIFCA District the Authority must balance the Social and economic benefits of fishing with the need to protect the environment from potential impacts from fishing. Net fishing in coastal area has the potential to impact the use of areas by fish populations as essential fish habitats. In the NWIFCA district there are a significant number of protected sites with birds and migratory species as notable features of designated sites, as these species move through the coastal environment there is a potential for harmful interactions with fishing nets.

NWIFCA has a duty under section 153(1) of the Marine and Coastal Access Act 2009 (MACAA) to manage the exploitation of sea fisheries resources in the District. Section 153(2) of MACAA sets out what steps an IFCA must take when carrying out its management duty.

In addition, NWIFCA is rationalising its suite of byelaw legislation which currently consists of NWIFCA, North Western Sea Fisheries Committee, Cumbria Sea Fisheries Committee, National Rivers Authority and Environment Agency Byelaws. This is a confusing situation with ten byelaws relating to net fishing activities across the North West.

Government action is required to rationalise legislation and provide adaptive management within the NWIFCA District.

- What are the policy objectives of the action or intervention and the intended effects?**
- a. To rationalise & standardise the legislation relating to netting activities across the NWIFCA District;
 - b. To support the use of estuaries and harbours in the District as essential fish habitats;
 - c. To provide protection to migratory salmonids as they transit through the District's estuaries and harbours;
 - d. To balance the social and economic benefits of net fisheries; and
 - e. To further the conservation objectives of designated sites.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

- 0. Do Nothing
- 1. Create North Western IFCA Netting Byelaw
- 2. Voluntary measures

All options are compared to option 0, the preferred option is Option 1.

Will the policy be reviewed? It will/will not be reviewed. If applicable, set review date: Month/Year

Is this measure likely to impact on international trade and investment?		N/A		
Are any of these organisations in scope?	Micro Yes	Small Yes	Medium Yes	Large Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded: N/A		Non-traded: N/A	

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible SELECT SIGNATORY: Date:

Summary: Analysis & Evidence

Policy Option 1

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year 2019	PV Base Year 2020	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate:

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate			

Description and scale of key monetised costs by 'main affected groups'

Introduction of permit fees creates a cost to commercial and recreational stakeholders. Permit fees included are based lower than the full cost recovery for the byelaw due to democratic agreement from the NWIFCA committee to reduce costs. The annual cost to North Western IFCA in ensuring compliance is £60,000.

Other key non-monetised costs by 'main affected groups'

The introduction of a seasonal closure in the River Mersey and Dee Estuary present as a key non-monetised cost however they have been introduced by consultation to not impact fishers. The introduction of net length for permit holders is a potential impact for those where it was not in existing legislation.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate			

Description and scale of key monetised benefits by 'main affected groups'

Access to commercial intertidal bass fishing will allow commercial fishers access to a previously prevented resource.

Other key non-monetised benefits by 'main affected groups'

The proposed measures will benefit the sustainability of fish populations including migratory and non-migratory species in coastal habitats through reduced mortality together with enhanced management for protected bird species. An increase in fish populations could benefit all stocks across commercial and recreational stakeholders as well as delivering social benefits and enhancing the experiences of recreational sea anglers.

Key assumptions/sensitivities/risks

Discount rate (%)

Information has been gathered from stakeholders through stakeholder consultation meetings and liaison. Information gathered from IFCA officers' and Members' personal knowledge is anecdotal. A key assumption of intervention is that there will be compliance with the measures and that the measures will achieve the policy objectives.

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs:	Benefits:	Net:	

Evidence Base

Problem under consideration and rationale for intervention

This Impact Assessment (IA) is for the North Western Inshore Fisheries and Conservation Authority (IFCA) Net Fishing Byelaw (“the Byelaw”). The Byelaw will manage net fishing in the North Western IFC District and has been developed through the Authority’s Byelaw review strategy framework and sub-committee.

Net fishing can potentially cause negative outcomes as a result of ‘market failures’. These failures can be described as:

- **Public goods and services** – A number of goods and services provided by the marine environment such as biological diversity are ‘public goods’ (no-one can be excluded from benefiting from them, but use of the goods does not diminish the goods being available to others). The characteristics of public goods, being available to all but belonging to no-one, mean that individuals do not necessarily have an incentive to voluntarily ensure the continued existence of these goods which can lead to under protection/provision.
- **Negative externalities** – Negative externalities occur when the cost of damage to the marine environment is not fully borne by the users causing the damage. In many cases no monetary value is attached to the goods and services provided by the marine environment, and this can lead to more damage occurring than would occur if the users had to pay the price of damage. Even for those marine harvestable goods that are traded (such as wild fish), market prices often do not reflect the full economic cost of the exploitation or of any damage caused to the environment by that exploitation.
- **Common goods** - A number of goods and services provided by the marine environment such as populations of wild fish are ‘common goods’ (no-one can be excluded from benefiting from those goods however consumption of the goods does diminish that available to others). The characteristics of common goods (being available but belonging to no-one, and of a diminishing quantity), mean that individuals do not necessarily have an individual economic incentive to ensure the long-term existence of these goods which can lead, in fisheries terms, to potential overfishing. Furthermore, it is in the interest of each individual to catch as much as possible as quickly as possible so that competitors do not take all the benefits. This can lead to an inefficient amount of effort and unsustainable exploitation.

The Byelaw aims to redress these sources of market failure in the marine environment through the following ways:

- Management measures will support continued existence of public goods in the marine environment, for example conserving the range of Biodiversity in the North Western IFC District.
- Management measures to further the conservation objectives of designated sites will ensure negative externalities are reduced or suitably mitigated.
- Management measures will also support continued existence of common goods in the marine environment, for example ensuring the long-term sustainability of fish stocks in the NWIFC District.

The Conservation of habitats and species regulations 2017 The Conservation of Habitats and Species Regulations 2017¹, (‘Conservation Regulations’) transposes the land and marine aspects of the Habitats Directive and the Wild Birds Directive into domestic law and outlines how a national site network will be managed.

The national site network is a network of protected sites which are designated for rare and threatened species and rare natural habitat types. These sites include special areas of conservation (SAC) and special protection areas (SPA), designated under the EC Habitats Directive 1992² and classified under the EC Birds Directive 2009³, respectively.

Under Regulation 6 of the Conservation Regulations, North Western IFCA as a named competent authority must ensure that fishing activity occurring within or adjacent to an SAC or SPA does not

¹ [The Conservation of Habitats and Species Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [The Habitats Directive - European Commission \(europa.eu\)](https://european-council.europa.eu)

³ [The Birds Directive - European Commission \(europa.eu\)](https://european-council.europa.eu)

damage, disturb or lead to a deterioration of a species which receives protection under the relevant designation, so as to ensure compliance with the Habitats Directive and Birds Directives.

Part 6 of the Conservation Regulations requires any plan or project likely to have a significant effect on an SPA or SAC within the national site network, either individually or in combination with other plans or projects, to undergo an appropriate assessment. The plan or project must be assessed in view of the site's conservation objectives, IFCA's are unable to consider economic or social impacts.

The first stage to this assessment is a test of likely significant effect (TLSE), which is designed to test whether a plan/project will cause a likely significant effect on an SAC or SPA. All the features/sub-features and supporting habitats for a site are subject to the TLSE assessment. Where the potential for a likely significant effect cannot be excluded, North Western IFCA, as the competent authority must then undertake a habitats regulation assessment (HRA). The HRA must consider the potential effects of the plan/project itself and in combination with other existing plans or projects.

Net fishing including Static, Drift, Beach seining and others could have a significant effect on protected species within designated sites within the district. As a part of maintaining confidence that protected species listed in the HRA as well as the habitats are not impacted a permit system is crucial to maintaining up to date information on the levels of activities taking place.

As such HRAs have been undertaken for the following areas.

- HRA for Dee Estuary Static and Drift Netting
- HRA for Dee Estuary Beach seines and Ring Nets
- HRA for Shell flat and Lune Deep Static Fixed and Drift Netting
- HRA Morecambe Bay and Duddon Estuary Static Fixed and Drift Netting
- HRA for Mersey Estuary Static Fixed and Drift Netting
- HRA for Mersey Narrows and North Wirral Foreshore Static Fixed Netting
- HRA for Mersey Narrows and North Wirral Foreshore Beach Seines and Ring Nets
- HRA for Ribble and Alt Estuaries Static Fixed Netting
- HRA for Ribble and Alt Estuaries Drift Netting.

A HRA has not been completed for the Solway Firth SAC due to a lack of data surrounding fishing activities, the introduction of the proposed regulation would assist with this. Recreational activities are also not within the scope of completed HRA documentation.

The Wildlife and Countryside Act 1981

Under the Wildlife and Countryside Act 1981⁴ (WCA), North Western IFCA must take reasonable steps to further the conservation and enhancement of features for which a site of special scientific interest (SSSI) has been designated.

The Marine and Coastal Access Act 2009

Under Section (153) of the Marine and Coastal Access Act 2009 (MACAA)⁵, North Western IFCA must balance the social and economic benefits of fishing with the need to protect the environment from the effects of such fishing.

As described in the Explanatory Notes⁶ (435) for Section (153) of MaCAA, IFCA's can apply precautionary measures in order to fulfil their main duty under Section (153). '...Precautionary measures in this context means that the absence of adequate scientific information should not be used as a reason for postponing or failing to take management measures to conserve target species, associated or dependent species and non-target species and their environment...'

Essential Fish Habitats

⁴ [Wildlife and Countryside Act 1981 \(legislation.gov.uk\)](http://legislation.gov.uk)

⁵ [Marine and Coastal Access Act 2009 \(legislation.gov.uk\)](http://legislation.gov.uk)

⁶ [Marine and Coastal Access Act 2009 - Explanatory Notes \(legislation.gov.uk\)](http://legislation.gov.uk)

North Western IFCA is committed to the enhance the environmental, socio-economic benefits and sustainability of fisheries within the District by supporting the use of estuaries and harbours by fish populations as spawning, nursery, feeding and refuge areas. Collectively referred to as Essential Fish Habitats.

For decades data has been collected by agencies with statutory functions in estuarine and coastal areas which have demonstrated the importance of EFH. The Spawning and nursery grounds of selected fish species in UK waters by CEFAS which examined the use of these area for 19 species of fish such as species of Ray's, herring, mackerel, sand eels and plaice.

Areas utilised by Migratory Salmonids

North Western IFCA is determined to enhance the environmental, socio- economic and sustainability of fisheries within the District by supporting the use of estuaries and coastal habitats by protected species.

For the purposes of this regulation this relates to areas utilised by migratory species outside of areas where migratory species receive protection as a conservation feature such as SACs, SSSIs and MCZs where Atlantic Salmon or sea trout receive protection as a conservation feature.

It is well known there is a relationship between migratory species and netting as they have and are targeted using the methodology.

Options Considered

Option 0: Do Nothing

Under this option the existing spatial and temporal net fishing restrictions, applied through the North Western Sea Fisheries Committee Byelaws 26 & 27 and Cumbria Sea Fisheries Committee Byelaws 10, and other legacy byelaws would stand.

Under this option there is limited ability for NWIFCA to adapt management where required to comply with the conservation objectives of designated sites and therefore NWIFCA would not meet its duties under the conservation regulations.

In addition, under this option NWIFCA would not be able to authorise the limited retention of bass by commercial intertidal nets as stipulated in the National bass S.I.

Under this option the social and economic benefits of net fishing will not be suitably balanced with the need to protect the environment from the effects of such fishing and therefore NWIFCA would not meet its duties under Section (153) of MaCAA.

Recommended Option

Option 1: Create the NWIFCA Netting Permit Byelaw

This is the recommended option. Under this option a new NWIFCA Netting permit byelaw would be created to standardise regulations across the district with flexible permit conditions covering.

- Catch restrictions and reporting requirements
- Technical measures and gear restrictions
- Spatial restrictions
- Time restrictions
- Number of permits issued.

Fisheries will be monitored and managed under flexible permit conditions. Initial conditions will maintain the status of current fisheries with the ability to adapt management where required based upon evidence.

Gear marking will be standardised across the NWIFCA District and existing prohibitions of fishing by activities other than rod and line in the upper reaches of estuarine areas retained.

Fishing for whitebait in the Lune Estuary has been a contentious issue throughout the drafting of the regulation under consideration. The activity is not currently taking place and therefore cannot be assessed however the Authority is seeking to gather data from anyone currently permitted to fish on the composition of species landed in whitebait nets. The fishing for whitebait has not been prohibited in this regulation but has not been included in the first iteration of flexible permit conditions.

Under this proposed regulation a number of current legacy byelaws would be revoked to streamline the number of regulations in the list of NWIFCA Byelaws. The requirement to have 3m of water above a headline has been removed. Net length limitations have been introduced as a flexible condition for recreational and commercial fisher, although already in place recreational fishers have been limited in this draft to 100m and commercial 400m.

As previously mentioned, the proposed regulation would create a regulatory framework and mechanism for the permitting of commercial intertidal fishers to retain Bass as a bycatch from intertidal set nets. This is a fishery which has been under a moratorium since 2017 and since the introduction of the Bass S.I NWIFC have had no mechanism to authorise the activity allowed.

Option 2: Voluntary measures.

The principles of Better Regulation require that statutory regulation is only introduced where other methodology is not appropriate or succeeded. Voluntary measures have been explored previously by implementing a seasonal voluntary code of conduct for a netting closure around St Bees head to protect diving birds nesting on the Cumbrian cliffs. The voluntary closure has been successful with good compliance and only minor infringements; however, it is unlikely that a voluntary measure would be adhered to across the entire district or successful in achieving the necessary compliance.

Policy Objectives

The policy objectives of the net fishing byelaw are:

- a. To rationalise & standardise the legislation relating to netting activities across the NWIFCA District;
- b. To support the use of estuaries and harbours in the District as essential fish habitats;
- c. To provide protection to migratory salmonids as they transit through the District's estuaries and harbours;
- d. To balance the social and economic benefits of net fisheries; and to further the conservation objectives of designated sites.

The Netting Permit Byelaw

The NWIFCA Netting Permit Byelaw will introduce a flexible permit scheme across the North Western IFCA district applicable to all those fishing with net equipment. A permit will be required for commercial fishing from a vessel, or the shore and for recreational fishing across the whole NWIFCA District.

Permit fees are required for three categories of permit, Category one- for commercial licenced boats, category two for commercial intertidal nets and category three for recreational fishers both on shore and from boats. The fees include tags, permit stickers and replacements as shown below;

Type of Permit	Annual fee per permit	Includes (if required) under permit or flexible permit conditions
Category 1	£150	One set of gear tags, replacement of one lost or damaged set and a permit sticker.
Category 2	£50	One set of gear tags.
Category 3	£10	One set of gear tags, replacement of one lost or damaged set and a permit sticker

The regulation will standardise existing temporal spatial areas around estuaries to resolve issues around differing timing and styles of mapping between Cumbrian and other areas of the coast. A general prohibition appears in the face of the byelaw preventing the use of any fishing gear above spatial closed areas or the mean high water spring line of any other river or stream except by hook and line using a lure or baited hook.

Seasonal Closure Areas

- Upper Solway
- River Ellen & Derwent
- River Calder
- Ravenglass Estuary
- Duddon Estuary
- River Leven
- River Kent
- River Keer
- River Lune
- Wyre Estuary
- Ribble Estuary
- River Mersey
- Dee Estuary

The byelaw incorporates an existing EA byelaw prohibition which prevents the use of any fishing gear other than rod and line in the upper reaches of estuaries.

Consultation

A period of informal consultation was commenced in March & April 2024 for four weeks. Stakeholders were invited to attend meetings, complete a survey or phone and email views into the Head of Enforcement. The survey was produced using Microsoft forms and uploaded to the NWIFCA website news section and advertised through social media, the form was available to complete for a period of four weeks. The stakeholder meetings were booked across the district at four locations where netting activity is present to stimulate good attendance. Attendees were requested to book places as individuals or in groups up to five to allow people to speak freely where they may feel uncomfortable in a large group and remove any bias from views within certain sectors of stakeholders.

Stakeholder meetings

Meetings were held across the district in venues at Leasowe, St Annes, Rampside and Whitehaven. The locations selected were spread across the area as well as resources allowed and aimed to give a broad overview of the potentially different views along the 850km coastline. Attendees were asked to book on to appointment times and come in groups of no more than five. This was to allow groups to speak more freely than perhaps they would in a larger group meeting. They provided an opportunity for stakeholders to provide their views on current regulations in the NWIFCA District regarding netting and what these could look like in the future. Stakeholders were encouraged to speak about any issues they had now or could see in the future.

In total 16 stakeholders attended the 4 meetings, only one of the stakeholders was from the recreational netting sector whilst the other 15 were commercial fishers with licenced vessels. Stakeholders were keen to hear what a future regulation could look like and how they could be impacted by any new regulation.

One theme which ran through all the meetings was that some form of entitlement for the retaining of bass as a bycatch through commercial intertidal nets would be very positive for fishing in the NW allowing stakeholders a secondary income stream as well as an activity which can take place when the weather is poor.

Another theme which officers took away from the meetings was that having different categories of permit would support the professionalisation and recognition of the commercial sector. Another desire from the commercial fishers was to see different conditions applied to the categories of permit. Fishers thought that recreational fishers should be limited to 100m of net which is enough to retain a catch for hobby fishing. Several mentioned how they struggled having quotas for species such as Cod limited to 25kg but had seen recreational fishers with much more than this.

Although not issues which could be rectified within the remit and statutory function of NWIFCA was that stakeholders had issues with seals damaging gear/catches and in the wish to see a return to drift netting. A specific issue was raised from the North Wirral meeting where a seasonal closure zone was discussed. There is not currently a seasonal spatial closure in the Mersey estuary however stakeholders appreciated the rationale behind protection of migratory species and standardisation with other rivers and estuaries in the district. What was concluded from discussions was that the Mersey is an important area for the commercial fishers in the South of the District providing 100% of their fishing grounds during bad weather. A sensible resolution was suggested in having a seasonal closure at the narrow bottleneck of the Mersey entrance followed by another further up the estuary. This would then protect estuarine species and allow stakeholders access to resource in area where there is less conflict with migratory species.

One unique issue raised at the Rampside meeting was the part of CSFC Byelaw 10 which stipulates a net must have 3 metres of water above the headline. Fishers agreed this was difficult to apply correctly and officer agreed it was difficult to enforce. It has therefore not been included as a technical measure in the draft flexible permit conditions.

Survey Results

A survey was implemented to assist with seeking stakeholder's views on netting activities across the North Western District. The survey consisted of eight questions seeking respondents' views on current regulations and then what they might like to see in the future. This is very important to informing how a netting byelaw is drafted to minimise and mitigate any impacts upon stakeholders.

There were 46 responses to the online survey produced using Microsoft forms. The survey was published on the NWIFCA website and on social media.

The first survey question shown in figure 1 asked respondents if they know about netting byelaws covering the district. 50% of respondents did with 41% knowing a little and 4% knew nothing about netting in the NWIFCA District, this indicates in the majority most respondents had some knowledge of the current scheme of regulations in place across the NWIFCA district.

1. Do you know about netting byelaws covering the NWIFCA District?



Figure 1. Knowledge of NWIFCA regulations.

The following question asking respondents if they had ever had a permit for fishing, 54% said they had while 46% had not. As shown most respondents have held some form of permit, although in hindsight this could have been expanded towards which type of fishing activity or area as it was a very open question.

2. Have you ever held a permit for fishing?

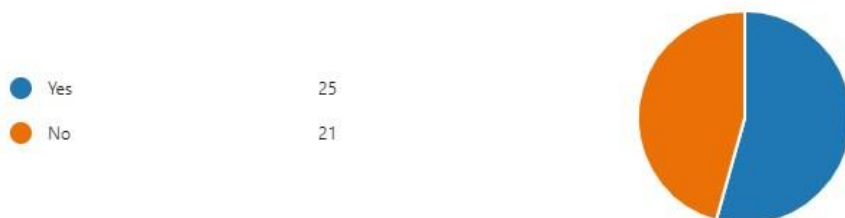


Figure 2. Respondents who have held a fishing permit.

In comparison to the stakeholder meetings there were more recreational respondents to the online survey with 19 recreational shore fishers and 7 recreational boat fishers whereas there were 19 commercial fishers who responded made up of 15 licenced boat fishers and 4 commercial shore fishers.

3. Which sector do you fall into?



Figure 3. The differing sectors of respondents.

There was split opinion on “Do you agree with the regulating of fishing with nets?”. 35% said yes, 48% thought no while 17% were unsure, responding maybe.

The final 4 questions were qualitative, inviting respondents to write answers to the questions. When asked what they thought about the current regulations on netting 9% of responses included reference to Bass while 11% referred to drift nets highlighting some common themes. The wordle below is a way of picking out key themes from answers, the larger the word in the image the more times it was mentioned in the text of answers. 27 of the responses could be analysed as being negative towards the current regulations. Several mentioned they found the current byelaws confusing, comments were made thinking they should be reviewed, should be more flexible and need improving. The rationale around wanting to improve access to certain fishery’s, improve catches and reduce bycatch.

5 respondents (11%) answered **drift nets** for this question.



Figure 4. Wordle demonstrating key words in responses to the Question “What do you think of current regulations on netting”.

When asked if there should be a rationalisation of the netting byelaws many respondents thought that there should be with, many simply answering yes whilst some said, “All netting should be licenced making it easier to police and “The laws should be clear and enforced”. One respondent was clear they had no issue with rationalising but did not want to see new restrictions sneak in. In comparison to 23 answers classed as positive, 10 respondents had negative views on this most just stating no. 8 answers were agnostic or indifferent to the question. 4 respondents answers could not be quantified or were vexatious.

Respondents were asked if they could see any challenges to implementing a new netting byelaw. Many answers described that there would be challenges, however there were not sufficient expansion on answers to visualise any patterns. Some thought that policing a new byelaw could be a challenge, others seemed to relate to conflict with other fishers such as anglers perhaps through feeling this was a drive behind any change. Other answers either thought there would be no challenges or that they wanted to know more about any forthcoming byelaw.

The final question asked on the survey requested those partaking consider “what impacts do you think a new netting byelaw could have on coastal communities?”. This proved to be a polarising question, answers focused on either feeling it would benefit fish stocks and the environment or that it would decimate fishing and have a negative impact upon fishing communities. In hindsight without more information this was a difficult question without sight of what a future regulation could look like. The commercial fishers who attended the stakeholder meetings had very different views on this during discussions as they felt a new regulation may open new access to resources and allow flexible management to their benefit.

Implementing the views of stakeholders

Where views on management align with officers these have been implemented into the byelaw draft which is annexed to this report. Amending the area of the Mersey estuary so it supports the protection of migratory species and continues to allow fishers to operate in sheltered waters, this was suggestion from a stakeholder meeting. The removal of a specification for three metres of water above a headline was another point where previous legislation is not seen to be effective by officers and stakeholders and has therefore been removed from the current draft.

Formal Consultation (to be completed)

Monetised and Non-Monetised Costs and Benefits

Option 1 will be analysed in comparison to Option 0

The creation of the North Western IFCA Netting Permit Byelaw may result in the following costs:

- direct costs to stakeholders as a result of the purchase of permits;
- direct costs as a result of changed access to some areas of the district;
- indirect costs to the fishing industry associated with displacement to other fishing grounds;

- social costs associated with changing legislation;
- Costs to North Western IFCA for compliance and enforcement activities; and
- Costs to North Western IFCA for monitoring and control.

Costs to the fishing industry from permit fees and compliance costs to NWIFCA can be monetised.

Social costs due to change in management or displacement from areas where there is not available data under the proposed management are difficult to value and are described as non-monetised costs.

Costs to fishing Industry

Net fishers have the potential to incur costs as a result of loss of access to existing or potential fishing grounds within areas under seasonal closures drafted in the proposed measures. In Cumbria where current seasonal closures form semi circles these have been amended to straight lines, slightly increasing the size of proposed new boxed areas.

In the River Mersey and Dee Estuary there are no current seasonal closures, proposed management brings them on par with the rest of the NWIFCA District. The proposed areas were brought in with consultation of the full fleet of three commercial fishers so that they do not have an impact on their activities. This said there is potential for costs in the future if stocks or trends change.

The current proposed removal of whitebait filter nets would present a cost to fishers, however the activity is not taking place and therefore cannot be assessed.

Permit costs

Any person fishing using a net within the NWIFCA district will be required to apply for a permit from NWIFCA under the proposed management plan. There are no proposals to limit permit numbers. Permit fees can be reviewed under the byelaw.

The costs associated with implementing the management are expected to be £75,000 per annum from enforcement, admin and materials to NWIFCA. Based on proposed fees and uptake of 30 category 1 commercial permits, 60 cat 2 commercial intertidal and 100 cat 3 recreational permits resulting in circa £8500 income to the Authority, NWIFCA would have a loss of £66,500.

Non-monetised Costs

There could be the displacement of net fisher as a result of the proposed byelaw. Due to changes in management fishers could move to target other fisheries such as fish or shellfish from other métiers such as rod and line. There could also be an increase in activity in permitted areas outside seasonal closures.

Benefits

The creation of the Netting Permit Byelaw may result in the following benefits:

- environmental and fisheries sustainability benefits from have adaptive management through flexible permitting;
- environmental benefits from continuing to prevent injury caused to migratory salmonids and birds;
- indirect benefits to the fishing industry, recreational sea anglers with an increase in fish populations;
- social benefits related to an increase in the reputation of net fishers and the fishing industry.

These benefits are difficult to value and are therefore described here as non-monetised benefits.

Risks and Assumptions

The numbers of potentially impacted stakeholders has been assessed through current permit regimes, officer sightings and knowledge and correspondence with fishers. Displacement of fishing effort is difficult to quantify, and impossible to predict where exactly activities may be displaced to.

The number of interactions between fishing nets and migratory salmonids is difficult to quantify. This Impact Assessment recognises that, where there is the potential for an interaction to occur, this interaction may cause injury or kill to the fish involved. The potential for interaction and the scale of injury caused to the fish will vary depending on the method of net fishing employed.

Impact of Small and Micro Businesses

The byelaw may impact micro businesses (1-9 employees). All commercial net vessels and commercial intertidal fishers are below 12m in length and significantly smaller in estuarine areas. Commercial intertidal fishers generally operate alone.

Monitoring and Evaluation

NWIFCA will monitor the effects of the Byelaw to assess its effectiveness, a review takes place annually and will be published in the annual reporting statistics. Necessary changes can be made through flexible permit conditions by the democratic process of the NWIFCA committee. Net permit holders will be required to supply returns to feed in data to the Authority.

The byelaw will be reviewed every 5 years, or sooner if new significant evidence arises and urgent review is required.

Monitoring of the byelaw will take place in line with the Authority's enforcement strategy.

