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**Enquiries:**

*Tel:* (01736) 336842

*E-mail:* enquiries@cornwall-ifca.gov.uk

*Website:* [www.cornwall-ifca.gov.uk](http://www.cornwall-ifca.gov.uk)

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| --- |
| **For office use only:** |
| Date Received: |  / /  |
| Application Reference: | CIFCA\_ \_  |

**Cornwall IFCA District**

**Byelaw and Regulating Order Dispensation Application Form**

# Guidance Notes:

* Dispensation against a Cornwall IFCA byelaw may be granted for a fishing activity that would otherwise be prohibited.
* Dispensation against the Fal Fishery Order and regulations under the order may be granted for a fishing, management or development activity that would otherwise be prohibited.
* You may apply for a dispensation where the proposed activity occurs within the Cornwall IFCA district, which extends from Marsland Mouth on the north coast of Cornwall around to the western end of Plymouth Breakwater in Plymouth Sound on the south coast, for all the waters out to the six mile limit and including rivers and estuaries up to their tidal limits.
* This application form should be submitted **not less than 60 days** before the date proposed to begin any programme of work that requires dispensation. This allows time to process the request and, in some instances, consult with Natural England in respect of a Habitat Regulations Assessment (HRA).
* Complete all sections of the form either online using the editable boxes, or by printing it out and writing clearly in **black ink** and BLOCK letters.
* Further guidance for completing Sections 1 to 6 can be found in **Appendix 1**.

**Please return completed form and attachments to:**

E-mail*:* **enquiries@cornwall-ifca.gov.uk** *(With subject: ‘Dispensation’)*

Or alternatively by post:

*(Please ensure the correct postage is paid)*

**Cornwall IFCA**

**Chi Gallos**

**Hayle Marine Renewables Business Park**

**North Quay**

**Hayle**

**Cornwall TR27 4DD**

To aid in the process of a dispensation request please complete the questions listed below. This will help the Authority understand the nature of the proposed fishing, management or development activity and assess whether dispensation is appropriate in the area required.

1. Applicant Details

|  |  |
| --- | --- |
| 1. Date of application *(DD/MM/YY)*
 | Click here to enter a date. |
| 1. Is this a repeat or revised application?
 | Yes[ ] *(if yes, provide details below)* | No[ ]  (*if no, go to C)* |
| Date: Click here to enter a date. |
| Previous Application Number: Click here to enter text. |
| Reason for revision:Click here to enter text. |
| 1. Name of applicant:
 | Click here to enter text. |
| 1. Name of organisation/ business:

*(if appropriate)* | Click here to enter text. |
| 1. Applicant contact details:
 | Tel. Office/Home: Click here to enter text. Mobile: Click here to enter text.E-mail: Click here to enter text.Address: Click here to enter text.Postcode: Click here to enter text. |
| 1. Alternative person to contact:
 | Name: Click here to enter text.Tel Office/Home: Click here to enter text. Mobile: Click here to enter text.E-mail: Click here to enter text. |
| 1. Will the main applicant named above (Section C) be responsible for the proposed activity and be in attendance during the work?
 | Yes[ ]  *(if yes, go to Section 2)* | No[ ]  (if no, *please provide details of person responsible below)* |
| Name: Click here to enter text.Tel Office/Home: Click here to enter text. Mobile: Click here to enter text.Email: Click here to enter text.Address: Click here to enter text.Postcode: Click here to enter text. |

1. Project Overview

|  |  |
| --- | --- |
| 1. Title of project/request:
 | Click here to enter text. |
| 1. Brief description of purpose:
 | Click here to enter text. |
| 1. Proposed start date: *(DD/MM/YY)*
 | Click here to enter a date. |
| 1. Proposed end date: *(DD/MM/YY)*
 | Click here to enter a date. |

1. Vessel(s) Details

|  |  |  |
| --- | --- | --- |
| 1. Will a vessel be required?
 | Yes[ ]  *(if yes, continue below)* | No[ ]  *(if no, continue to Section 4)* |
| 1. Vessel(s) information:
 | 1. Name of vessel: Click here to enter text.

PLN (*if any*): Click here to enter text.Vessel overall length (m): Click here to enter text.Vessel engine power (kW): Click here to enter text.1. Name of second vessel (*if any*): Click here to enter text.

PLN (*if any*): Click here to enter text.Vessel overall length (m): Click here to enter text.Vessel engine power (kW): Click here to enter text. |
| 1. Vessel owner(s) contact information:
 | Name: Click here to enter text.Tel Office/Home: Click here to enter text. Mobile: Click here to enter text.E-mail: Click here to enter text.Vessel owner(s) address: Click here to enter text.Postcode: Click here to enter text. |
| 1. Vessel Charterer’s (*if any*) contact information:
 | Name: Click here to enter text.Tel Office/Home: Click here to enter text. Mobile: Click here to enter text.E-mail: Click here to enter text.Vessel charterer’s address: Click here to enter text.Postcode: Click here to enter text. |

1. Project Location

|  |  |
| --- | --- |
| 1. Area(s) required:

*(Clearly define any boundary and/ or transect lines)* | Click here to enter text. |
| Map attached | Yes[ ]  | No[ ]  |
| Co-ordinates attached *(please provide as latitude/longitude decimal degrees)* | Yes[ ]  | No[ ]  |
| GIS file attached *(if available please provide as .tab or .shp files)* | Yes[ ]  | No[ ]  |
| Can positional data be supplied to Cornwall IFCA after completion of activity? | Yes[ ]  | No[ ]  |
| 1. If known, will the activity occur in any Marine Protected Areas (MPA) within Cornwall IFCA district?
 | Yes[ ]  | No[ ]  | Unsure [ ]  |
| *If yes, please identify which site(s)?*Click here to enter text. |
| 1. Could the activity be undertaken outside MPA to achieve the same results?
 | Yes[ ] Click here to enter text. | No[ ]  *(Please describe reasons why)*Click here to enter text. |
| 1. Method(s) of fishing or other prosed activity:
 | Click here to enter text. |
| 1. Description of fishing gear:

*(including dimensions)* | Click here to enter text. |
| Has an image of the gear been attached? | Yes[ ]  | No[ ]  |
| 1. Time of day and frequency of your proposed activity:
 | Click here to enter text. |
| 1. Explain any requirement you have to retain any fish or shellfish caught?
 | Click here to enter text. |
| 1. Proposed mitigation/ control measures:
 | Click here to enter text. |

1. Additional Information

|  |  |  |
| --- | --- | --- |
| 1. Has dispensation been requested, or been granted, from the Marine Management Organisation (MMO) or Environment Agency (EA) against any national or EU legislation?
 | Yes[ ]  | No[ ]  |
| *If Yes, please give details, including any response from the MMO or EA.*Click here to enter text. |
| 1. Have you also requested, or been granted, dispensation from Devon and Severn IFCA against any of their byelaws?
 | Yes[ ]  | No[ ]  |
| *If yes, please give details, including any response from D&S IFCA*.Click here to enter text. |
| 1. If your work includes an area situated within the limits of a port authority, have you consulted with the harbour master or relevant authority?
 | Yes[ ]   | No[ ]  |
| *If Yes, please give details, including any response from the harbour master or a relevant authority.*Click here to enter text. |
| 1. Please provide any additional information which may be relevant:
 | Click here to enter text. |

1. Data Protection Statement

|  |
| --- |
| The data supplied on this form is covered by the General Data Protection Regulations 2016. Cornwall IFCA has the right to process this data under Article 6(1)(c) of this Act, as your data is required for the Authority to assess whether a proposed fishing, management or development activity is appropriate within the district and whether dispensation is required and may be granted against a byelaw(s) made under sections 155 and 156 of the Marine and Coastal Access Act 2009.We retain your data for two years following your application for dispensation, after which it will be removed and destroyed. Electronic copies also have personal data removed two years after the dispensation has been issued.If you would like to access any of the information we hold about you, or you have concerns regarding the way we have processed your information, please contact: Simon Mansell, Data Protection Officer, Cornwall Council, County Hall, Treyew Road, Truro, Cornwall TR1 3AY. Telephone 01872 326424 or email dpo@cornwall.gov.uk |
| [ ]  **Please tick this box to confirm you have read and understood the Data Protection Statement above** |

# Appendix 1 – Further Guidance Notes

1. Applicant Details
* Revised applications can include changes to a previous dispensation issued e.g. extend timeframe of activity or amend the fishing method or gear.
* An Application Reference Number can be found on the previous dispensation issued to you. Please note this is only on dispensations issued from November 2018 onwards.
* Please provide clear information on the applicant and contact information.
* The contact name and details should be for the primary individual that Cornwall IFCA will communicate with.
* An alternative contact should be included for correspondence if the primary contact is not always available.
* Information regarding the applicant who will be responsible and in attendance of proposed activity is vital, as this person will need to carry a copy of any dispensation issued, while undertaking the works.
1. Project Overview
* Please provide a title and brief overview of the project, including justification for works.
* The proposed start and end date can be approximate but please ensure this covers the whole time frame of the activity, as this is what will be covered in any dispensation which is granted.
1. Vessel(s) Details
* Please provide clear information on the vessel(s) to be used to carry out the proposed activity.
* If applicable an option has been included for multiple vessels.
* Vessel owner(s) information is important as, in order to issue dispensation to the vessel, the owner may also need to be notified.
1. Project Location
* Please give a general description of the area of work.
* Map – please provide an annotated map in jpeg or png format.
* Co-ordinates – please provide co-ordinates in decimal degrees format in a .csv file or Excel worksheet.
* GIS files – please provide as .tab or .shp file if available.
* Positional data – please state if positional or digital track data could be supplied to Cornwall IFCA after the completion of activity, in the form of GIS files (.tab or .shp) or co-ordinates in decimal degrees format (.csv file or Excel worksheet).
* To identify if the activity would be within a MPA, an interactive map can be found at: <http://jncc.defra.gov.uk/page-5201>
* A MPA can include any Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) or Marine Conservation Zone (MCZ) within Cornwall IFCA district.
* If the proposed activity will occur in a MPA then a HRA may need to be undertaken. In which case, it will take longer to process due to consultation with Natural England.
* Please state if the proposed activity could be carried out outside of a MPA, as this could potentially limit any reasons to decline or restrict the proposed activity.
* Please provide detail of how measures will be taken to minimise the impact of the proposed activity. For example, avoiding areas of sensitive habitats or returning catch immediately.
* Please provide detailed information on the full methodology of activity.
* Please provide a description of the fishing gear including dimensions (e.g. mesh size, number of dredges, beam length or escape gaps). Images of the gear to be used can also be attached.
* Please provide information on the frequency of proposed activity (e.g. number of days, number of tows, tow duration, tow speed, distance covered, number of hauls and net soak time). The time of day should also be noted (e.g. during daylight, at low tide or between certain hours).
* Please explain any requirement you have to retain any species caught during the project, including any species sizes, proposed weights or numbers and whether they will be temporarily or permanently removed from the district.
1. Additional Information
* Please ensure that you have applied for or obtained any other licences or dispensations as required to carry out the proposed activity (e.g. MMO Marine Licence).
* Information on whether dispensation has been requested from Devon and Severn IFCA is helpful, as Cornwall IFCA shares district boundaries with Devon and Severn IFCA at Marsland Mouth on the north coast and the western end of the Plymouth Breakwater in Plymouth Sound, including the River Tamar, on the south coast. A chart of the Cornwall IFCA district can be found at: <https://secure.toolkitfiles.co.uk/clients/17099/sitedata/Misc/IFCA_District_Chart.pdf>
* Any other information that you may deem relevant to this application can be included in the text box provided or attached to the application.
1. Data Protection Statement
* Please ensure you tick this box to confirm you have read and understood the Data Protection Statement.

**If you require further assistance on completing this application form, please contact Cornwall IFCA on the enquiries details provided.**