

Title: Southern IFCA Net Fishing Byelaw Impact Assessment IA No: Southern IFCA 016 RPC Reference No: N/A Lead department or agency: Southern Inshore Fisheries and Conservation Authority (IFCA) Other departments or agencies: Department for the Environment, Fisheries and Rural Affairs (Defra), Marine Management Organisation (MMO)	Impact Assessment (IA)			
	Date: 15/11/2021			
	Stage: Development/Options			
	Source of intervention: Domestic			
	Type of measure: Secondary legislation			
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Summary: Intervention and Options	RPC Opinion: RPC Opinion Status
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Cost of Preferred (or more likely) Option (in 2019 prices, 2020 present value)

Total Net Present Social Value	Business Net Present Value	Net direct cost to business per year	Business Impact Target Status
£-2,125,579.96	£-2,025,817.91	£235,349.87	Qualifying provision

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

Additional management is necessary to ensure that the Authority meets its statutory duties. Southern IFCA has a duty to meet the conservation objectives of designated sites. Atlantic salmon and sea trout are notifiable features of designated sites within the Southern IFC District. Outside of these sites the Authority must balance the social and economic benefits of fishing with the need to protect the environment from the effects of such fishing. Net fishing within harbour and estuarine environments has the potential to impact the use of these areas by fish populations as essential fish habitats. As Atlantic salmon and sea trout migrate through the coastal environment there is the potential for them to be harmed through interactions with fishing nets.

What are the policy objectives and the intended effects?

- To support the use of estuaries and harbours in the District as essential fish habitats;
- To provide protection to migratory salmonids as they transit through the Districts estuaries and harbours;
- To balance the social and economic benefits of net fisheries; and
- 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)

- Do nothing.
- Create a Southern IFCA Net Fishing Byelaw.
- Create a Southern IFCA byelaw to prohibit net use in harbours and estuaries.
- Voluntary measures.

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

Will the policy be reviewed? It will be reviewed. **If applicable, set review date:** 01/2027

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 Chair: _____ Date: _____

Summary: Analysis & Evidence

Policy Option 1

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year 2019	PV Base Year 2020	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: £-2,125,579.96

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	£2,371,511.09	£2,890.00	£2,125,579.96

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

The total monetised costs for the UK fishing industry in the first year following the introduction of the proposed measures are estimated to be 353,890. These costs are likely to arise as a consequence of loss of fishing access, a reduction of fishing access and through the cost of purchasing a permit. The cost to Southern IFCA associated with ensuring compliance with the new measures in the first year following their introduction is estimated to be £17,500.

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

As a consequence of loss of access and catches there is the potential for fishers and related businesses to experience a loss in income as a result of the recommended byelaw. There is also the potential for the displacement of fishing effort to other areas, potentially creating additional conflict with other users and reducing the sustainability of fisheries, such as grey mullet fisheries, and the marine environment. Non-commercial net fishers will lose access to harbour and estuarine areas.

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'

It is not possible to estimate monetised benefits at this point.

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

It is anticipated that the proposed measures will benefit the sustainability of fish populations, including migratory salmonid species, through a reduction in net fishing mortality, together with the health of the marine environment. An increase in fish populations has the potential to benefit recreational and commercial marine fisheries as well as freshwater fisheries. The proposed measures will deliver social benefits and enhance the experiences of recreational sea anglers.

Key assumptions/sensitivities/risks

Discount rate (%)

3.5

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. Costs to fishers have been calculated using MMO landings data and informed by best estimates made by the fishing industry.

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £: 1,176,749.36
Costs: £235,349.87	Benefits: -	Net: £235,349.87	

Evidence Base

1. Problem Under Consideration and Rationale for Intervention

1.1 This Impact Assessment (IA) is for the Southern Inshore Fisheries and Conservation Authority (IFCA) Net Fishing Byelaw (“the Byelaw”). The Byelaw will manage net fishing in the Southern IFC District and has been developed through the Authority’s Inshore Netting Review.

1.2 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.

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

- Management measures to meet the conservation objectives of Designated Sites will ensure negative externalities are reduced or suitably mitigated.
- Management measures will support continued existence of public goods in the marine environment, for example conserving the range of biodiversity in the Southern IFC District.
- 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 IFC District.

1.3 **The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019** The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019¹, (‘Conservation Regulations’) transposes the land and marine aspects of the Habitats

¹ [The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uk/2019/1000)

Directive and the Wild Birds Directive into domestic law and outlines how a National Site Network will be managed.

- 1.3.1 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 EC Birds Directive 2009 (amended)³, respectively.
- 1.3.2 Under Article 6 of the Conservation Regulations, Southern IFCA as a named competent Authority must ensure that fishing activity occurring within or adjacent to an SAC or SPA does not 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.
- 1.3.3 Article 6(3) of the Habitats Directive 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.
- 1.3.4 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, Southern 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.
- 1.3.5 The Authority's Net Fishing TLSE identified that net fishing is likely to have a significant effect on Atlantic salmon (*Salmo salar*), a species afforded protection in the River Itchen SAC and the River Avon SAC.
- 1.3.6 As such, a HRA has been undertaken for the following areas, with the overall purpose of the HRA to conclude that net fishing within, or adjacent⁴ to the River Itchen SAC and the River Avon SAC does not damage, disturb or lead to a deterioration of Atlantic salmon, so as to secure compliance with the Habitats Directive.
 - The River Itchen (within and adjacent to the River Itchen SAC)
 - The River Avon (within and adjacent to the River Avon SAC)

1.4 **The Wildlife and Countryside Act, 1981**

Under the Wildlife and Countryside Act (WCA) 1981⁵, Southern IFCA must take reasonable steps to further the conservation and enhancement of features for which a Site of Special Scientific Importance (SSSI) has been designated.

- 1.4.1 An assessment is required to be undertaken to ensure that fishing activity within a SSSI is managed to ensure that there is no adverse effect on Atlantic salmon and/or sea trout (*Salmo trutta*) if either species are a faunal component or notified feature of the SSSI. This process will ensure that Southern IFCA fulfil its legislative duties under the WCA.

² [The Habitats Directive - Environment - European Commission \(europa.eu\)](#)

³ [The Birds Directive - Environment - European Commission \(europa.eu\)](#)

⁴ For the purposes of the Inshore Netting Review 'adjacent' is defined as 'next to or adjoining'.

⁵ [Wildlife and Countryside Act 1981 \(legislation.gov.uk\)](#)

- 1.4.2 The following area falls within the Lymington River SSSI. As such a SSSI Assessment has been undertaken in order to ensure that net fishing within the Lymington River SSSI will not have an adverse effect on sea trout, so as to ensure compliance with the WCA.
- Lymington River, upper reaches (sea trout as a faunal component of the Lymington River SSSI)
- 1.5 **The Marine and Coastal Access Act, 2009**
Under Section (153) of the Marine and Coastal Access Act, 2009 (MaCAA)⁶, Southern IFCA must balance the social and economic benefits of fishing with the need to protect the environment from the effects of such fishing.
- 1.5.1 As described in the Explanatory Notes⁷ (435) for Section (153) of the Marine and Coastal Access Act, IFCA's are able to 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...'
- 1.6 **Essential Fish Habitats (EFH)**
As part of the Inshore Netting Review, Southern IFCA determined to enhance the environmental, socio-economic and sustainability of fisheries within the District by supporting the use of estuaries and harbours by bass and other fish populations as nursery, feeding and refuge areas. Collectively these areas are referred to as Essential Fish Habitats (EFH).
- 1.6.1 For the purposes of the Inshore Netting Review, an EFH is one which provides ecological value for spawning, feeding and refuge for non-salmonid fish species. An area of high ecological value may include seagrass, complex saltmarsh systems or multiple examples of EFHs which are recognised as essential in supporting nursery, feeding or refuge areas.
- 1.6.2 EFH Assessments have been undertaken to determine the ecological value of a given habitat in supporting spawning, feeding and/or refuge areas non-salmonid species. These assessments form part of 8 area Site Assessment Packages and are informed by corresponding Site Specific Evidence Packages.
- 1.7 **Areas utilised by Migratory Salmonids**
As part of the Inshore Netting Review, Southern IFCA determined to enhance the environmental, socio-economic and sustainability of fisheries within the District by supporting the use of estuaries and harbours by migratory salmonids⁸.
- 1.7.1 For the purposes of the Inshore Netting Review, areas utilised by migratory salmonids mean those areas within the District which fall outside of SACs and SSSI (to include functionally linked areas) where Atlantic Salmon or sea trout receive protection as a conservation feature.
- 1.7.2 Migratory Salmonid Assessments have been undertaken to determine the relationship between net fishing and migratory salmonids. These assessments form part of 8 area Site

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

⁷ [Marine and Coastal Access Act 2009 - Explanatory Notes \(legislation.gov.uk\)](http://legislation.gov.uk)

⁸It is the view of Defra, stated in a letter addressed to IFCA Chief Executive Officers on 13th May 2014, that within this context salmon and sea trout fall within the definition of "marine environment" and therefore the Marine and Coastal Access Act provided IFCA's with the powers to introduce a byelaw to manage fishing for sea fisheries resources where this fishing is adversely impacting salmonids as part of the marine environment.

Assessment Packages and are informed by corresponding Site Specific Evidence Packages.

1.8 **Functional Linkage**

Southern IFCA must consider the role that functionally linked areas may play in supporting Atlantic salmon and sea trout populations, in line with the intentions underpinning the Habitats Directive (as enacted in UK legislation via the Conservation Regulations).

1.8.1 As guided by case law⁹, Southern IFCA will consider the role of areas which are functionally linked to SACs and SSSIs, where salmonids are a feature afforded protection under the Conservation Regulations and the WCA. Southern IFCA will consider these legislative duties alongside the duties specified under Section (153) of the MaCAA, namely, Southern IFCA must balance the social and economic benefits of fishing with the need to protect the environment from the effects of such fishing.

1.8.2 Functionally Linked Area (FLA) Assessments have been undertaken to determine whether net fishing, occurring beyond the boundary of an SAC or SSSI (where salmonids are afforded protection), may have an adverse impact on salmonids. These assessments form part of 8 area Site Assessment Packages and are informed by corresponding Site Specific Evidence Packages.

1.9 **Net Fishing Management Intentions Model**

The Net Fishing Management Intentions Model (Figure 1) draws together the risk components which have been identified for functionally linked areas, areas utilised by Migratory Salmonids and essential fish habitats in order to inform, in combination, the site-specific management outcomes.

1.9.1 The risk components have been directly informed by site specific evidence as well as the Net Fishing Byelaw Literature Review in order to use the best available evidence to inform management outcomes.

1.9.2 In developing a risk-based approach, the Authority is able to determine a proportionate management approach which is underpinned by precaution, as aligned with Southern IFCA's duties under paragraph (153) of the MaCAA.

1.9.3 The Inshore Netting Review: Process, Tools and Intentions 2021 document provides additional context in the development of the Net Fishing Management Intentions Model.

⁹ There have been two cases where the term 'functional linkage' has been applied to an SAC where Atlantic salmon are a qualifying species: (1) The Sandale Case: This case concerned the migration of Atlantic salmon upstream of an SAC. In the absence of a risk assessment upon which credible risks could have been excluded by obtaining relevant information and assessing the significance of the effects of the project upstream of an SAC on Atlantic salmon, the project was found not to satisfy the requirement of the Habitats Directive. Therefore, in summary, the lack of insufficient assessment of risk led to a precautionary management approach. (2) Burbo Bank: This case concerned the impact of noise from piling activity on Atlantic salmon migration. The risk was mitigated via the introduction of a timing restriction on the driving of piles.

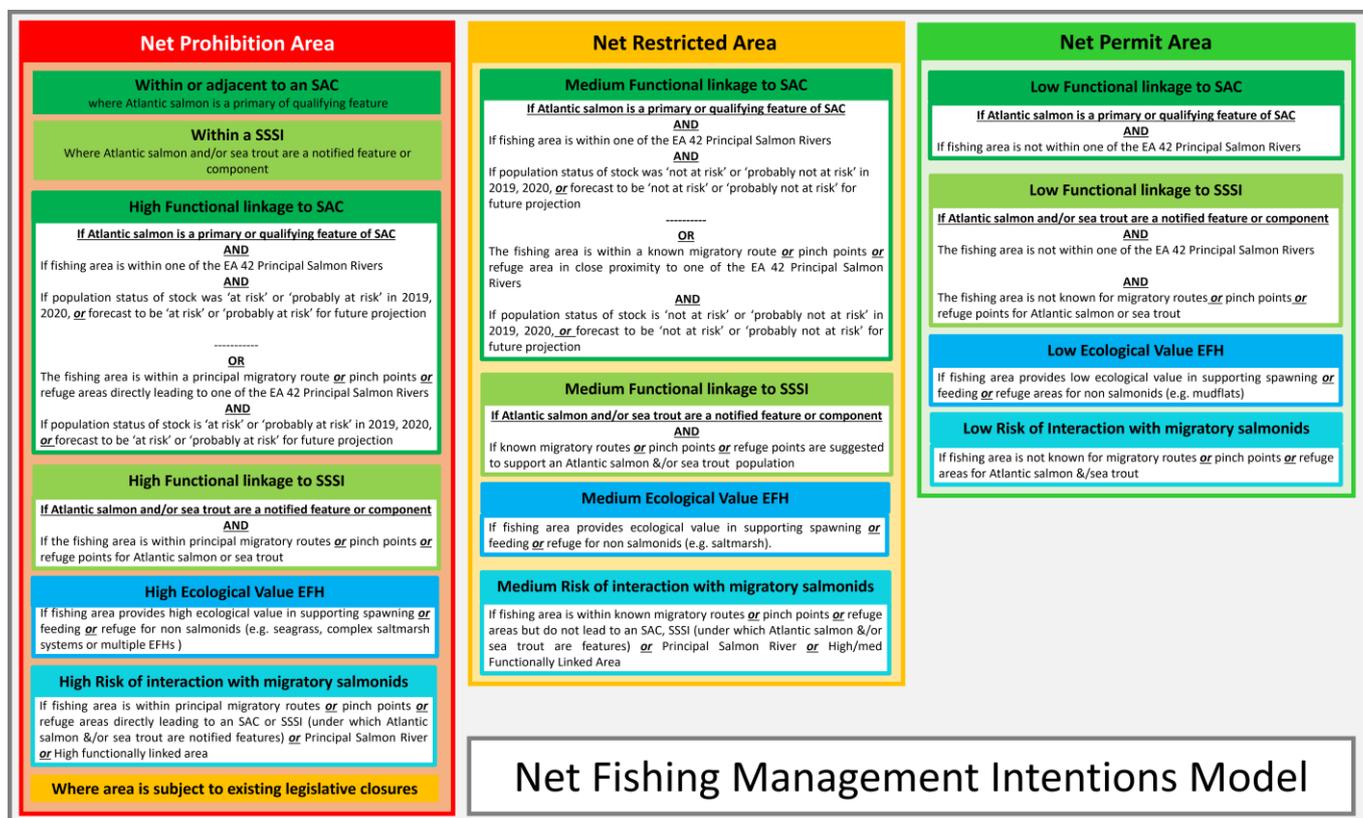


Figure 1: Southern IFCA Net Fishing Management Intentions Model.

2 Options Considered

2.2 Option 0: Do Nothing

2.2.1 Under this option the existing spatial and temporal net fishing restrictions, applied through the Southern IFCA 'Fixed Engines' legacy byelaw and the Environment Agency 'Sea Fisheries Fixed Engine Prohibition' legacy byelaw, would stand.

2.2.2 Under this option the conservation objectives of designated sites would not be met and, as a consequence, Southern IFCA would not meet its duties under the The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and under the Wildlife and Countryside Act 1981.

2.2.3 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, as a consequence, Southern IFCA would not meet its duties under Section (153) of the Marine and Coastal Access Act, 2009.

2.3 RECOMMENDED OPTION

Option 1: Create the Southern IFCA Net Fishing Byelaw.

2.3.1 This is the recommended option. Under this option a new Southern IFCA Net Fishing Byelaw would be created, following the Net Fishing Management Intentions Model, to introduce:

- Net Prohibition Areas;
- Net Restriction Areas; and
- Net Permit Areas.

- 2.3.2 A Monitoring and Control Plan will be introduced with clearly defined monitoring parameters and management pathways to ensure that net fishing activity remains compatible with conservation objectives.
- 2.3.3 A consistent approach will be introduced to the way that nets used in the District are marked.
- 2.3.4 Under this option the Southern IFCA 'Fixed Engines' legacy byelaw, the 'Sea Fisheries Fixed Engine Prohibition' legacy byelaw and the 'Regulation of the use of stake or stop nets in Langstone Harbour' legacy byelaw, would be revoked.
- 2.3.5 This option would enable Southern IFCA to meet its duties under the The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, under the Wildlife and Countryside Act 1981, and under Section (153) of the Marine and Coastal Access Act, 2009. The Monitoring and Control Plan will enable the Authority to ensure that the Byelaw continues to meet these duties beyond the point of introduction.

2.4 **Option 2: Create a byelaw to prohibit net use in harbours and estuaries.**

- 2.4.1 Under this option a single byelaw would be created to spatially manage net use in the District.
- 2.4.2 Under this option, outside of designated sites, 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, as a consequence, Southern IFCA would not meet its duties under Section (153) of the Marine and Coastal Access Act, 2009.

2.5 **Option 3: Voluntary Measures**

- 2.5.1 The principles of Better Regulation require that statutory regulation is introduced only as a last resort. Due to the biology and population size of salmonids in the district it is believed that a voluntary agreement would pose too greater risk to the integrity of the environmental designations and migratory salmonid populations. Fisheries participants have strongly indicated that, in some locations they do not consider that management measures are necessary and therefore it is highly unlikely that voluntary measures would be successful in achieving compliance in this situation.

3 **Policy Objectives**

- 3.1 The policy objectives of the Net Fishing Byelaw are:
- to support the use of estuaries and harbours in the District as essential fish habitats;
 - to provide protection to migratory salmonids as they transit through the Districts estuaries and harbours;
 - to balance the social and economic benefits of net fisheries; and
 - to further the conservation objectives of Designated Sites.

4 **The Net Fishing Byelaw**

- 4.1 The Southern IFCA Net Fishing Byelaw will introduce a range of management measures, applicable to all net fishers in the District.
- 4.2 **Net Prohibition Areas**

The Byelaw will prohibit the use of nets in thirty-seven harbour and estuarine areas in the District (Table 1).

Area of District	Net Prohibition Areas
Isle of Wight	Bembridge Harbour, Wootton Creek, Yarmouth Harbour and Western Yar, Newtown Harbour, King's Quay, River Medina
Langstone Harbour	Main Channel, Broom Channel, Bridge Lake
Portsmouth Harbour	Main Channel, Fareham Creek, Tributaries (Portchester, Fountain and Paulsgrove Lakes)
Southampton Water	The River Itchen, The River Test, Main Channel, River Hamble - Main Channel, River Hamble, Area 5
The Solent	Beaulieu River, Lymington River - upper reaches, Lymington River - Main Channel, Lymington River - outside Main Channel, Keyhaven River
Christchurch Harbour	The River Avon, Main Channel, West of Harbour, Mouth of River Mude
Poole Harbour	River Frome, River Piddle, Main Channel, Wareham Channel, Ltychett Bay, Wych and Middlebere Lakes, South Deep, Holes Bay North
West Dorset	Fleet – West, Weymouth Harbour, Bridport Harbour

Table 1: Net Prohibition Areas.

4.3 Net Restriction Areas

The Byelaw will introduce eight Net Restriction Areas. Net fishing within these areas will be subject to the following site specific seasonal and gear restrictions (Table 2).

Area of District	Net Restriction Area	Measure(s)
Isle of Wight		
Langstone Harbour	Langstone Harbour	A person must not use a net other than a ring net.
Portsmouth Harbour	Portsmouth Harbour	A person must not use a net, other than a ring net, between 1st March and 31st October.
Southampton Water		
The Solent	River Meon	A person must not use a net between 1st March and 31st October; and A person must not use a net other than a ring net outside the period 1st March to 31st October.
Christchurch Harbour	Christchurch Box	A person must not use a net other than a ring net between 15th February and 30th September; and A person must not use a net other than a bottom set net or ring net between 1st October and 14th February.
Poole Harbour	Poole Harbour	A person must not use a net, other than a ring net, between 1st March and 31st October.
	Wareham Approaches	A person must not use a net other than a ring net.
West Dorset	Eastern Fleet	A person must not use a net other than a ring net.
	Lyme Bay	A person must not use a net within three metres of the surface of the water at any state of the tide.

Table 2: Net Restriction Areas.

4.4 Net Permit Areas

The Byelaw will introduce three Net Permit Areas, where net use will be permitted under a Net Fishing Permit. Within these areas site specific seasonal and gear restrictions will apply:

- Southampton Water Net Permit Area:
A person must not use a net other than a ring net or a bottom set net.

- Christchurch Harbour Net Permit Area:
A person must not use a net other than a ring net.
- River Hamble Net Permit Area:
A person must not use a net other than a ring net.

4.5 The Byelaw will introduce the facility to introduce flexible permit conditions, primarily to enable the Authority to fulfil its obligations under paragraph 153(2) of the Marine and Coastal Access Act 2009. Under the Byelaw the Authority may attach, vary or remove conditions to a permit, which may relate to the following matters:

- prohibiting or restricting harvesting of sea fisheries resources;
- limiting the amount of sea fisheries resources harvested;
- limiting the amount of time a vessel may spend harvesting;
- prohibiting or restricting any method of harvesting;
- setting the requirements for the use of video recording equipment; or
- setting the frequency of deadlines for and content of catch returns.

4.6 Permit holders must comply with catch reporting conditions that have been developed in conjunction with the Net Permit Area Monitoring and Control Plan. These conditions require:

- a. the reporting of dead or mortally wounded salmonids; and
- b. in the event of an interaction between their net and a salmonid.

4.7 Permits will be valid for one year. The Authority may charge a fee for each permit. It is the intention of the Authority at year one to charge a fee of £170.00 for a Net Permit. This value is based on the permit administration costs only. The Authority will review the suitability of the permit fees in line with the Review Procedure outlined in the Byelaw.

4.8 Under the Byelaw, the Authority may limit the number of permits that it may grant. Net Fishing Permits will be awarded by the Authority on a restricted entry basis and applicable for fishers who have historically engaged in commercial and legitimate net fishing within the specific Net Permit Areas during a reference period between 1st January 2018 and 30th September 2021.

4.9 **Monitoring and Control**

The Net Permit Conditions will be subject to review, following the Review Procedure outlined in the Byelaw. This process specifies a clear procedure for reviewing the suitability of flexible permit conditions, permit fees and limitations on numbers of permits in accordance with a set procedure, based on consideration of evidence, which includes consideration of the data gathered through the Net Permit Byelaw Monitoring and Control Plan.

4.10 Areas which are to be managed under a Net Permit will be subject to a Monitoring and Control Plan. The implementation of the Monitoring and Control Plan will allow the Authority to be confident that they are using the best available evidence when considering the ongoing management of net fisheries in harbours and estuaries under a Net Permit in areas which have a low functional linkage to a SAC and/or SSSI. The Monitoring and Control Plan will ensure that net fishing remains compatible with the conservation objectives of SACs (notably Atlantic salmon) and SSSIs (notably Atlantic salmon and /or sea trout as a component of a SSSI).

4.11 The Monitoring and Control Plan will facilitate specific and robust monitoring of the permitted net fishery. The Monitoring and Control Plan considers an On-Site Monitoring

Programme which captures five components of monitoring which will be conducted in each Net Permit Area. These layers of monitoring will work in parallel, for example, any salmonid interaction will be counted in accumulation across all monitoring components.

- 4.12 Threshold Trigger Levels have been determined in the Monitoring and Control Plan for salmonids which are, (a) dead in a ring net or, (b) interacting with a ring net. These trigger levels will activate a 'control mechanism' which determine the actions to take when a Threshold Trigger Point is reached.
- 4.13 The Monitoring and Control Plan also considers information sources which will be used in order to support understandings of salmonid health overtime, based on the best available evidence provided by partner organisations such as the Environment Agency and Natural England. It is the intention that this information will be reviewed alongside the data from the On-Site Monitoring Programme and used to collectively inform the Annual Review of the Net Permit Conditions.
- 4.14 In conjunction with the ongoing management of net fishing within Net Permit Areas, Southern IFCA will undertake a Research Project in order to improve understandings of potential interactions between the use of drift nets and salmonids in a non-targeted fishery. The outcomes of this Research Project will be used to inform the ongoing management of net fishing within Net Permit Areas.
- 4.15 **Marking of Nets**
The Byelaw will require all nets used in the District to be marked in a specific way. This will enable easier identification of nets for all marine users and will enable any nets which are unmarked, or marked but not permitted to fish, to be easily identifiable for removal. These measures will assist with ensuring that incidences of illegal net fishing within the District are reduced.
- 4.16 **Code of Practice**
Separate to the Byelaw, a Salmonid Code of Practice (CoP) which will be introduced in order to inform fishers operating in Net Restricted Areas and Net Permit Areas about handling and release practices which will help reduce injury and/or stress and increase the likelihood of more rapid resumption of upstream movement. The Code of Practice has been directly informed by the Net Fishing Byelaw Literature Review.

5 Consultation

5.1 First Round of Informal Consultation

An eight-week period of informal 'pre-consultation' was held between 15th October and 7th December 2018 and sought evidence and feedback on draft management proposals.

- 5.1.1 The Authority held a series of six drop-in style meetings across the district to provide stakeholders with the opportunity to learn more about the proposed measures and to provide views. In total, there were 62 attendees across all six drop-in sessions.
- 5.1.2 A total of 242 responses were received by the Authority through the duration of the consultation¹⁰. From these responses 88 were submitted by individuals but represented an organisation's template view.

5.2 Second Round of Informal Consultation

¹⁰ https://secure.toolkitfiles.co.uk/clients/25364/sitedata/Redesign/Ongoing_Reviews/Net-Public-Consultation-on-Net-Management-2019.pdf

Based on the evidence received through the first round of informal consultation, revisions were made to management recommendations and a draft Net Fishing Byelaw was developed. A second round of informal consultation took place during January and February 2020.

- 5.2.1 Representative groups of the potentially most affected and engaged users were contacted and invited to engage and provide a response.
- 5.2.2 Following initial contact, Officers attended a total of 12 meetings to outline the management proposals and the rationale behind their design. Following these meetings, a total of 8 written responses were received by the Authority¹¹.
- 5.3 **Formal Consultation**
Formal consultation will follow the making of the byelaw in line with guidance issued by Defra to IFCAs on byelaw-making¹².

6 Monetised and Non-Monetised Costs and Benefits

- 6.1 Option 1 will be analysed in comparison to Option 0.
- 6.2 The creation of the Southern IFCA Net Fishing Byelaw may result in the following costs:
- direct costs to the fishing industry as a result of reduced access or loss of access to fishing grounds;
 - direct costs to the fishing industry as a result of the purchase of permits;
 - indirect costs to the fishing industry associated with displacement to other fishing grounds;
 - social costs related to the closure of areas to historic net fishing activities;
 - costs to Southern IFCA for compliance and enforcement activities; and
 - costs to Southern IFCA for monitoring and control.
- 6.3 Costs to the fishing industry and compliance costs to Southern IFCA can be monetised and these estimated values have been collated and presented as part of this IA.
- 6.4 Social costs due to the introduction of management and the displacement of fishing activity from the proposed management areas to other areas are difficult to value and are therefore described here as non-monetised costs.

Costs to the fishing industry

- 6.5 Net fishers have the potential to incur costs as a result of loss of access to fishing grounds within Net Prohibition Areas and Net Restriction Areas. These costs will be incurred as a direct result of the closure of the fishing area.
- 6.6 Net fishers have the potential to incur costs as a result of reduced access within Net Restriction Areas and Net Permit Areas. Reduced access may be incurred within these areas as a result of the restriction in net fishing method, for example through the prohibition in the use of fixed nets or drift nets. These restrictions may be seasonal or applied throughout the year.

¹¹ [Net-Secondary-Consultation-Net-Management-2020.pdf](#) (toolkitfiles.co.uk)

¹² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/182343/ifca-byelaw-guidance.pdf

- 6.7 When registering to fish for commercial sale in the Southern IFC District, vessel owners are required to indicate the method of fishing that they intend to carry out. Based on data held on 18th October 2021, from a total of 358 licensed fishing vessels registered to fish in the District 287 have indicated that they fish with nets. In addition there are believed to be 26 non-powered fishing vessels that fish commercially with nets within the District.
- 6.8 To estimate the economic costs of the proposed management, Marine Management Organisation (MMO) catch data for net fishing catches landed to ports within the Southern IFC District between 2018 and 2020 were analysed. Table 3 provides a breakdown of the first sale values derived from net fishing by each port of landing in the District.

Port of landing	Value (£)			
	2018	2019	2020	Average
Abbotsbury	£0	£0	£23	£8
Christchurch	£47,798	£116,931	£82,540	£82,423
Cowes	£3,877	£8,130	£18,503	£10,170
Emsworth	£4,251	£1,369	£1,979	£2,533
Ferrybridge	£1,201	£1,332	£0	£844
Hamble	£0	£0	£211	£70
Hayling Island	£1,235	£563	£0	£599
Isle Of Wight	£31,718	£19,116	£11,656	£20,830
Kimmeridge	£848	£6,755	£3,819	£3,808
Langstone Harbour	£9,337	£18,245	£18,374	£15,319
Lulworth Cove	£12,907	£16,705	£20,296	£16,636
Lymington and Keyhaven	£380,658	£515,234	£380,101	£425,331
Lyme Regis	£245,465	£201,391	£199,024	£215,293
Poole	£291,216	£312,028	£310,176	£304,474
Portland	£2,190	£6,746	£1,978	£3,638
Portsmouth	£198,991	£226,083	£143,247	£189,441
Southampton	£48,273	£94,074	£57,927	£66,758
Swanage	£2,440	£4,708	£931	£2,693
West Bay	£251,702	£256,763	£145,638	£218,034
Weymouth	£191,445	£355,538	£261,896	£269,626
Grand Total	£1,725,554	£2,161,711	£1,658,319	£1,848,528

Table 3: Net fishing first sale catch values, broken down for ports of landing in the Southern IFC District (2018-2020).

- 6.9 Fisheries landings are reported at ICES statistical rectangle level. The proposed management areas fall within ICES rectangles 30E7 and 30E8, however the 2018-2020 dataset does not provide the necessary level of accuracy to analyse the value of an individual management area on its own.
- 6.10 Though the informal consultation process, fishery participants have provided an indicative first-sale catch value across some of the management areas. Within restricted access areas it is difficult to determine the proportion of this value that will be lost.
- 6.11 Best estimates of the potential annual cost to the fishing industry through loss of access or reduced access has been made for each area of the District that will be subject to management. Where there is a significant variation between data, a range has been provided. The figures provided are the maximum potential cost.
- 6.12 Southern IFCA Officers, as part of compliance patrols, make incidental records of fishing vessel sightings, including the fishing method used. This information, together with officer knowledge and conversations with fishing industry representatives have enabled an estimate to be made of the number of fishing vessels potentially operating with nets between fishing areas and the net methods used in these areas.

- 6.13 Further information on site-specific fishing effort and the socio-economic importance of the fishing area can be found in the Site Specific Evidence Packages.
- 6.14 Table 4 provides an overview of the anticipated costs incurred as a result of loss of access or reduced access in each area of the District.

Area of District	Maximum no. of vessels affected	Potential annual cost to fishing industry through loss of access or reduced access
Isle of Wight	0	£0
Langstone Harbour	7	£15,000
Portsmouth Harbour	3	£25,000
Southampton Water	9	£66,758 - £100,000
The Solent	8	£25,000
Christchurch Harbour	4	£15,000
Poole Harbour	25	£150,000
West Dorset	9	£21,000
TOTAL	65	£317,758 - £351,000

Table 4: Net Prohibition Area costs.

- 6.15 There is the potential for up to 65 vessels to incur a loss of income as a result of loss of access or reduced access to fishing areas through the introduction of the Net Fishing Byelaw. The potential annual cost to the fishing industry through loss of access or reduced access to fishing areas is between £317,758 and £351,000.

6.16 Permit costs

Net fishers who are eligible for a Permit within the Christchurch Harbour, Southampton Water and the River Hamble Net Permit Areas will incur a cost of £170 per year, per permit. Based on an estimated total number of 17 permits being issued, the combined annual cost of Permits to the fishing industry is £2,890.00.

Costs to Southern IFCA

- 6.17 Southern IFCA is anticipated to incur an increase in compliance and enforcement costs as a result of the introduction of the Net Fishing Byelaw.
- 6.18 Under section 153 of the Marine and Coastal Access Act 2009, Southern IFCA has the lead responsibility of enforcing an IFCA byelaw. The Authority's existing compliance and enforcement strategy would be the most likely and effective method of enforcing the recommended byelaw. It is difficult to estimate the additional cost to enforcement through introducing the Byelaw as likely levels of compliance are not known, however it is anticipated that the introduction of new measures will initially, in the first year require additional enforcement effort including surveillance and inspections from air, land and at sea.

- 6.19 Areas under the 'Fixed Engines' byelaw are already subject to spatial management and Southern IFCA deploys assets and resources in these areas, however there are significant additions to this network, including significant new net prohibition areas on the Isle of Wight. The Authority will seek to undertake additional patrols through increased partnership working.
- 6.20 As a consequence of the proposed byelaw, within the first year of its introduction, there is likely to be an increased patrol cost in these additional management areas. It is estimated that during this time an additional 10 sea patrols will be conducted in the District at an overall cost of £7,500, combined with an additional 20 land and aerial (drone) patrols at a cost of £10,000, resulting in a combined enforcement cost of £17,500 in the first year following the introduction of this byelaw. This includes additional targeted patrols that will be carried out in Christchurch Harbour and Southampton Water Net Permit Areas, as outlined through the Net Permit Byelaw Monitoring and Control Plan.

Total monetised costs

- 6.21 The total monetised costs associated with the introduction of the proposed measures over 10 years (costs to UK businesses and compliance costs) are estimated to be £2,371,511.08 (Table 5).

	Year										TOTAL
	1	2	3	4	5	6	7	8	9	10	
Compliance costs (£)	17,500.00	16,908.21	15,784.00	14,236.26	12,406.08	10,445.59	8,497.49	6,678.95	5,072.07	3,721.54	111,250.19
UK fishing industry costs (£)	353,890.00	342,020.43	319,471.89	288,428.73	251,720.50	212,398.61	173,325.39	136,850.67	104,621.28	77,533.39	2,260,260.89
TOTAL cost (£)	368,500.00	356,038.65	332,365.89	299,774.99	261,236.58	219,954.19	178,932.88	140,639.62	106,803.36	78,364.93	2,371,511.08

Table 5: Total monetised costs associated with the introduction of the proposed measures over a 10 year period.

Non-monetised costs

- 6.22 There is likely to be displacement of net fishing activity as a result of the proposed byelaw. Due to the restricted ability to access target species in other harbour and estuarine environments in the Southern IFC District, it is likely that this displacement will occur into other fisheries, potentially impacting the populations of other fish and shellfish species.
- 6.23 One possible displacement affect would be an increase in fishing effort in net permit areas by permit holders. This may occur as a result of reduced access to fisheries outside of net permit areas and may place additional pressure on species such as grey mullet, or unintentional bycatch species such as smooth hounds. Permits will be awarded based on historic fishing effort within net permit areas in an attempt to reduce the potential for displacement to this fishery.
- 6.24 The proposed measures have the potential to restrict the ability of fishers to participate in other fisheries, such as the hook and line fishery for bass, due to the potential for the measures to affect the ability for fishers to catch live bait by use of nets.
- 6.25 Non-commerical net fishers will be affected by the proposed byelaw as they will not be eligible to apply for net permit. The use of fishing nets in harbour and estuarine areas of the District by unlicensed fishers is a regular occurrence, however the legitimacy of many vessels undertaking this activity may be questioned due to the regularity and scale of the activity.

6.26 Selective net fishing is a skill that is developed through experience and, if used by an unskilled, inexperienced fisher, a gill net has the potential to cause mortality in a wide range of species. There are several local and recent examples of unlicensed net fishers breaking fishery legislation through irresponsible practice. The Authority considers recreational net fishing to be a risk to the objectives of this review and believes the management response to be proportionate to the risk posed by this activity to the marine environment. It is important to consider that, outside harbour and estuarine areas, access will not be affected for recreational net fishers. As this information cannot be quantified it has not been explored further.

Benefits

6.27 The creation of the Net Fishing byelaw may result in the following benefits:

- environmental and fisheries sustainability benefits from a reduction in fish mortality in harbours and estuaries;
- environmental and fisheries sustainability benefits from a reduction in fish mortality in essential fish habitats;
- environmental benefits from a reduction in injury caused to migratory salmonids;
- indirect benefits to the fishing industry, recreational sea anglers and freshwater fisheries associated with an increase in fish populations;
- social benefits related to increased access to recreation sea angling; and
- social benefits related to an increase in the reputation of net fishers and the fishing industry.

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

6.29 It is anticipated that the proposed net management measures will benefit marine fish populations, including migratory species, through a reduction in net fishing mortality. A reduction in fish mortality will benefit adjacent fisheries, both commercial and recreational, through two mechanisms: net emigration of adults and juveniles, across borders, termed 'spill over', and the export of pelagic eggs and larvae. Anticipated benefits to commercial and recreational fisheries include an increase in fishing opportunities and catches as a result of larger, more healthy and sustainable fish populations and larger fish within these populations. This has the potential to increase the value of catches, leading to an increased first-sale value in commercial fisheries and a greater level of participation in recreational sea fisheries. Within carefully managed, sustainable fisheries additional fishing opportunities provided through increased catches may potentially offer employment opportunities, thus supporting the local economy. Table 3 shows that the average annual first sale value of net caught fish, landed to ports within the Southern IFC District is £1,848,528.

6.30 Essential Fish Habitats provide valuable nursery, feeding and refuge areas for a range of fish species, many of which are commercially valuable. Although these species may not spend their entire life-cycle within these systems, it is anticipated that fish populations will benefit through an increase in size, and individuals will live longer, grow larger and develop increased reproductive potential as a result of the proposed measures. The proposed measures have the potential to deliver increased larval input through the protection of fish populations that are actively spawning.

6.31 Recreational sea angling is a popular pastime in the Southern IFC District. It is estimated that there are 884,000 sea anglers in England, with 2% of all adults going sea angling. These anglers make a significant contribution to the economy, in 2012, sea anglers resident in England spent £1.23 billion on the sport, equivalent to £831 million direct spend

once imports and taxes had been excluded. This supported 10,400 full-time equivalent jobs and almost £360 million of gross value added (GVA). Taking indirect and induced effects into account, sea angling supported £2.1 billion of total spending, a total of over 23,600 jobs, and almost £980 million of GVA¹³. Sea angling also has important social and well-being benefits including providing relaxation, physical exercise, and a route for socialising.

- 6.32 In addition, the proposed measures have the potential to increase the participation in recreation sea angling through enhanced fishing experiences as a result of reduced conflict between users within harbour and estuarine areas.
- 6.33 A reduction in injury to salmonids may occur if the level of interaction is reduced as a result of the proposed measures. This has the potential to lead to an increased survival of a greater proportion of Atlantic salmon and sea trout populations to spawning, in turn contributing to improvements towards reaching the egg management targets for eight Principal Salmon and Sea Trout Rivers, a further 2 rivers that support salmon populations and 16 additional rivers that support sea trout populations. These measures represent a contribution towards restoring salmonid stocks in rivers where there are Water Framework Directive fish classification failures for which trout absence is a key factor. Willingness To Pay (WTP) values are available for each river catchment that consider the willingness of the public to pay for riverine WFD classification improvements on a km basis. On the river catchments in the Southern IFC District figures vary from £4,001-£5,619 per km depending on the overarching river catchment. These figures could be considered to better understand the value of restoring good ecological status or good ecological potential in-river and protecting fish with potential to migrate into each river catchment¹⁴.
- 6.34 An increase in populations of migratory salmonids has the potential to lead to an increase in the experience and participation of freshwater angling, economically benefiting the local area. A survey of freshwater angling in England¹⁵ shows that freshwater anglers contribute an estimated £1.4 billion a year annually to the English economy, supporting up to 27,000 full time equivalent jobs, through their spending on the sport (in 2015). Relevant economic information from this report for salmon and sea trout anglers for the South East River Basin District and South West River Basin District, which Southern IFC District spans, show that salmon and sea trout anglers spent just under £0.5 million in the South East RBD in 2015. Similar amounts were spent by district-based anglers and visitors (£210,000 and £260,000 respectively). In the South West RBD salmon and sea trout anglers spent around £1.3 million in 2015. More than a half of this expenditure (£880,000) was made by anglers in the District.
- 6.35 The current value of an individual salmon is £16,341¹⁶. Salmon fisheries within the catchments of the Rivers Test, Itchen, Avon and Frome have a present capital value of £52.16 million (River Test £18.64 million, River Itchen £10.88 million, Hampshire Avon £10.82 million and Frome £11.82million). This does not take account of the economic benefit of the sea trout fisheries also on these rivers which could be as high if not of higher value and the sea trout fisheries on the 22 other rivers within the District. An increase in stocks has the potential to increase the value of these fisheries.
- 6.36 It is anticipated that this byelaw will manage the fishery-ecosystem interaction, supporting biodiversity within the District. The effective management of net fishing, within harbours

¹³ <https://webarchive.nationalarchives.gov.uk/20140305101647/http://www.marinemangement.org.uk/seaangling/finalreport.htm>

¹⁴ Environment Agency pre-consultation response, 6th December 2018

¹⁵ A survey of freshwater angling in England. Phase 1: angling activity, expenditure and economic impact
https://rpaltd.co.uk/uploads/report_files/a-survey-of-freshwater-angling-in-england-phase-1-report.pdf

¹⁶ Adjusted values for inflation since 1991, Radford et. al. Economic Evaluation of Inland Fisheries Module A: Economic Evaluation of Fishing
Rights: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/291114/sw2-039-pr-1-e-e.pdf

and estuaries, demonstrates that these fisheries are managed in an appropriate way within sensitive marine areas. This byelaw therefore provides these fisheries with the opportunity to demonstrate their environmental credentials. In an ever-more environmentally aware society, this information may increase consumer confidence in these fisheries which may in turn have associated socio and economic benefits.

7 Risks and Assumptions

- 7.1 Cost estimates are based on estimates of UK landings values. Landings information are reported at ICES rectangle level and it is therefore not possible to ascertain what proportion of the total landings value was actually derived directly from the proposed management area.
- 7.2 The number of potentially affected vessels has been obtained through analysing the number of fishers in the Southern IFC District who have indicated to the Authority when registering to fish for sale, that they fish with nets, together with the known non-powered fishing vessels that commercially fish with nets. These vessels have then been cross-checked against vessel sighting records and local officer knowledge. Where possible, correspondence with the fishing industry has been used to add confidence to these statistics.
- 7.3 Displacement of fishing effort is difficult to quantify, and impossible to predict where exactly activities will be displaced to.
- 7.4 Estimated costs to the fishing industry are likely to be an overestimate, as vessels are likely to offset some of the lost revenue by fishing in other areas. It is also possible that the increased environmental status within the management areas could coincide with relatively more abundant fishing grounds, and therefore the analysis may have underestimated the value of reduced fishing ground.
- 7.5 The level of interaction 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 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. Southern IFCA will seek to quantify this effect further through monitoring and control measures.

8 Impact on Small and Micro Businesses

- 8.1 The Byelaw will impact micro businesses (1-9 employees). All net fishing vessels in the District are below 12m in length and those that operate within the Net Prohibition Areas, Net Restriction Areas and Net Permit Areas are generally less than 8m in length. These vessels are usually a single business, operated by a skipper/owner, and may employ a crew member.
- 8.2 It would not be possible to exempt small and micro business from the Byelaw.
- 8.3 Due to the size and range of these small vessels, they may not be able to access alternative sources of income. These businesses may fail as a result. No mitigation measures have been identified which could reduce the impact on affected businesses.

9 Wider Impacts

- 9.1 There is the potential for businesses directly related to fishing to fail as a result of the proposed measures. This is particularly relevant where businesses are based around net fisheries within estuarine environments, such as the River Itchen, River Test, Christchurch Harbour or Lymington River.
- 9.2 As an indirect consequence of fishing businesses failing there is the potential for connected 'on-shore' businesses to be economically impacted.
- 9.3 As a result of possible environmental and fisheries benefits, there is the potential for other fishing and environmental businesses to benefit from the proposed measures, for example due to increased fishing opportunities.
- 9.4 There are potential social implications associated with the proposed byelaw, these have the potential to include the suppliers, fuel costs and time costs associated with sourcing new suppliers, travelling to and utilising alternative fishing grounds.
- 9.5 Fishers have highlighted the potential impact of the proposed measures on their safety due to the requirement for them to fish in more exposed waters, outside of harbours and estuaries.
- 9.6 It is anticipated that the introduction of the proposed measures will achieve the conservation objectives of the River Itchen SAC and River Avon SAC and five SSSIs, thus maintaining the overall integrity of these sites.
- 9.7 Increases in the density and biodiversity of fish populations in harbour and estuarine environments will positively contribute towards the health of marine and riverine environments.
- 9.8 **South Marine Plan**
As per paragraph 58(3) of the MaCAA, Southern IFCA must have regard to to the South Marine Plan¹⁷ when undertaking any decision which is not an authorisation or enforcement decision. By definition, as per paragraph 58(4), a byelaw and associated permit conditions would fall under the definition of 'authorisation or enforcement decision'.
- 9.8.1 That said, the proposed measures ensure compatability with the following objectives and policies of the South Marine Plan:
- **Objective 3:** To support diversification of activities which improve socio-economic conditions in coastal communities: specifically **S-FISH-1**;
 - **Objective 5:** To avoid, minimise, mitigate displacement of marine activities, particularly where of importance to adjacent coastal communities, and where this is not practical to make sure significant adverse impacts on social benefits are avoided: specifically **S-FISH-2** and **S-FISH-3**;
 - **Objective 10:** To support marine protected area objectives and a well managed ecologically coherent network with enhanced resilience and capability to adapt to change.
- 9.9 **One In Three Out (OITO)**

¹⁷ <https://www.gov.uk/government/collections/south-marine-plans>

OITO is not applicable for byelaws implemented for the management of sea fisheries resources within IFC Districts as they are local government byelaws introducing local regulation and therefore not subject to central government processes.

10 Monitoring and Evaluation

- 10.1 A Monitoring and Control Plan will be implemented with the introduction of the Byelaw to ensure that the intended effects are achieved. This will be reviewed on an annual basis by the Authority, in line with the award of net permits. Through a process outlined in the Byelaw, necessary changes can be made to permit conditions.
- 10.2 As a condition of net permits, permit holders will be required to report to the Authority any salmonid interaction that takes place whilst net fishing.
- 10.3 Southern IFCA will undertake a Research Project in order to improve understandings of potential interactions between the use of drift nets and salmonids in a non-targeted fishery. The outcomes of this Research Project will be used to inform the ongoing management of net fishing under the Byelaw.
- 10.4 The Byelaw will be reviewed every five years, or sooner if significant new evidence suggests that a review is urgently needed.
- 10.5 Monitoring of compliance with byelaw will be carried out through the Authority's compliance and enforcement framework¹⁸.

¹⁸ [Compliance-Enforcement-Framework-SIFCA.pdf \(toolkitfiles.co.uk\)](#)