**North Eastern IFCA District**

**Byelaw Dispensation Application Form**

Guidance Notes:

* Dispensation against a North Eastern IFCA byelaw may be granted for a fishing activity that would otherwise be prohibited.
* You may apply for a dispensation where the proposed activity occurs within the North Eastern IFCA, which extends from the River Tyne in the north to Haile Sands Fort in the Humber Estuary in the south, for intertidal areas and all the waters out to the six mile limit, including rivers and estuaries up to their tidal limits.
* Please note that North Eastern IFCA can only grant dispensation from our byelaws, and not from national or international fisheries regulations. You should also consult with the Marine Management Organisation at DispensationRequests@marinemanagement.org.uk regarding further dispensation and impact assessment requirements.
* 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, if required, consult with Natural England with regards to potential impacts on designated features of Marine Protected Areas (MPA).
* Complete all sections of the form either electronically using the editable boxes, or by printing the document and writing clearly in **black ink** and BLOCK letters.
* Further guidance for completing Sections 1 to 6 can be found in the **Appendix**.

Other authority consents:

* You may also require consent or approval from other bodies before you are able to carry out the work that the dispensation applies to.
* Dispensation from national or international fisheries regulations should be obtained from the Marine Management Organisation at dispensationrequests@marinemanagement.org.uk. The MMO will also advise on any impact assessment requirements related to dispensations that they issue.
* If your research involves salmon, eels, elvers, lamprey, sea trout, smelt or crayfish the Environment Agency should also be contacted to discuss your work.

Please return completed form and attachments to:

E-mail: ne-ifca@eastriding.gov.uk (With subject: ‘Dispensation’)

Or alternatively by post:

North Eastern IFCA, Town Hall, Bridlington, East Riding of Yorkshire, YO16 4LP

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

|  |  |  |
| --- | --- | --- |
| A) | Date of application:*(dd/mm/yy)* |  |
| B) | Is this a repeat or revised application? | Yes ☐ *(if yes, provide details below)* | No ☐ *(if no, go to C)* |
| Date:  |
| Previous application number: |
| Reason for revision: |
| C) | Name of applicant: |  |
| D) | Name of organisation/ business: *(if appropriate)* |  |
| E) | Applicant contact details: | Tel. office/home: |
| Tel. mobile: |
| Email: |
| Address: |
| Postcode: |
| F) | Alternative person to contact:  | Name: |
| Tel. office/home: |
| Tel. mobile: |
| Email: |
| G) | 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; e.g. vessel skipper, scientist in charge)* |
| Name: |
| Tel. office/home: |
| Tel. mobile: |
| Email: |
| Address: |
| Postcode: |

2. Project Overview

|  |  |  |
| --- | --- | --- |
| A) | Title of project/request: |  |
| B) | Brief description of purpose: |  |
| C) | Proposed start date:*(DD/MM/YY)* |  |
| D) | Proposed end date:*(DD/MM/YY)* |  |

3. Vessel(s) Details

|  |  |  |  |
| --- | --- | --- | --- |
| A) | Will a vessel be required? | Yes ☐ *(if yes, continue below)* | No ☐ *(if no, go to Section 4)* |
| B) | Vessel(s) information: | 1) | Name of vessel: |
|  | PLN *(if any)*: |
|  | Vessel overall length (m): |
|  | Vessel engine power (kW): |
| 2) | Name of vessel: |
|  | PLN *(if any)*: |
|  | Vessel overall length (m): |
|  | Vessel engine power (kW): |
| C) | Vessel owner(s) contact information: | Name: |
| Tel. office/home: |
| Tel. mobile: |
| Email: |
| Address: |
| Postcode: |
| D) | Vessel owner(s) contact information: | Name: |
| Tel. office/home: |
| Tel. mobile: |
| Email: |
| Address: |
| Postcode: |

4. Project Location

|  |  |  |
| --- | --- | --- |
| A) | Area(s) required:*(Clearly define any boundary and/or transect lines)* |  |
| Map attached | Yes ☐ | No ☐ |
| Co-ordinates attached *(please provide as latitude/longitude decimal degrees)* | Yes ☐ | No ☐ |
| GIS file attached *(please provide as .tab or .shp files)* | Yes ☐ | No ☐ |
| B) | Will the activity occur in any Marine Protected Areas (MPA)? *(an interactive map can be found at <https://jncc.gov.uk/our-work/marine-protected-area-mapper/> )* | Yes ☐ *(if yes, continue below)* | No ☐ *(if no, go to Section 5)* |
| If yes, please identify which site(s): |
| C) | Could the activity be undertaken outside of an MPA to achieve the same result? | Yes ☐ | No ☐ *(please explain reasons why)* |
| D) | Has an assessment of impacts likely to occur as a result of the proposed project been produced? *(see* ***Appendix*** *for more details)* | Yes ☐ *(please attach with your application)* | No ☐ *(note that for activities occurring within MPAs, failure to supply an assessment document may delay the processing of your application)* |
| E) | Summary of proposed mitigation measures: |  |

5. Project Methodology

|  |  |  |
| --- | --- | --- |
| A) | Target species: |  |
| B) | Method(s) of fishing or other proposed activity: |  |
| C) | Description of fishing gear:*(including dimensions)* |  |
| Has an image of the gear been attached? | Yes ☐ | No ☐ |
| D) | Time of day and frequency of your proposed activity: |  |
| E) | Do you require the ability to retain and/or land any fish or shellfish caught? | Yes ☐ *(if yes, continue below)* | No ☐ *(if no, go to Section 6)* |
| *If yes, please give justification:* |

6. Additional Information

|  |  |  |  |
| --- | --- | --- | --- |
| A) | Has dispensation been requested, or been granted, from the Marine Management Organisation (MMO) or Environment Agency (EA) against any byelaws, national or EU legislation? | Yes ☐ *(if yes, continue below)* | No ☐ *(if no, go to B)* |
| *If yes, please give details, including any response and/or conditions imposed by the MMO or EA:* |
| B) | Will the activity occur within the limits of a port authority? | Yes ☐ *(if yes, continue below)* | No ☐ *(if no, go to C)* |
| *If yes, please give details, including any response from the harbour master/relevant authority:* |
| C) | Please provide any additional information which may be relevant: |  |

7. Data Protection Statement

|  |
| --- |
| The data supplied on this form is covered by the General Data Protection Regulations 2016. North Eastern IFCA has the right to process this data under Article 6(1)(c) of this Act, as your data is required by 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 any concerns regarding the way we have processed your information, please contact: Data Protection Co-ordinator, NEIFCA, Town Hall, Bridlington, East Riding of Yorkshire, YO16 4LP. Tel. (01482) 393 515 or Email ne-ifca@eastriding.gov.uk  |
| ☐ **Please tick this box to confirm you have read and understood the Data Protection Statement above.** |

Appendix – Further Guidance Notes

1. Applicant Details

* Revised applications can include changes to a previous dispensation issued e.g. extend timeframe of activity or amend 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 2019 onwards.
* Please provide clear information on the applicant and contact information.
* The contact name and details should be for the primary individual that North Eastern 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.

2. Project Overview

* Please provide a title and brief overview of the project, including justification for the 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.

3. 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.

4. Project Location

* Please give a general description of the area of work.
* Map – please provide an annotated map in .bmp, .jpg 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 files.
* Positional data – please state if positional or digital track data could be supplied to North Eastern IFCA after the completion of the activity in the form of GIS files (.tab or .shp) or co-ordinates in decimal degrees format (.csv or Excel worksheet).
* To identify if the activity would be within a Marine Protected Area (MPA), an interactive map can be found at: <https://jncc.gov.uk/mpa-mapper>
* 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 the North Eastern IFCA district.
* If the proposed activity will occur in a MPA then a further assessment of the likely impacts may need to be undertaken. In which case, it will take longer to process due to consultation with Natural England. Guidance on Habitats Regulations Assessments for work undertaken within European Marine Sites (EMS), which include SAC and SPA sites, can be found at [www.gov.uk/guidance/appropriate-assessment](http://www.gov.uk/guidance/appropriate-assessment). A similar process is undertaken for work occurring within a SSSI or MCZ.
* 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 details 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.

5. Project Methodology

* Please provide detailed information on the full methodology of the 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 the 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.

6. 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 neighbouring IFCAs would also be helpful (i.e. Northumberland IFCA and Eastern IFCA).
* Any other information that you may deem relevant to this application can be included in the text box provided or attached to the application.

7. 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 with completing this application form, please contact NEIFCA using the enquiry details provided.**