

Wash Cockle and Mussel Byelaw 2021: Eligibility Policy Summary

This is a **summary** of the **draft** policy for managing access to the cockle and mussel fisheries in The Wash. **The summarised policies below are not final** and may be developed further with your input. The policies are being written to meet the overall policy objective and the aim and objectives for access to the fishery.

The key points for consideration are about:

- How permits will be issued and to whom
- How permits will be limited in number
- How we will transition to the new system
- How permits may be issued in consecutive years
- How new permits may be issued
- How permits may be passed on to working partners or close family members

If you are a fisherman in the Wash, we are interested to know how these policies could impact your business and activity.

Policy Summary

1. Issuing of permits

- An 'eligibility fee' of £757.75 will be payable each year.
- 3 permits with fees payable for each fishery participated in:
 - hand-work cockle £339.57 **and/or**;
 - hand-work mussel £101.39 **and/or**;
 - dredge mussel £162.48.
- For each of the above permits a 'legacy permit' may be issued, which has different eligibility criteria. A legacy permit has different requirements for how often it is used. This is being considered to preserve current business practices that would otherwise be left out in the new system.

The fees are in line with those approved some time ago for WFO1992 licences, but permit fees are separated to reduce the costs to industry in years when they do not participate in a particular fishery. The eligibility fee contributes to fixed costs and acknowledges that the fisheries are not open to everyone.

2. Limit to the number of permits

- There will be a limited number of permits for each fishery.
- There will be a limited number of legacy permits for each fishery.

The number of permits is likely to be in similar to the current number of WFO1992 'entitlements', subject to the outcome of the economic assessment of the fisheries.

3. Permit allocation in Year One

- Permits will be allocated for each current WFO entitlement in an order of priority:
 - Entitlement holders will be eligible for a permit if: they are the registered and beneficial owner of the vessel named on the WFO licence and the vessel is active in the fishery **or**;
 - Nominated representatives will be eligible if: they are the beneficial owner and the vessel is active in the fishery
- Legacy permits will be available to WFO entitlement holders if: they are the registered and beneficial owner; they fish within the Wash and North Norfolk Coast (W&NNC) but don't otherwise meet activity requirements.
- Remaining WFO entitlements that have not been issued as permits after this will be issued as new permits.
- The registered and beneficial owner is the person who holds the majority of the shares **AND** receives the money from the catch from all fish caught using that vessel.

4. Consecutive Permits (permits year on year)

- You will be eligible for a permit in consecutive years if:
 - You pay the 'eligibility fee' **and**;
 - The permit has been used to a specified degree (unless it is a legacy permit)
- If you are the holder of a legacy permit, you will be eligible for legacy permits in consecutive years if:
 - You pay the 'eligibility fee' **and**;
 - You continue to fish in the W&NNC
- You will *not* be eligible for consecutive permits if:
 - Your permit ceases (subject to Authority consideration) **or**;
 - Change in beneficial ownership of the vessel, sale or transfer of the vessel.
- Exceptional circumstances are to be considered.

5. New permits

- Any available permits will be allocated according to points-based system which will prioritise good compliance, participation in other W&NNC based fisheries etc.
- There will be a register of interest in permits, but length of time on the register will not determine allocation.
- Time spent on the register, or a ballot will be used only where two or more applicants have equal points.
- Not eligible for new permit if suspended or convicted within 12 months.

6. Permit holder

- The permit holder must always be onboard the vessel during activity with exceptions for
 - Legitimate reasons **and**;
 - Existing multiple permit (entitlement) holders
- The permit holder must also:
 - Be a natural person (not a business) **and**;
 - Be a majority shareholder of the vessel named on the permit or a shareholder nominated to be named on the permit **and**;
 - Be the beneficial owner of the vessel **and**;
 - Have completed Eastern IFCA training course (details to be discussed and developed) and be qualified to act as skipper.

A clear link between ownership of a vessel and participation in the fishery is seen as beneficial in terms of reinforcing the importance of good stewardship of the fisheries.

7. Nominated representatives and nominated deputies

- Nominated deputies may be named on the permit and can fish on behalf of the permit holder for limited periods following notification of the Authority, with exception for multiple permit holders:
- Existing multiple permit holders may name nominated representatives to be eligible to fish on their behalf.
- Nominated representative/deputy eligibility:
 - Active wash fisherman within specified period **and**;
 - Completed Eastern IFCA training course **and**;
 - Qualified to act as skipper.

8. Permit succession

- Permits are not transferrable between persons or vessels
- If a permit is surrendered and if approved by the Authority to maintain business continuity, it can be succeeded to:
 - Immediate family member
 - Nominated representative or deputy who has held the position for a specified period
- Exceptional circumstances may apply subject to Authority consideration.