



**Papers for a meeting of the  
WASH SUB-COMMITTEE**

**to be held at  
EIFCA Offices**

**6 North Lynn Business Village, Bergen Way, King's Lynn, PE30 2JG**

**on**

**11<sup>th</sup> April 2023**

**at**

**1000 hours**

### Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry.



Meeting: **Wash Sub-Committee**

Date: 11<sup>th</sup> April 2023

Time: 10.30 hours

Venue: EIFCA Offices, 6 North Lynn Business Village, Bergen Way, King's Lynn  
PE30 2JG

### Revised Agenda

- 1 Elect a Chair and Vice Chair - Clerk
- 2 Apologies for absence - *Chair*
- 3 Declaration of Members' interests - *Chair*

### Action Items

- 4 Summary of Transition Process & Objectives – Project Officer (pg3)
- 5 *To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for items 6 & 7 on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A of the Act.*
- 6 Phase 1 Applications – Project Officer (pg5)
- 7 Phase 2 Applications – project Officer (pg70)
- 8 Any other urgent business  
*To consider any other items which the Chair is of the opinion are matters of urgency by reason of special circumstances which must be specified*

Julian Gregory  
Chief Executive Officer  
Date: 3<sup>rd</sup> April 2023

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## Information Item 5

### Wash Sub-Committee

11 April 2023

### Summary of Transition Process

**Report by:** James Teasdale (Project Officer)

### **Purpose of Report**

To present a summary of the transition process

### **Recommendations**

It is recommended that members:

- **Note** the contents of the report and presentation

### **Background**

At the 49<sup>th</sup> Eastern IFCA Meeting, members agreed to the Eligibility Policy and Permit limitation (the 'Access Policy') to manage access within cockle and mussel fisheries in The Wash under the Wash Cockle and Mussel Byelaw 2021.

The Access Policy includes a process for transitioning from the Licensing system under the Wash Fishery Order 1992 (which expired on 4 January 2023) to the permit system under the new byelaw.

### **Report**

The transition process includes two phases:

Phase 1 – deals with applications from those who held an Entitlement at the point the WFO. Eligibility to a permit under phase 1 primarily depends upon having been the genuine (beneficial) owner of the vessel associated with the licence and having used the licence to fish. The intention of Phase 1 is to address the issue of 'renting out', whereby a Licence Holder provides access to someone else by becoming the 'legal owner' of a vessel without being financially responsible or dependant on that vessel or the right of access.

Phase 2 – deals with other applicants and prioritises such using a points system. Points are allocated where the applicant can provide evidence to the satisfaction of the Authority that the criteria is met. The system prioritises those who were the beneficial owner of a vessel named on a WFO at the time it expired so as to provide business continuity for those who relied on such, with the effect that access is likely to pass from the previous Entitlement Holder (who was 'renting out') to the beneficial owner of the vessel (who was

the 'rentee'). Points are also gained for fishing activity including as a Nominated Representative and in other wash and North Norfolk Coast-based fisheries.

Applications and supporting evidence have been assessed and recommendations are provided to the extent that evidence is satisfactory to meet the requirements of the Access Policy.

A summary of the transition process, its objectives, and criteria for considering evidence is verbally presented by James Teasdale (Project Officer).

### **Financial Implications**

None identified

### **Legal Implications**

There is an inherent risk of legal challenge associated with decisions on issuing permits. The key mitigation is due diligence and application of the Access Policy agreed by members at the 49<sup>th</sup> Eastern IFCA meeting. In addition, where an applicant has lost access to the fishery, there may be grounds for appeal under the Access Policy which further mitigates the risk of successful legal challenge.