



## **Byelaw and Permitting Sub-Committee**

### **Terms of Reference**

#### **Name**

The Committee shall be known as the Byelaw and Permitting Sub-Committee (B&PSC) of Devon and Severn Inshore Fisheries and Conservation Authority (D&S IFCA).

#### **Membership**

The B&PSC may invite all General Members to attend, and membership may include representatives of the funding Authorities and Statutory Appointees.

- The Chair and Vice-Chairs will be ex-officio members of the B&PSC.
- Other members may be co-opted as and when this is considered to be appropriate.
- Any member of D&S IFCA may attend a meeting as an observer.

#### **Quorum**

Six members from the total membership are required at any meeting of the B&PSC for it to be quorate and allow voting to take place.

#### **Chairing the Sub-Committee**

The B&PSC will appoint a Chair and Vice Chair at its inaugural meeting and at the first meeting following the Annual meeting of D&S IFCA each year thereafter. The Chair of the B&PSC shall not be the Chair of the Full Authority.

#### **Functions**

The role of the B&PSC is fundamental to the work of D&S IFCA. D&S IFCA reviews different fishing activities with a view to introducing appropriate management, which can also include the development of new byelaws. The primary function of the B&PSC is to support the delivery of this task, so D&S IFCA is able to complete its functions as set out in Sections 153 and 154 Marine and Coastal Access Act 2009. Core work and functions include:

- a. Reviewing the management of fishing activities
- b. Reviewing the effectiveness of existing legacy byelaws
- c. Reviewing current byelaws, no less than every five years
- d. Reviewing byelaw permit conditions, no less than every three years

- e. Where appropriate make amendments to existing byelaws
- f. Where appropriate make amendments to existing permit conditions
- g. Creating new byelaws
- h. Creating permit conditions to accompany new permitting byelaws
- i. Considering requests for a review of permit conditions
- j. Creating and reviewing policies for the administration of permits
- k. Creating and reviewing non-regulatory policies to support fisheries management
- l. Creating and reviewing guidance to support byelaws and permit conditions

This B&PSC must review information and evidence relevant to the review of management in line with the process set out in any relevant legislation, including any relevant byelaws. The B&PSC must discharge procedural obligations imposed by policy documentation. The B&PSC may consider any other matters referred to it by the Chief Officer or Chair of the Authority.

### **Delegated Powers**

The Authority shall delegate powers to the B&PSC to complete the required functions. Although officers can and will provide technical advice, they will not take decisions at any time.

The B&PSC may delegate, to the Byelaw Technical Working Group, the drafting of legislation and legal documentation to introduce the agreed management measures.

The Chair of the B&PSC, or the Chief Officer in consultation with the Chair, may refer any of the matters set out above to the Authority for determination, where this is in the Authority's interests.

### **Role of Members**

Members will:

- provide a channel of communication between the B&PSC and their host organisations.
- provide technical expertise and knowledge to the B&PSC to inform and support decision making.
- keep the B&PSC informed of their host organisations' policy initiatives and position.
- provide support to D&S IFCA's senior officers in their work for the Authority.
- notify officers if they are unable to attend scheduled meetings.

Members will be expected to play an active and participative role in all business associated with the B&PSC which may include, from time to time, written input.

### **Frequency of Meetings**

It is expected that at least four meetings will be scheduled in advance per calendar year, or as and when required. Additional meetings or emergency meetings can be arranged at a frequency determined by officers in order to undertake the level of work required in order that the D&S IFCA fulfils its legal responsibilities.

### Sub-Committee Support

Support will be provided by D&S IFCA's officers and its administrative support team who will be responsible for collating and circulating agendas, minutes, and all required officer papers to members in advance of meetings. The D&S IFCA website will also be used to display information that is suitable for publication and relevant to the B&PSC meetings.

Review Date/s	Comments
16 <sup>th</sup> July 2021	B&PSC TOR adopted by the Authority.
May 2022	B&PSC TOR reviewed by Officers. B&PSC TOR (with no changes) prepared for presentation to Authority Members at the Authority meeting (AGM) – 16 <sup>th</sup> June 2022.
16 <sup>th</sup> June 2022	B&PSC TOR adopted by the Authority
15 <sup>th</sup> June 2023	B&PSC TOR examined by Authority Members at AGM held on 15 <sup>th</sup> June 2023. Minor amendment to the wording for the membership of the B&PSC.
Reviewed each year at Authority AGM as a repeating agenda item.	Content remains as per June 2023 edition until amendments are identified.

End.