

Approving the Annual Plan FY 2025/2026

Members' Considerations

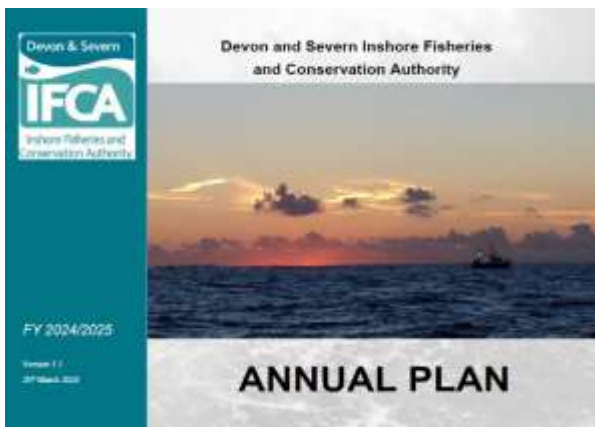
Members to consider the Officers' paper and to determine the tasks to be set out in the Annual Plan for FY 2025/2026.

1. Background

An Annual Plan must be produced as a requirement of S.177 Marine and Coastal Access Act 2009 (MaCAA). The Annual Plan must be published before 1st April 2025 and a copy must be sent to the Secretary of State. This Officers' paper may be used to inform the Annual Plan for 2025/2026, and it sets out key tasks that Officers suggest are included in the Annual Plan FY 2025/2026. Following the Authority Meeting, Officers will finalise the Annual Plan recognising the decision making of Members.

2. Preparation and Presentation

In recent years, Officers have tried to improve the presentation of the Annual Plans. Recent Annual Plans can be viewed on the [D&S IFCA's Annual Business Plans & Reports](#) website page. As well as presentational considerations, Officers have worked to create a usable and repeatable structure to detail the range of work that must be undertaken by the Authority, and tasks that contribute to further progressing the work of the Authority. Highlighting planned work to be undertaken is done so by using a mixture of feature pages (topic based) and planning tables. The following images are from last year's Annual Plan.



Repeatable Topic Based Sections

- Introduction
- Finance & Income
- Delivery
- Key Workstreams
- Governance
- Management of Fishing Activities
- Technology
- Enforcement
- Environment – Research
- Communications

Examples of topic-based feature pages.



National IFCA Success Criteria

All tasks set out in the recent Annual Plans are relevant to at least one of the National IFCA Success Criteria.

The content of the recent Annual Plans recognises National IFCA Success Criteria which shape the Annual Plan (tables) into different sections:

- *Success Criterion 1: IFCA's are recognised and heard, whilst working in partnership and engaging with stakeholders.*
- *Success Criterion 2: IFCA's implement a fair, effective, and proportionate enforcement regime.*
- *Success Criterion 3: IFCA's use evidence based and appropriate measures to manage the sustainable exploitation of sea fisheries resources and deliver marine environmental protection within their districts.*
- *Success Criterion 4: IFCA's have appropriate governance in place and staff are trained and professional.*
- *Success Criterion 5: IFCA's make the best use of evidence to deliver their objectives.*

The Success Criteria are translated into expected outputs each year. For the purposes of discussion by Members, there are many types of tasks that can be considered as “**Business as Usual**” tasks for D&S IFCA, rather than “**Key Tasks**”. The business-as-usual work must be undertaken in order for D&S IFCA to function. The Annual Plan should identify additional workstreams, **Key Tasks**, that D&S IFCA will endeavour to undertake in an attempt to meet its Statutory Duties within the resources identified in the agreed Revenue Budget for 2025/2026.

It is important to ensure that there is sufficient time and resource available to inevitably deal with unplanned work or additional work to achieve key tasks.

Examples of Business-as-Usual Tasks/Outputs of Success Criteria

- To maintain a database of stakeholder contacts which will be reviewed and updated by 31st March each year.
- To provide an efficient secretariat of D&S IFCA staff to support Authority meetings which are held quarterly and are quorate (for example preparing the Officers' papers)
- Annual appraisals for all staff will have been completed by 31st May each year.
- To work with other regulators to achieve consistent quality, application, and enforcement of management measures.
- Review D&S IFCA strategies and policies annually.
- To produce the Annual Reports and the Annual Plan

The business as-usual tasks take significant amounts of time to achieve. These types of tasks are set out in tables at the end of each recent Annual Plan, with each having a reference number, which assists reporting each year. The business-as-usual tasks have not been set out in this Officers' paper for discussion by Members, as they must be undertaken.

3. Twelve Month Planning & Completion of Key Tasks

The business-as-usual tasks may require additional key tasks to be carried out in a particular year. For example, responding to Marine Licencing Applications is a broad and repeating task; however focused work relating to Hinkley Point C has become a key task in its own right.

Key tasks and large workstreams, for example, development of a new byelaw, are broken down into smaller work packages. This is an intentional separation of larger workstreams so that individual elements can be completed in a twelve-month period. For example, engagement (pre-consultation) to inform a new byelaw could be completed in twelve months, but completing all stages of work resulting in implementation of a byelaw could not be achieved in twelve months.

Key Tasks for inclusion in the Annual Plan also recognise key tasks from previous years that were not completed as envisaged in the previous twelve months.

4. Consideration of Key Tasks for Inclusion in the Annual Plan

Officers have considered workstreams that were not completed by 28th February 2025 as reported on in the Eleventh Month Report and are forecast not to be completed by the end of the financial year.

In selecting which unfinished tasks from 2024/2025 are suggested by Officers to continue for FY 2025/2026, Officers have considered the benefits of continuing those tasks, many of which have already taken considerable amounts of Officers' and Members' time to reach their present status.

Officers suggest that some tasks are suspended and not taken forward at this time. This is because the key tasks have not been completed or progressed to any meaningful level, or due to a range of factors (including those outside the control of D&S IFCA) they cannot be completed in the next financial year.

This Officers' paper sets out new key tasks that Officers suggest are included in the 2025/2026 Annual Plan, with detail of what these tasks are and why they should be considered for inclusion. This Officers' paper also lists tasks and workstreams that Officers suggest should be excluded from the 2025/2026 Annual Plan.

5. Potential Key Tasks for Inclusion in the Annual Plan

The following workstreams and actions are suggested by Officers for inclusion in the 2025/2026 Annual Plan:

Focus On Governance & Communication

Workstream & Overview of Actions

The GWG to review D&S IFCA's Communication Strategy & Delivery Plan

Following familiarisation with current documentation and establishing a drafting team, both completed to date. Officers suggest that the GWG continues this workstream to complete a draft of the Communications Strategy. Officers can assist the GWG where required. Officers suggest that the draft Communication Strategy is presented to the Authority in FY 2025/2026 for potential approval.

Compliance & Enforcement Strategy

Officers suggest that the GWG could continue with the review the current Compliance and Enforcement Strategy and further consider introducing new ways of operating. The task includes drafting a new Compliance and Enforcement Strategy which can be circulated to all other IFCA's as a basis for developing a national IFCA Enforcement and Compliance Strategy.

Long Term Funding and Organisational Stability

The Medium-Term Financial Plan presented to Members at the December Authority meeting set out that without significant change to the funding structure it is forecasted that D&S IFCA will have reduced its Reserves to 34% of its Revenue Budget based on achieving uplifts of 7% in the Revenue Budget for each of the next three years.

D&S IFCA and the Local Authorities will engage with Defra to seek a change in the contributions each Local Authority makes to the Revenue Budget but more importantly seek a way to increase the Revenue Budget above inflation so that D&S IFCA has more resource available to meet its Statutory Duties.

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Focus on Management of Fishing Activities

Workstream & Overview of Actions

Amending Permit Conditions/Remaking Byelaws

Potting Permit Conditions:

On 27th February 2025, the Byelaw and Permitting Sub-Committee (B&PSC) agreed that formal consultation should be undertaken to prohibit the use of specified vessels (fitted with vivier/integral tanks over two cubic metres) operating in the District. This is subject to formal consultation, with a choice of approaches. D&S IFCA's Byelaw Technical Working Group, will advise Officers if this change of management is better suited to amending the current Potting Permit Conditions (and therefore formally consulting on permit condition changes); or, if amending the Potting Permit Byelaw is the more suitable option (and therefore recognising that approach in formal consultation associated with developing the Byelaw). Officers can relay the advice provided by the BTWG to all B&PSC Members and proceed with the favoured option.

Potting Permit Byelaw:

The advice of D&S IFCA's Byelaw Technical Working Group will influence this workstream. Drafting work of the Byelaw, may need to recognise decision making of the B&PSC relating to the intended prohibition of specified vessels (fitted with vivier/integral tanks over two cubic metres) operating within the District, and the criteria for the issuing of permits.

Structuring of a re-made Potting Permit Byelaw could be based on the potential implementation of a new Mobile Fishing Permit Byelaw; and therefore, re-making of the Potting Permit Byelaw could also include a change in approach to relevant interpretations, clarity regarding the intended scope of the Potting Permit Byelaw, and how provisions are worded and set out in the Byelaw. An updated review of permit conditions process, including the ability to amend administration fees for a permit would be logical inclusions suggested by Officers.

If this workstream goes ahead, it would include multiple tasks for FY 2025/2026, including drafting, formal consultation and developing a package of information for the quality assurance phase, undertaken by the Marine Management Organisation. If this workstream goes ahead, the implementation of the Byelaw (confirmation by Defra) is highly unlikely within FY 2025/2026.

Mobile Fishing Permit Byelaw:

The draft Byelaw (and a revised package of required information) can be returned to the Marine Management Organisation, to reach a point where the Byelaw will be submitted for confirmation by Defra. D&S IFCA Byelaw Technical Working Group will consider including legal advice as part of the letter requesting the process continues, or to advise otherwise, with Members of the B&PSC being updated accordingly. If the Byelaw is confirmed in due course by Defra, other work for D&S IFCA in FY 2025/2026 will include final drafting of the associated Permit Conditions, communication and administration work.

Netting Permit Byelaw:

The advice of D&S IFCA's Byelaw Technical Working Group may influence this workstream. Drafting work for the re-making of the Netting Permit Byelaw, could recognise a need to consider commercial netting operations undertaken by non-powered vessels and the criteria to gain a Category One (commercial) Netting Permit. The re-making could address other factors such as the use of named representatives to operate under a permit.

Structuring of a re-made Netting Permit Byelaw could be based on the potential implementation of a new Mobile Fishing Permit Byelaw; and therefore, re-making of the Netting Permit Byelaw could also include a change in approach to relevant interpretations, clarity regarding the intended scope of the Netting Permit Byelaw, and how provisions are worded and set out in the Byelaw. An updated review of permit conditions process, including the ability to amend administration fees for a permit would be logical inclusions suggested by Officers.

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Measures of Equal Environment Benefit (MEEB)

D&S IFCA will prepare a submission to Defra to include all evidence relating to the application of Measures of Environmental Benefit for habitats in the Skerries Banks and Surrounds MCZ and Start Point to Plymouth Sound and Eddystone (SPPSE) SAC. This work follows on from initial discussions with Defra and Natural England in 2024 on the application of MEEB. Officers will use the results of analysis of the ground truthing of habitats in the two MPAs and look to provide evidence that will support the retention of the seasonal access areas to demersal mobile fishing gear in the Skerries Banks and Surrounds MCZ and maintain the closed areas (to demersal mobile fishing vessels) within the SPPSE SAC that contain a similar habitat (coarse habitat). This will be the first time MEEB will be considered in relation to fishing and across MPAs that are designated under different legislation.

Fisheries Management Plans

D&S IFCA Officers will continue to be involved in the first three Tranches of FMPs for those FMPs that are applicable to the District and adjacent waters and will be involved in further Tranches of FMPs as they develop. D&S IFCA is a key contributor to the development and implementation of FMPs and Officers are increasingly involved in the discussions on management measures that secure the timeframe for interventions set out in the FMPs. D&S IFCA is the IFCA lead on the Crab and Lobster FMP and the FY 2025/2026 will see Officers work with Defra, MMO, fishers, NGOs and other stakeholders to develop management measures that will be tested in the Western Channel Crab Fishery Unit Trial.

Focus on Enforcement

Workstream & Overview of Actions

Spatial Monitoring of Towed Gear Vessels

To monitor IVMS, VMS and AIS data for mobile fishing gear vessels and to undertake patrols to target mobile gear vessels that may be operating without fully functioning IVMS and VMS devices. This remains a priority workstream for D&S IFCA. This workstream is imperative to ensure monitoring of compliance of spatial restrictions under the Mobile Fishing Permit Conditions and to seek to ensure the protection of designated features of Marine Protected Areas. Continued monitoring will identify gear conflict between the mobile fishing fleet and other fishing sectors.

Monitoring of illegal Netting in Estuaries

Illegal coastal and estuarine netting continues to pose a high risk to the environment and species of fish that are known to use these areas of D&S IFCA's District. It poses particular challenges to the Enforcement Team, as the netting is normally undertaken by small, less than six metre vessels that operate at night, with no lights, and manoeuvre at high speeds. It is hoped that the expected completion of the national roll out of IVMS to all licensed commercial fishing vessels will provide improved intelligence on this activity and improve detection rates. The use of a drone will also assist with the detection of this activity as it is expected that the licensed vessels netting illegally will not have functioning IVMS devices.

Developing the Use of Drones

D&S IFCA has purchased a drone primarily to support delivery of its monitoring and enforcement work but may have environmental mapping applications such as crab tile fishery in estuaries.

Officers have completed their theory training on the use of the drone. Officers will be required to undertake practical training in flying the drone prior to its use. Standing Operating Procedures will also be created for the use of the drone. It is intended that the drone will be flown in support of the Enforcement Officers' coastal and estuarine shore patrols.

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Focus on Environment

Workstream & Overview of Actions

Risk Assessment and Timeline on the Review of the Previously Completed MPAs

D&S IFCA has undertaken assessments of the interactions of fishing activities on designated habitats and species in the 22 MPAs in its District, which have been used to inform management measures, where appropriate. A review of previously undertaken MPA assessments relating to fishing activity is crucial to ensure that management measures are effective in protecting sensitive marine habitats and species, in line with D&S IFCA's Statutory Duties. A review process is particularly important where a long time has elapsed since the last assessment, where fishing patterns have changed, and/or where new evidence is available regarding feature sensitivity and exposure, or compliance. Given the large number of assessments undertaken to date, and the limited resources available, Officers will establish

a risk-prioritised timeline and register for review of previously completed assessments and begin the review process for higher-risk assessments.

Consideration of Outputs from a review of MPA Assessments

Building on the risk-based prioritisation of MPA review requirements, Officers will undertake a review of the higher-risk assessments; outputs from these assessments will be considered in terms of their relevance to management and raised for consideration by Authority Members as required. Initial scoping has highlighted a need to consider outputs of a revised MCZ assessment for cuttlefish potting on the seagrass beds in the Torbay MCZ and consideration of a review of management will be presented to the B&PSC in FY2025/2026 ahead of the 2026 fishery. This scoping has also highlighted other priority reviews of assessments for Plymouth Sound and Estuaries SAC (ring netting) and Skerries Bank and Surrounds MCZ (mobile gear). Other assessment reviews may be necessary depending on the level of risk.

Complete the Bristol Channel & Approaches Assessments

The Bristol Channel Approaches (BCA) SAC, designated for harbour porpoise, is a complex site which falls within the jurisdiction of the MMO, Cornwall IFCA and D&S IFCA. The size of the site and mobile nature of the designated species presents unique challenges for MPA assessments and potential management of fishing activity. Officers will complete the required MPA assessments and work with other organisations to establish management options (if required and appropriate) for consideration by Members.

Monitoring of Commercial Scallop Fisheries

This task will involve the monitoring of existing and emerging scallop fisheries operating in the D&S IFCA District.

- To monitor the commercial dive vessels operating in D&S IFCA's District during July, August and September using IVMS and to gather catch/ landings and Catch App data for analysis to measure compliance with the Commercial Diving Permit Conditions during these months. This will be done for years 2022 to 2025 inclusive. This is a task carried forward from the Annual Plan FY 2024/2025.
- The 'potting for scallops' fishery (using new light technology) will be monitored to evaluate the uptake of new opportunities. Evidence gathering regarding the emerging fishery for trap-caught scallops will seek to inform the potential additional pressure on scallop and crustacea stocks, understand how existing fishers may switch or diversify from existing activities, and inform consideration of future management requirements.

Monitoring of the Whelk Fishery

Between 2018 and 2020, D&S IFCA adopted a phased approach to increasing the Minimum Conservation Reference Size of whelk from 45mm to 65 mm. This was undertaken in order to better protect the spawning capacity of whelk stocks in the District, following on from D&S IFCA's research on the size of sexual maturity of whelk in the D&S IFCA's District. It is important for Officers to now establish what impact that this change may have had on industry and whelk stocks. Officers will engage with industry and scope the available data sources. This workstream will include gathering data on effort, catches, and the populations of whelk around the District. D&S IFCA is aware that there is some shift towards the whelk fishery from other shellfisheries and this workstream will help to monitor changes in the fishery.

Mariculture Waddeton Regulating Order

The Waddeton Regulating Order in the Dart Estuary has been held by D&S IFCA since 2001 and expires in April 2026 and has supported mussel and pacific oyster cultivation by shellfishermen over that time. D&S IFCA leased the Waddeton Order area from the Duchy of Cornwall who own the fundus of the Dart Estuary, and this lease also expires in 2026. D&S IFCA Officers have been in discussions with the Duchy, who have made a decision to no longer support pacific oyster cultivation in the Duchy owned estuaries in the Southwest. With this in mind, and Defra’s changes to the granting of Regulating Orders, D&S IFCA will not be renewing the lease. The Waddeton Order area also co-locates with the Dart Estuary MCZ.

Officers will engage with the Duchy of Cornwall, Natural England and Waddeton plot holders (shellfishermen) to agree and undertake appropriate works required to return the site to a more natural state in time for the end of the lease, including the potential removal of artificial infrastructure and farmed stock. D&S IFCA will be investigating techniques that could be used to aid the site restoration and how such techniques could be used without significantly impacting the features and conservation objectives of the Dart Estuary MCZ.

Crab Tiles on the Teign Estuary

Crab tiles (artificial shelters such as roof tiles) are used by recreational and commercial fishers to target common shore crab that are preparing to moult (known as peeler crabs) and that release a hormone that acts as an attractor to fish. Peeler crabs are therefore seen as a good bait for rod and line fisheries. D&S IFCA Officers undertake crab tiles surveys in its estuaries approximately every four years. D&S IFCA published a report in 2020 following mapping of crab tiles in nine estuaries within the D&S IFCA’s District. Between 2016 and 2020 there has been a slight increase in total number of crab tiles in all estuaries of 2,668 tiles. The majority of this increase was in the Teign Estuary which, in 2020, had 16,412 crab tiles. Due to resource limitations of D&S IFCA, Officers will be focussing on the Teign Estuary to undertake a crab tile survey in FY2025/2026 and will be trialling the use of the recently purchased D&S IFCA drone to undertake the survey in-house (previous years surveys have chartered a drone operator to undertake this work).

Taw Torridge Estuary Bivalve Mollusc Stock Assessments

The Taw Torridge Estuary is an SSSI, and its intertidal mussel and cockle beds are important for the overwintering birds that frequent the estuary. Stock assessments of these shellfish are used alongside a bird food availability model to establish the amount of mussel that may be commercially harvested without impinging on bird survival and the health of the mussel beds. The bird food model was updated in 2024/2025, and the new outputs will be used alongside site-specific surveys during 2025/2026 to inform ongoing management of a commercial mussel fishery. Tidal constraints have limited Officers’ ability to survey mid-channel mussel beds in the estuary; following several trials, it has not been possible to circumvent these survey constraints using drone technology, so Officers will also explore other access options for these important shellfish beds, in line with health and safety requirements.

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Focus on Sustainable Development

Hinkley Point C Nuclear Power Station – Development Permissions - HPC Marine Technical Forum

This workstream is expected to continue into 2025/2026, using a range of evidence to ensure that impacts from HPC on fish and fisheries are avoided, minimised and mitigated where possible. Where this is not possible, Officers will seek to ensure that any compensation measures introduced to offset harm (under the Habitats Regulations) are meaningful and evidence based. This work is likely to focus on the developer's proposed material changes to the Development Consent Order for HPC. This workstream will meet the objectives of Marine Spatial Prioritisation programme, as an example of D&S IFCA's commitments to national engagement to support sustainable development, directly funded by Defra.

Considerations of Tidal and Wind Energy Developments

The South West of England has significant potential for tidal and offshore wind energy, including floating offshore wind in the Celtic Sea and tidal generation in the Severn Estuary and Bristol Channel. Following the Crown Estate's Areas of Search consultation in 2022 for floating wind energy developments in the Celtic Sea, D&S IFCA has been and will continue to review and respond to Marine Licence Applications. This work will also relate to proposals within ports to aid and support these renewable energy developments and also licences submitted by developers wishing to trial technologies for floating wind farms. Tidal Stream Energy is gaining traction in the Bristol Channel and Severn Estuary e.g. Welsh Government are introducing Strategic Resource Areas for Tidal Stream Energy, and D&S IFCA Officers will keep abreast of any applications and developments that are proposed in relation to tidal stream energy and respond accordingly in relation to D&S IFCA's duties.

This increasing interest from developers in these opportunities is likely to increase work for Officers, who will seek to ensure that developers avoid, minimise and mitigate the impacts of such developments on the fishing industry, fish and fish habitats which support sustainable fisheries. This will include direct engagement with developers, facilitating engagement channels between developers and the fishing industry, contributing to marine spatial planning and responding to consultations on marine licences and development consents.

6. Potential Omissions from the 2025/2026 Annual Plan

Re-Making Diving Permit Byelaw.

There are advantages to re-making the Diving Permit Byelaw, including standardisation (layout) with the potential new Mobile Fishing Permit Byelaw and to consider its scope as the framework for management. However; meeting time for the B&PSC is limited to approximately four meetings per year. Officers suggest suspending this task, to enable more time to be devoted to other Byelaw related work, and to leave working time available for potentially unforeseen work that may be required by the B&PSC.

Hand Working Permit Byelaw

A temporary closure for public mussel beds in the Exe and Teign was implemented in 2019. The findings of prolonged pre-consultation work presented to the B&PSC during 2019 highlighted complexity associated with managing the range of fishing activities under an umbrella term "hand working". The workstream was suspended in 2020 partially to recognise

national work relating to managing these types of activity. It was also accepted that D&S IFCA did not have the resources to continue with the workstream, with other Byelaw work being prioritised. If this workstream was to re-start, another byelaw related task would have to be suspended and much of the previously presented information relating to hand working would need to be updated or elements such as pre-consultation repeated. If a Hand Working Permit Byelaw was introduced; D&S IFCA would not have the resources to enforce the measures unless enforcement priorities were reconsidered, or additional funding was available to the IFCA.

Further Data Gathering to Inform Crab and Lobster Fishery Management

D&S IFCA has collected evidence in relation to its Crustacea fisheries within the District over the past two years. This has involved on-board surveys and engagement with the fishing industry and other stakeholders. Officers are still in the process of analysing some of these data (e.g. seasonality of berried lobsters). D&S IFCA does not have resource capacity to continue this work to gain sufficient data to help inform, for example, crab and lobster catch per unit effort data or gather more in-depth data from fisheries through a reporting system. D&S IFCA will, as part of its business-as-usual review available data resources such as landings data from the MMO and permit information but will not be gathering further data from on-board surveys. D&S IFCA officers need to focus on the key tasks outlined in this Annual Plan, such a monitoring of the whelk and scallop fisheries.

Enforcement Prioritisation

D&S IFCA has significant recreational and commercial shellfisheries and bass fisheries. The investigations table demonstrates that non-compliance exists within the fisheries. However, when the non-compliance risk is assessed against the impact on this type of illegal fishing on fish stocks and the marine environment it is much lower than the impact from illegal towed gear and netting activities. Due to its limited resources, Officers suggest that the enforcement focus should not change, although Officers will continue to monitor the intelligence that D&S IFCA receives and will assess the risk and appropriate actions where necessary.

Developing and Delivering Members' Training.

In FY 2024/2025 Officers produced a training booklet and presentation relating to byelaw development and the review of permit conditions. This included how current Byelaws function, and how different processes are followed for permit review as compared to re-making of byelaws. There was low attendance at the two virtual sessions, and limited feedback on the content of the training. The AIFCA are planning to organise training sessions for Members. Unless requested by Members, Officers do not plan to organise further training on other elements of D&S IFCA's work, so time can be spent prioritising other work.

Progressing Skerries Angling Zone Development

Effective delivery of this task requires extensive data showing use of the site by fishing vessels across the year, and Officers had planned to use IVMS data, particularly from Netting Permit holders, to inform this work. However, the delay to the national rollout of IVMS across this part of the fleet has delayed this work, is likely to cause continued delay in this workstream and is not achievable until sufficient IVMS data has become available.

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7. Publicising Annual Reports and Annual Plans

The D&S IFCA website includes a display page - [ANNUAL BUSINESS PLANS & REPORTS](#). This page sets out information about the requirements for the Authority to produce both an Annual Plan and Annual Report each year and provides links to Annual Plans and Reports so

they can easily be viewed and downloaded. When Annual plans and Reports are produced, officers highlight this within news items for the website and Facebook.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers

- Authority meeting minutes (D&S IFCA Website Resource Library)
- [D&S IFCA Annual Plan 2024 - 25](#) (that includes national success criteria)
- [The Final Annual Report FY 2023/2024](#)