

Protective Marking – None

ENVIRONMENT AGENCY FISHERIES, ECOLOGY AND RECREATION ADVISORY COMMITTEE

Meeting date: xx xxxx xxxx

Item no. X

Appendix 1 – Removal of fish by rod and line

Appendix 2 – Close seasons for salmon and brown trout in still waters

Appendix 3 – National eel bylaws, phase 2

Paper by: Adrian Taylor, Fisheries Policy Manager

Subject: *Fish for the Future* – Outcome of byelaw consultations

Recommendations

FERACs are asked to:

1. Note that consultation summaries are available;
2. Comment on the key issues arising from the consultations;
3. Comment on our proposed way forward for each byelaw;
4. Note the timescale and process for making and implementing the byelaws.

1.0 Purpose of this paper

This paper presents feedback on the three consultations for national byelaws that arise from the *Fish for the Future* programme. It identifies the key issues for each, sets out our proposed way forward and the timetable for development and implementation of new byelaws.

2.0 Background

2.1 Amendments to the Salmon and Freshwater Fisheries Act (SAFFA) and our byelaw-making powers, via the Marine Bill, will enable us to introduce national byelaws to :

- introduce national fish removal (rod and line) byelaws;
- dispense with the salmon and brown trout close seasons on stillwaters;
- improve National Eel Byelaws (nets) to meet requirements of European Eel Directive.

2.2 FERACs were consulted on these proposals in June. We carried out a wider three month public on-line consultation ending 14 September. Summaries of these consultations can be viewed at www.environment-agency.gov.uk/fish (follow the link to “*Proposed new fisheries byelaws*”).

3.0 The byelaw proposals

For each of the byelaw consultations, we have set out the key issues arising, how we propose to address these, and our proposed way forward. See:

Appendix 1 - Removal of fish by rod and line

Appendix 2 - Stillwater Salmon and Brown Trout Close Seasons

Appendix 3 - Phase 2 National Eel Byelaws

4.0 Next steps

- 4.1 We will draft the byelaws during November and December, taking account of further FERAC input from November meetings, and drawing on other key stakeholders where necessary.
- 4.2 In parallel with this we will assess the impact on our enforcement and plan any changes in resources and procedures that may be needed.
- 4.3 We expect to carry out statutory advertising of the byelaws between December 2009 and January 2010, subject to Marine and Coastal Access Bill receiving Royal Assent.
- 4.4 Subject to this and confirmation of the byelaws by Ministers we plan to introduce new byelaws from April 2010. Changes to salmon and brown trout close seasons will not take effect until autumn of 2010, when the close seasons would normally start. We expect the eel byelaws to take effect from 1 January 2011.
- 4.5 We will prepare a communications plan for each of the byelaws.

5.0 Implications for Wales

We are required to make byelaws separately for England and Wales, presenting the opportunity to address Wales-only issues. While some points raised have originated in Wales, they apply equally to some or all parts of England. These points are identified in each of the appendices and we do not expect the byelaws to be substantially different for Wales.

Adrian Taylor
Fisheries Policy Manager

7 October 2009