

### **Sea Fisheries Regulation Act 1966 – Fixed Engine Byelaws**

Sea Fisheries Committees (SFC) and the Environment Agency (acting as an SFC) in exercise of powers under section 5 and section 18 of the Sea Fisheries Regulation Act 1966 have made sea fisheries byelaws regulating the use of fixed engines. These byelaws will allow fishermen the same access to Fixed Engine fisheries as they currently have, and will maintain the existing provisions protecting Salmon and migratory fish.

The byelaws amend existing byelaws made under section 37 of the Salmon Act 1986 authorising the placing and use of fixed engines for the purposes of section 6 of the Salmon and Freshwater Fisheries Act 1975. Section 6 of the 1975 Act, which prohibits the placing or use of unauthorised fixed engines, will be repealed on 1 January 2011 by the Marine and Coastal Access Act 2009 necessitating technical changes to existing fixed engine byelaws.

The byelaws (listed below):

- allow the use of fixed engines where they are currently authorised
- continue the same restrictions for the protection of salmon and sea trout as currently exist
- prohibit the use of fixed engines where none is currently authorised.

#### **Sea Fishery Committee Fixed Engine Byelaws (out to 6 Nautical Miles)**

Copies of the existing and new byelaws can be obtained from the relevant SFC where they can be inspected free of charge.

<b>Sea Fishery Committee</b>	<b>Contact Details</b>
Cornwall SFC: <a href="http://www.cornwall.gov.uk/seafisheries">www.cornwall.gov.uk/seafisheries</a>	Tel: 01736 369817
Cumbria SFC: <a href="http://www.cumbriasfc.org.uk">www.cumbriasfc.org.uk</a>	Tel: 01946 693047
Devon SFC: <a href="http://www.devonsfc.co.uk">www.devonsfc.co.uk</a>	Tel: 01803 854648
Eastern SFC: <a href="http://www.esfjc.co.uk">www.esfjc.co.uk</a>	Tel: 01553 775321
Kent & Essex SFC: <a href="http://www.kentandessex-sfc.co.uk">www.kentandessex-sfc.co.uk</a>	Tel: 01843 585310
Northumberland SFC: <a href="http://www.nsfsc.org.uk">www.nsfsc.org.uk</a>	Tel: 01670 731 399
North West SFC: <a href="http://www.nwnwsfc.org">www.nwnwsfc.org</a>	Tel: 01524 727970
Southern SFC: <a href="http://www.southernsfc.org.uk">www.southernsfc.org.uk</a>	Tel: 01202 721373
Sussex SFC: <a href="http://www.sussex-sfc.gov.uk">www.sussex-sfc.gov.uk</a>	Tel: 01273 454407

Any comments on the new byelaws should be made in writing and sent to Margaret Branson at: Defra – Sustainable Fisheries, Area 2C, Nobel House, 17 Smith Square, London, SW1P 3JR or [margaret.branson@defra.gsi.gov.uk](mailto:margaret.branson@defra.gsi.gov.uk)

## **Environment Agency new byelaws**

The new Environment Agency Byelaws will maintain the same restrictions as currently set out in the Salmon and Freshwater Act. A list of these new byelaws is set out below (they can be viewed at the website at the end of this list):

**Byelaw 1** – Application: Where the byelaws apply to

**Byelaw 2** – Interpretation

**Byelaw 3** – Sea fishing in areas inland of Northumberland SFC

**Byelaw 4** – Sea fishing in areas inland of North Eastern SFC district

**Byelaw 5** – Sea fishing in areas inland of Kent and Essex SFC district

**Byelaw 6** – Sea fishing in areas inland of Sussex SFC

**Byelaw 7** – Sea fishing in areas inland of Southern SFC

**Byelaw 8** – Sea fishing in areas inland of Devon SFC

**Byelaw 9** – Sea fishing in areas inland of Cornwall SFC

**Byelaw 10** – Sea fishing in River Severn

[www.environment-agency.gov.uk/research/library/consultations/122183.aspx](http://www.environment-agency.gov.uk/research/library/consultations/122183.aspx)

Any comments on the byelaws should be made in writing and sent to Ian Dolben at: The Environment Agency, Coverdale House, Aviator Court, Amy Johnson Way, Clifton Moor, York, YO30 4GZ. E-mail: [ian.dolben@environment-agency.gov.uk](mailto:ian.dolben@environment-agency.gov.uk)

**Objections to any of these byelaws (SFC and EA) must be received on or before 20<sup>th</sup> November 2010.**

At the end of the consultation period, copies of the responses may be made public. The information contained may also be published in a summary of responses. Any confidentiality disclaimer generated by your IT system in e-mail responses will not be treated as such a request. If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please say so clearly in writing when you send your response to the consultation. Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information. However, we cannot promise that we will always be able to keep those details confidential as there may be circumstances in which Defra will be required to disclose information in order to comply with its obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

## ENVIRONMENT AGENCY

### SEA FISHERIES REGULATION ACT 1966

#### SEA FISHERIES FIXED ENGINE PROHIBITION BYELAWS

The Environment Agency, in exercise of its powers under Sections 5, 5A and 18 of the Sea Fisheries Regulation Act 1966, makes the following Byelaws:

##### **Byelaw 1 – Application**

These Byelaws shall apply to the areas described in Byelaws 3 to 10 below where the Environment Agency acts as the local fisheries committee pursuant to section 18 of the Sea Fisheries Regulation Act 1966.

##### **Byelaw 2 – Interpretation**

“Cornwall Sea Fisheries Committee district” means the district created by the principal order as defined in the Cornwall Sea Fisheries District (Variation) Order 1980 SI 1980/805.

“Devon Sea Fisheries Committee district” means the district created by the principal order as defined in the Devon Sea Fisheries District (Variation) Order 1998 SI 1998/1211.

“Kent and Essex Sea Fisheries Committee district” means the district created by the principal order as defined in the Kent and Essex Sea Fisheries District (Variation) Order 1998 SI 1998/1212.

“North Eastern Sea Fisheries Committee district” means the district defined in the North Eastern Sea Fisheries District Order 1986 SI 1986/ 647.

“Northumberland Sea Fisheries Committee district” means the district created by the principal order as defined in the Northumberland Sea Fisheries District (Variation) Order 1980 SI 1980/812.

“Southern Sea Fisheries Committee district” means the district defined in the Southern Sea Fisheries District Order 1989 SI 1989/671 as amended.

“South Wales Sea Fisheries Committee district” means the district created by the principal order as defined in the South Wales Sea Fisheries District (Variation) Order 1980 SI 1980/823.

“Sussex Sea Fisheries Committee district” means the district created by the principal order as defined in the Sussex Sea Fisheries District (Variation) Order 1996 SI 1996/847.

“fixed engine” means –

- (a) a stake net, bag net, putt or putcher;
- (b) any fixed implement or engine for taking or facilitating the taking of fish;

- (c) any net secured by anchors and any net or other implement for taking fish fixed to the soil, or made stationary in any other way; and
- (d) any net placed or suspended in any inland or tidal waters unattended by the owner or a person duly authorised by the owner to use it for taking fish, and any engine, device, machine or contrivance, whether floating or otherwise, for placing or suspending such a net or maintaining it in working order or making it stationary.

“sea fish” means fish of any description found in the sea including shellfish but does not include—

- (a) fish of the salmon species, or
- (b) trout which migrate to and from the sea.

### **Byelaw 3 – Sea fishing in areas inland of Northumberland Sea Fisheries Committee district**

The placing and use of fixed engines for taking sea fish is prohibited in any waters in England inland of the landward boundary of the Northumberland Sea Fisheries Committee district.

### **Byelaw 4 – Sea fishing in areas inland of North Eastern Sea Fisheries Committee district**

The placing and use of fixed engines for taking sea fish is prohibited anywhere in any waters inland of the landward boundary of the North Eastern Sea Fisheries Committee district.

### **Byelaw 5 – Sea fishing in areas inland of Kent and Essex Sea Fisheries Committee district**

The placing and use of fixed engines for taking sea fish is prohibited anywhere in the rivers Stour (Kent), Medway, Swale, Colne and in the Pyefleet Channel inland of the landward boundary of the Kent and Essex Sea Fisheries Committee district.

### **Byelaw 6 – Sea fishing in areas of inland of Sussex Sea Fisheries Committee district**

The placing and use of fixed engines for taking sea fish is prohibited in any water inland of the landward boundary of the Sussex Sea Fisheries Committee district.

### **Byelaw 7 – Sea fishing in areas inland of Southern Sea Fisheries Committee district**

The placing and use of fixed engines for taking sea fish is prohibited in any water inland of the landward boundary of the Southern Sea Fisheries Committee district except:

- a) Between 30th September and the following 15th February in any year in Christchurch Harbour to the west of a line drawn true southeast from the southeastern-most corner of Haven House Inn at Mundeford Quay near Christchurch between the limits of ordinary high water on each side of the

entrance channel being the area of the public fishery lying seaward of a line drawn from Inveravon to the Bunny (or the Canal) on Hengistbury Head and lying north of the main channel.

b) The placing and use of bottom nets between 30th September in any year and the following 15th February in that part of the sea demarcated by a line at or near the mouth of the River Avon drawn true southeast from the southeastern-most corner of Haven House Inn at Mundeford Quay near Christchurch to a point (50° 43.18' N, 01° 44.03' W) distant six hundred and ten metres therefrom thence continued straight in a northeasterly direction to a point (50° 43.92' N, 01° 42.75' W), true south of, and distant six hundred and ten metres from, the southwestern-most corner of the building known as Highcliffe Castle, and thence continued straight to such southwestern-most corner.

#### **Byelaw 8 – Sea fishing in areas inland of Devon Sea Fisheries Committee district**

The placing and use of fixed engines for taking sea fish is prohibited in any water inland of the landward boundary of the Devon Sea Fisheries Committee district.

#### **Byelaw 9 – Sea fishing in areas inland of Cornwall Sea Fisheries Committee district**

The placing and use of fixed engines for taking sea fish is prohibited in any water inland of the landward boundary of the Cornwall Sea Fisheries Committee District.

#### **Byelaw 10 – Sea fishing in River Severn**

The placing and use of fixed engines for taking sea fish is prohibited in all parts of the River Severn and its tributaries in England inland of a line, as referred to in the description of the South Wales Sea Fisheries Committee district, drawn across the River Severn, from a point of the eastern side of the mouth of the Rhymney River in the county of Cardiff (ST229774) true north of the lighthouse on Flatholm (ST 222646), thence to the said lighthouse, and thence true east to the coast of the Unitary Authority of North Somerset (ST331646).

THE COMMON SEAL of the ENVIRONMENT AGENCY  
was affixed on 11th day of October 2010  
in the presence of

Authorised Signatory