



**ENVIRONMENT
AGENCY**

NORTH WEST

FISHERIES BYELAWS

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For more information on the Region go to:

www.environment-agency.gov.uk/regions/northwest/

For more information on Fishing go to:

www.environment-agency.gov.uk/subjects/fish/

Any angler, aged 12 years or over, fishing for salmon, trout, freshwater fish or eels in England (except the River Tweed), Wales or the Border Esk and its tributaries in Scotland must have an Environment Agency rod licence.

Anyone, irrespective of their age, fishing for salmon, trout, freshwater fish or eels with any instrument other than rod and line, in these waters, must have a licence issued by the Environment Agency.



This booklet is a compilation of the existing National, Regional and Local Byelaws which are applicable in the North West Region of the Environment Agency.

The Byelaws were made by the Agency's or its predecessors, namely the former North West Water Authority or the National Rivers Authority, and the date of confirmation and of coming into force of each byelaw is indicated in brackets.

By virtue of Section 141 and Schedule 17 of the Water Act 1989 the functions of the North West Water Authority relating to Fisheries, including the enforcement of Fisheries Byelaws were transferred to the National Rivers Authority with effect from 1st September 1989.

Section 2(1)(d) of the Water Resources Act 1991 confirmed the National Rivers Authority's functions relating to Fisheries.

With effect from 1st April 1996 under the provisions of Section 2(1)(a)(v) of the Environment Act 1995 the fisheries functions of the National Rivers Authority transferred to the Environment Agency.

Accordingly any reference in these Byelaws to the Water Authority or National Rivers Authority shall have effect as if they were references to the Environment Agency.

A separate package of byelaws applies to the Border Esk catchment. These byelaws are located at the back of this booklet.

These byelaws are current at 17th July 2007. Byelaws are subject to change, and anglers should check with their Area Office before going fishing that there have been no further changes.

Separate byelaws apply in each of the regions of the Environment Agency and anglers should ensure that they are conversant with the relevant Regional Byelaws prior to fishing in any region.

I hereby certify that this is a true copy of the Byelaws applicable to the North West Region of the Environment Agency.

Signed

Designation

Date

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REGIONAL BYELAWS

1 Annual close season for fishing for salmon and trout (other than with rod and line)

The annual close season for fishing for salmon and trout (other than with rod and line) shall be the period from and including the 1st day of September to and including the 31st day of May following except in the Solway Firth where the annual close season shall be the period from and including the 10th day of September to and including the 31st day of May following and in the Leven Estuary where the annual close season shall be the period from and including the 1st day of September to and including the 30th day of June following.

(Confirmed 8th May 2003)

2 Annual close season for salmon (rod and line)

The annual close season for salmon (rod and line) shall be the period from and including the 1st day of November to and including the 31st day of January following with the following exception:-

In the River Eden and all rivers, lakes and waters, tributary to or connected with the River Eden the period from and including the 15th day of October to and including the 14th day of January following.

(Confirmed 11th October 1989)

3 Annual close season for migratory trout (rod and line)

The annual close season for fishing for migratory trout with rod and line shall be the period from and including 1st October to and including 31st March following.

(Confirmed 21st April 2005)

4 Annual close season for non-migratory trout other than rainbow trout (rod and line)

The annual close season for fishing for non-migratory trout other than rainbow trout with rod and line shall be the period from and including the 1st day of October to and including the 14th day of March following.

(Confirmed 11th October 1989)

5 Annual close season for rainbow trout (rod and line)

The annual close season for fishing for rainbow trout with rod and line shall be the period from the 1st day of October to the 14th day of March following (both dates inclusive) in all rivers, streams, drains and canals of the North West Region.

(Confirmed 14th March 1997)

6 Annual close season for char (rod and line)

The annual close season for fishing for char with rod and line shall be the period from and including the 1st day of October to and including the 14th day of March following except in the following waters where the annual close season shall be as stated:

- (i) in Coniston Water, the period from and including the 1st day of November to and including the 30th day of April following.

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- (ii) in Lake Windermere, the period from and including the 1st day of October to and including the 30th day of April following, provided that it shall be lawful from and including the 15th day of March to fish for char with artificial lures from a moving boat.

(Confirmed 11th October 1989)

8 Annual close season for eels.

The annual close season for fishing for eels in non tidal parts of rivers, streams and those parts of rivers canalised for navigation purposes shall be the period from and including the 15th day of March to and including the 15th day of June following

There shall be no close season for fishing for eels with rod and line in tidal waters.

There shall be no close season for fishing for eels with instruments other than rod and line in waters not frequented by salmon and trout

It shall be lawful to fish for eels with a rod and line during the annual close season for rainbow trout.

(Confirmed 11th October 1989)

9 The weekly close time for salmon and trout (other than with rod and line)

The weekly close time for fishing for salmon and trout (other than with rod and line) shall be the period between the hour of six on Saturday morning and the hour of six on the following Monday morning with the following exceptions:

- (i) In the Solway Firth the period between the hour of six on Saturday Morning and the hour of twelve midnight on the following Sunday.

(Confirmed 25th July 2002)

10 Authorised fixed engines

For the purpose of Section 6 of the Salmon and Freshwater Fisheries Act 1975, the placing and use of fixed engines within the Authority's area (not being places within the sea fisheries district of a local Fisheries Committee) is hereby authorised in the following circumstances:-

- (ii) When used by the owner of a fish farm or his agents or employees in the normal course of fish farming activity within the confines of that fish farm.
- (iii) Where the trap consists of a fixed trap, a moveable trap (which may be baited) or a fyke net licensed for the purpose of taking eels.

(Confirmed 25th July 2002)

11. Limitation of Netting

The use of any net (not being an authorised fixed engine or a landing net used in conjunction with a rod and line) for taking salmon, trout, freshwater fish, or eels is prohibited except for the licensed use of the stated types of nets in the following parts of the relevant fisheries area:-

- (a) In the Solway Firth - heave or haaf nets.
- (b) In the Leven Estuary - lave nets.
- (c) In the Kent Estuary - lave nets.
- (d) (i) In the Lune Estuary - heave or haaf nets.
(ii) In the Middle Lune Estuary - draw, draft or seine nets.
(iii) In the Lower Lune Estuary - drift, hang or whammel nets.
- (e) In the Ribble Estuary - drift, hang or whammel nets.
- (f) In the whole of the relevant fisheries area:
(i) any net necessarily and solely used for the purpose of removing from an authorised fixed engine the fish caught by that fixed engine, or

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- (ii) any net in connection with
 - aa) stocking, restocking or breeding, or
 - bb) any other activity designed to promote the better protection, preservation or improvement of salmon, trout, freshwater or eel fisheries,

by an officer of the Agency acting in his official capacity or by any other person acting with the prior written consent of the Agency.
 - (g) In any watercourse that drains into the sea between Hilbre Point in Cheshire, National Grid Reference SJ203884, and Greenod in Cumbria, National Grid Reference SD317827 – the use of a hand held dip net for taking elvers.

(Confirmed 7th June 2005)

12 Regulation of nets

- (i) Drift, hang or whammel nets shall for the purpose of these byelaws be unarmoured nets without bags or pockets, consisting of a single sheet of netting measuring when wet -
 - (a) When used in the Ribble Estuary, not more than 140 metres in length and not more than 34 meshes deep at any point and having meshes not less than 82 mm in extension from knot to knot, or 328 mm round the four sides;
 - (b) When used in the Lower Lune Estuary, not more than 300 metres in length and not more than 44 meshes deep at any point and having meshes not less than 63 mm in extension from knot to knot, or 252 mm round the four sides;
- (ii) Heave or haaf nets shall, for the purposes of these byelaws be of single netting of a mesh measuring when wet not less than 50 mm in extension from knot to knot, or 200 mm round the four sides and shall be so constructed as to form a bag or purse suspended from a wooden frame, consisting of a heave, beam or pole not exceeding 5.5 metres in length having at each end an end stick or projecting arm not exceeding 1.25 metres in length except that within the Solway Firth the mesh shall measure when wet not less than 44 mm from knot to knot or 176 mm round the four sides and the end sticks or projecting arms shall not exceed 1.9 metres.
- (iii) Lave nets shall, for the purposes of these byelaws be of single netting of mesh measuring when wet not less than 50 mm in extension from knot to knot or 200 mm round the four sides and which shall be constructed to form a bag or purse attached to a yoke in the shape of a "V", the widest part of which shall not exceed 2 metres, and which shall be fitted with a hand shaft to the apex of the yoke.
- (iv) Draw, draft or seine nets shall, for the purposes of these byelaws, be unarmoured nets without bags or pockets consisting of a single sheet or wall of netting, having meshes measuring when wet not less than 50 mm in extension from knot to knot or 200 mm round the four sides and a length of not more than 185 metres and a depth on the middle of the net of not more than 144 meshes.
- (v) The use of any net made wholly or partly of mono-filament material for taking salmon, trout and freshwater fish is prohibited.
- (vi) For the purposes of paragraphs (i), (ii), (iii) and (iv) of this byelaw measurements from knot to knot shall be in relation to each side of the square of the mesh.

(Confirmed 7th June 2005)

13 Regulation of use of nets

Where, under the provision of byelaw 11 the use of any of the nets therein mentioned is permitted, such nets shall not be used in any manner except that prescribed by the succeeding paragraphs of this byelaw.

- (i) The manner of using a drift, hang or whammel net shall be as follows, namely it shall be shot or paid out from a boat and shall float or drift freely with the tide. The boat shall remain attached to the net, except when traversing the net or when clearing the

net of catch or snags.

No drift, hang or whammel net or any part thereof, shall be used within 185 metres from any part of another drift, hang or whammel net already in use;

No drift, hang or whammel net shall be worked across more than three-quarters of the water in the channel at the time of fishing;

- (ii) The manner of using a heave or haaf net shall be by one person supporting or holding the net and lifting or scooping any fish that may become enclosed in the net;
- (iii) The manner of using a lave net shall be by one person standing or moving in the water and supporting or holding the net and lifting or scooping any fish. No person shall use a lave net in proximity to a fixed net, designed to catch other fish, in such a way that the migratory fish are restricted in movement by such fixed net thereby facilitating their taking in the lave net;
- (iv) The manner of using a draw, draft or seine net shall be as follows, namely one end of the rope of the net shall be held on the shore or bank and the net shall be shot out or paid out from a boat which shall start from such shore or bank, and return thereto without pause or delay, and the net shall thereupon be drawn into and landed on such shore or bank and no net shall be shot out or paid out from any point within 90 metres from any part of the space on the shore or bank between the point of starting and the point of return of the boat during the said operation or until after expiration of 15 minutes from the time at which the net is completely drawn in and landed. No draw, draft or seine net shall be worked across more than three-quarters of the water in the channel at the time of fishing.

The hand ropes attached to the ends of the net shall not be considered part of such net.

(Confirmed 25th July 2002)

14 Numbering of licences, nets and boats

Any number bearing label issued by the Agency in respect of a licensed net shall at all times while the net is being used for fishing be attached to the headrope of the net or, in the case of a heave or haaf net, to that part most nearly corresponding to the headrope. Except that in the case of heave or haaf nets it shall not be an offence if the label is carried on the person of the licence holder when operating the net.

The same number shall be conspicuously painted and maintained in numerals no less than 150 mm high and 20 mm wide, either in white on a black background, or in black on a white background, on the outside and near the centre of the gunwale on each side of the boat from or in connection with which the net is used. Provided that this byelaw shall not apply to boats that are already displaying numbers as required by the Merchant Shipping (Registration of Ships) Regulations 1993(SI 93/3138) or to boats used solely for fishing for eels.

(Confirmed 2004)

15 Carrying of nets during the annual close season

No person shall, during the annual close season for salmon, carry or permit to be carried in any boat any net capable of taking salmon, other than a landing net or a net commonly used in the area for sea fishing if carried in a boat or vessel commonly used for that purpose.

(Confirmed 11th October 1989)

16 Carrying of unlicensed nets

The carrying in or attached to a boat or vessel whilst being used in fishing for salmon or trout of any net (other than a landing net) which does not comply with the type or dimensions set out in byelaw 12 or if it does comply with that byelaw does not have the label described in byelaw 14 attached to it, is hereby prohibited.

(Confirmed 11th October 1989)

17 Removal of fish

No person may take or remove from any waters within the area of the Authority without lawful authority any salmon, trout, freshwater fish or eels, whether alive or dead.

(Confirmed 11th October 1989)

18 Baiting

(1) In or on the following named lakes:-

Windermere, Coniston, Wastwater, Ennerdale Water, Crummock Water, Buttermere, Loweswater, Bassenthwaite, Derwentwater, Brotherswater, Ullswater, Red Tarn, Haweswater and Thirlmere;

(a) use of any dead or alive freshwater fish, salmonids or eels as bait is prohibited; and

(b) possession of any live freshwater fish, salmonids or eels with the intention of using them as bait is prohibited.

(2) During the period from and including the 15th day of March to and including the 15th day of June in any year in the following lakes:-

Windermere, Coniston, Wastwater, Ennerdale Water, Crummock Water, Buttermere, Loweswater, Bassenthwaite, Derwentwater, Brotherswater, Ullswater, Rydalwater and Grasmere;

(a) fishing with maggots, their pupae or imitations thereof is prohibited; and

(b) the use of the baits specified in (a) above as lures or baits not on or attached to a hook is prohibited.

(3) During the period from and including the 15th day of March to and including the 15th day of June in any year in rivers, streams and those parts of rivers canalised for navigation:

(a) fishing will only be allowed with minnow, worm, shrimp, prawn or artificial flies or lures; and

(b) the use of any lure or bait not on or attached to a hook is prohibited.

(Confirmed 25th July 2002)

19 Prohibition of taking undersized fish

No person shall take from any waters within the area any fish of a kind and of a size less than such size as is hereinafter prescribed, that is to say:

Migratory trout	300mm
Brown trout and char	200mm
Chub and barbel	250mm
Grayling, tench, bream and carp	230mm
Roach, perch, rudd, crucian carp and dace	200mm
Gudgeon and ruffe	100mm

The size shall be ascertained by measuring from the tip of the snout to the fork or cleft of the tail.

Provided that this byelaw shall not apply to any person who:

(i) Takes any undersized fish unintentionally if he at once returns to and liberates the same in the water with as little injury as possible.

(ii) Takes any undersized fish, other than salmon or trout, keeps the same alive in a keep net and then, on the same day as he took them, returns such fish to, and liberates them in, the same water from which he took them.

(iii) Takes any undersized fish other than salmon or trout and uses them as bait on the

same day and on the same water from which he took them provided that at any one time he does not have in his possession more than ten such fish alive or dead.

- (iv) Being the owner or occupier of a fish farm (or the servant or the agent of any such owner or occupier) takes any undersized fish from that fish farm.

(Confirmed 11th October 1989)

20 Keep Nets

On rivers, streams, those parts of rivers canalised for navigation purposes and in the following lakes, no person shall use a keep net or any other means of retaining any kind of fish during the statutory close season for coarse fish: - Windermere, Coniston, Rydal Water, Grasmere, Ullswater, Brothers Water, Bassenthwaite, Derwentwater, Loweswater, Crummock Water, Buttermere, Ennerdale Water and Wastwater.

(Confirmed 16th February 1998)

22 Fishing near weirs

No person shall, without the previous consent in writing of the Agency, during the period between the 30th day of September and the first day of the salmon close season for rod and line in any year, take or attempt to take by any means, any fish within a distance of 20 metres above and 50 metres below the crest of any man-made construction which impounds water in the rivers and streams of the River Ribble catchment upstream of the Naze at Freckleton (excluding the River Darwen, River Calder and the River Douglas), and in all rivers and streams north of the Ribble catchment.

In respect of the undermentioned weirs no person shall at any time take or attempt to take by any means, any fish within a distance of 20 metres above and 50 metres below the crest of the said weirs:-

Branthwaite Weir	River Marron;
Calder Hall Pumphouse Weir	River Calder (W.Cumbria);
Stramongate Weir	River Kent;
Holmehead Weir	River Caldew;
Buckabank Weir	River Caldew;

and in respect of the undermentioned weir no person shall at any time take or attempt to take by any means, any fish within a distance of 20 metres above and 75 metres below the crest of the said weir:-

Ennerdale Mill Weir	River Ehen;
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No person shall at any time without the prior consent of the Agency in writing, take or attempt to take by any means any fish within a fish pass or within a 5 metres radius of either the entrance to or exit from any fish pass.

(Confirmed 7th June 2005)

23 Worm fishing

No person shall, excepting as hereinafter provided, use in fishing for salmon or trout a worm baited on more than a single hook and such hook shall not exceed 40 mm in length overall nor 15 mm in width of gape and the weight or weights used to sink the hook shall not in any case exceed 30 g in the aggregate; provided that a tackle of two or three hooks may be so used if tied one above the other upon a single strand of gut or other artificial substitute material and if each of such hooks does not exceed 15 mm in length and is not more than 8 mm in width of gape.

(Confirmed 11th October 1989)

24 Size of hooks and weight of lures

- (a) No person shall use in fishing with rod and line for salmon or trout after the 31st day of

August in any year double, treble or multiple hooks any of which exceed 8 mm gape provided that this shall not apply to a person fishing with an artificial fly not exceeding 15 g in weight.

- (b) No person shall use in fishing with rod and line for salmon or trout after the 31st day of August in any year any lure or weight which (together or singly) exceed 30 g in weight.

The provisions of this byelaw shall not apply to the following listed rivers and all rivers lakes and waters tributary to or connected with those rivers:-

Rivers Eden, Derwent, Ellen, Waver, Wampool, Annas, Bleng, Esk, Mite, Irt, Calder and Ehen nor to fishing for char in lakes Windermere, Ennerdale, Coniston, Rydal Water and Grasmere.

(Confirmed 21st April 2005)

26 Prohibition of fishing in certain waters in Kendal

The use for taking salmon, trout, freshwater fish or eels of any instrument in such part of the River Kent as lies between Victoria Bridge and its confluence with the former Dockray Hall mill race situated 400 metres upstream of Victoria Bridge in the Borough of Kendal by a person fishing from the right (westerly) bank of the said river at any time is prohibited.

This byelaw shall not apply to fly fishing with rod and line provided that no weighted device is attached to or incorporated in the line, cast or hook.

(Confirmed 11th October 1989)

27 Use of lead weights

- (1) Subject to paragraph (2) below, no person shall use for taking salmon, trout, freshwater fish or eels in any waters within the Authority's Area any instrument to which is attached, directly or indirectly, any lead weight.
- (2) Paragraph (1) above does not prohibit the use of a lead weight of 0.06 grams or less (No.8 shot), or of more than 28.35 grams (1 oz).

(Confirmed 11th October 1989)

32 Interpretation

- (i) In these byelaws, unless the context otherwise requires,
"the Agency " means the Environment Agency.

"North West Region" means the area of the Agency where the former North West Region of the National Rivers Authority carried out its functions in relation to fisheries under the Water Resources Act 1991 and which area was identified as the area of the North West Water Authority as provided by paragraph 1(2)(a) of Schedule 17 to the Water Act 1989;

"Solway Firth" for the purposes of these byelaws means those tidal waters and parts of the sea within the Agency's area between a line drawn from the centre of the Golf Hotel at Powfoot (NGR NY14686546) to the eastern extremity of Grune Point (NGR NY14395684) and:

- (i) In the River Esk (Border), a line drawn across the river from NGR NY32456503 to NGR NY32456632.
- (ii) In the River Eden, a line drawn across the river from NGR NY33656182 to NGR NY33656155.

"Year" means the period from and including 1st January to and including 31st December following.

- (ii) For the purposes of Byelaws 11, 12 and 13:

"Leven Estuary" means that part of the estuary of the River Leven seaward of a line drawn parallel to, and 350 m below the Leven Viaduct near Ulverston and inshore of

a line drawn from the southerly tip of Roa Island (NGR SD233647) to the lighthouse at the seaward end of the South Jetty at Heysham (NGR SD397598) and to the west of a line drawn due south from West Plain Farm, Flookburgh (NGR SD368742) to dissect that line.

"Kent Estuary" means that part of the estuary of the River Kent seaward of a line drawn parallel to and 350 m below the Kent Viaduct at Arnside and inshore of a line drawn from the southerly tip of Roa Island (NGR SD233647) to the lighthouse at the seaward end of the South Jetty at Heysham (NGR SD397598) and to the east of a line drawn due south from West Plain Farm, Flookburgh (NGR SD368742) to dissect that line.

"Lune Estuary" means that part of the estuary of the River Lune seaward of Carlisle Bridge in the City of Lancaster and landward of a line drawn from the landward end of Knott End jetty (NGR SD346484) to Heysham number 2 buoy (NGR SD 331544) and thence to the lighthouse on the south side of Heysham Harbour (NGR SD397598).

"Middle Lune Estuary" means that part of the Lune Estuary which lies seaward of a line drawn true south-east from the landward end of the breakwater at Bazil Point (NGR SD437568).

"Lower Lune Estuary" means that part of the Lune Estuary which lies seaward of a line drawn from Cockersand Abbey lighthouse (NGR SD422543) to the seaward extremity, at high water springs, of Sunderland Point (NGR SD422552).

"Ribble Estuary" means that part of the estuary of the River Ribble which lies seaward of a line drawn due south from the Naze at Freckleton, and landward of a line drawn from the seaward end of St Annes pier at Lytham to Gut Buoy thence to the seaward end of Southport pier."

(iv) For the purposes of Byelaw 27:

"Lead" includes any alloy or compound lead;

"Lead weight" means split shot or any other thing suitable for weighting fish lines which is neither incorporated and fully enclosed in the core of a fishing line nor incorporated in the construction of a swim-feeder, a self cocking float or a fishing lure.

(v) For the purposes of Byelaw 10:

"Fixed engine" shall have the same meaning as in the Salmon and Freshwater Fisheries Act 1975."

(vi) For the purpose of Byelaw 12(v):

"mono-filament material" shall mean any filament of greater thickness than 0.01mm in any cross section dimension that may be used as single or multiple strands in net yarns.

(Confirmed 7th June 2005)

Maximum number of salmon that may be caught by rod and line and killed

On the River Lune and its tributaries during the period from and including the 16th day of June to and including the 31st day of October following no person fishing by rod and line is permitted to catch and kill more than four salmon.

Any person who has caught and killed the maximum number of salmon permitted under this byelaw may continue to fish for salmon provided that any salmon caught is released immediately, with the least possible injury, to the water from which it was caught.

(Confirmed 14th February 2000)

On the River Ribble, and on all waters tributary to or connected with the River Ribble, during the period from and including the 16th day of June to and including the 31st day of October following, no person fishing by rod and line is permitted to catch and kill more than two salmon.

Any person who has caught and killed two salmon in the circumstances set out above may continue to fish for salmon provided that any further salmon caught are released immediately to the water from which they were caught with the least possible injury.

(Confirmed 28th February 2007)

Catch and release for Salmon in Rivers Leven and Crake

On all waters inland of a line drawn across the Leven estuary on the seaward side of the Leven Viaduct near Ulverston in Cumbria no person shall retain any salmon.

This Byelaw applies to all tidal waters, and all freshwater catchments which enter tidal waters, inland of the line described above.

In this Byelaw to "retain" means to catch a fish and not return it at once to the river or other water from which it came with the least possible injury.

(Confirmed on 8th May 2003)

Skerton Weir

- 1) No person shall at any time take or attempt to take by any means any fish between the crest of Skerton Weir (including the whole of the fish pass) on the River Lune and the four black and white marker posts placed on an imaginary line drawn across the river between national grid references SD4803 6307, SD4810 6311, SD4816 6320 and SD4827 6320
- 2) No Person shall at any time take or attempt to take by any means any fish in the area of the River Lune between the four black and white marker posts placed on an imaginary line drawn between national grid references SD4803 6307, SD4810 6311, SD4816 6320 and SD4827 6320 and the three red and white marker posts placed on an imaginary line drawn between national grid references SD 4812 6292, SD4818 6298 and SD4825 6296. This Byelaw shall not apply to fly fishing with rod and line, provided that no weighted device is attached to the line, cast or hook."

(Confirmed 15th April 2004)

Application

These byelaws shall not apply to any employee of the Authority acting in his official capacity or any person who with the permission in writing of the Authority and acting in accordance with any conditions attached to that permission carries out work connected with the maintenance improvement and development of a fishery or for some scientific purpose.

(Confirmed 29th February 1984)

NORTH WEST REGIONAL SEA FISHERIES BYELAW

THE ENVIRONMENT AGENCY in exercise of its powers under Section 5 of the Sea Fisheries Regulation Act, 1966, as amended, and of all other powers enabling it in that behalf hereby make the following Byelaw:-

Restrictions on Fishing

No person shall fish for sea fish

- a) in the Relevant Fisheries Area except by hook and line using a lure or bait on or attached to the hook;
- b) in the Relevant Fisheries Area using any device calculated or designed to foul hook fish. Fish hooked otherwise than in the mouth shall be returned to the water as soon as practically possible and with as little injury as possible;
- c) by any method inland of the Normal Tidal Limit. This provision shall not apply to sea fish caught whilst fishing under a licence issued subject to the Salmon and Freshwater Fisheries Act 1975.

Application and Interpretation

This Byelaw shall apply to the whole of the Relevant Fisheries Area over which the Environment Agency has powers as the Sea Fisheries Committee and to the adjoining rivers.

"the Normal Tidal Limit" is indicated on the 1:10,000 series of Ordnance Survey maps as "NTL".

"Relevant Fisheries Area" means the area inshore from the described points below to the Normal Tidal Limit.

In respect of Cumbria Sea Fisheries Committee

- (a) A line drawn across the River Sark, true west from the southern extremity of the eastern bank of the river at Sarkfoot;
- (b) A line drawn across the River Esk and Eden, from the eastern side of the mouth of the River Sark at Sarkfoot, across Rockcliffe Marsh to Burghmarsh Point;
- (c) A line drawn across the River Wampool, along the seaward side of the site of the former railway bridge near Whitrigg, as defined by the bridge buttresses;
- (d) A line drawn across the River Waver, along the seaward side of the site of the former railway bridge near Abbeytown, as defined by the bridge buttresses;
- (e) A line drawn across the River Ellen, along the seaward side of the bridge carrying the A594 road at Maryport;
- (f) A line drawn across the River Derwent and across the adjacent Mill Stream, along the seaward side of the bridges carrying the Carlisle to Barrow-in-Furness railway line at Workington;
- (g) A line drawn across the River Ehen, along the seaward side of the footbridge near, and to the north of, Sellafield railway station;
- (h) A line drawn across the River Calder, along the seaward side of the Calder Viaduct carrying the Carlisle to Barrow-in-Furness railway line near Sellafield;
- (i) A line drawn across the River Esk, near its confluence with the Rivers Irt and Mite, from the post on the north shore near Drigg Point to the post on the south shore marking the line of the Post Office submarine cable;
- (j) A line drawn across every river or stream not herein-before specified, such line being in continuation of the general line of the shore at Normal Tidal Limit;

in respect of North Western & North Wales Sea Fisheries Committee

- (k) Lines drawn along the seaward side of the railway, (1) from the Green Road Station to Kirby-in-Furness Station; (2) from the road bridge over the railway near Plumpton Hall to Cark and Cartmel Station; and (3) from Grange Station to Arnside Station; such lines being at or near the mouths of the rivers Duddon, Leven, Winster, Kent and Bela;
- (l) A line drawn across the River Keer, along the seaward side of the downstream railway bridge at Carnforth;
- (m) A line drawn across the River Lune, along the seaward side of Skerton Bridge carrying the A6 road at Lancaster;
- (n) A line drawn across the River Cocker, along the seaward side of Cocker Bridge carrying the A588 road;
- (o) A line drawn across the River Wyre, along the seaward side of Shard Bridge carrying the A588 road;
- (p) A line drawn across the River Ribble, along the seaward side of Penwortham New Bridge carrying the A59 Preston to Penwortham road;
- (q) A line drawn across the River Asland or Douglas, between the tower of All Saints Church, Beconsall and the tower of St Michael's Church, Much Hoole;
- (r) A line drawn across the River Mersey, along the seaward side of the railway bridge at Runcorn;
- (s) A line drawn across the River Weaver, along the seaward side of the railway bridge at Frodsham;

(Confirmed 23^d November 1998)

NATIONAL BYELAWS 1996

The Environment Agency, in exercise of its powers under Section 210 and Schedule 25 of the Water Resources Act 1991 and all other powers enabling it in that behalf, makes the following Byelaws.

Byelaw 1 Application of Byelaws

These Byelaws shall apply to the area (specified in Section 6(7) of the Environment Act 1995) in respect of which the Agency carries out its functions relating to fisheries.

(Confirmed on 18th December 1996)

Byelaw 2 Interpretation

(1) In these Byelaws unless the context otherwise requires:-

"Agency" means the Environment Agency;

"North West Region" means the area of the Agency where the former North West Region of the National Rivers Authority carried out its functions in relation to fisheries under the Water Resources Act 1991 and which area was identified as the area of the North West Water Authority as provided by paragraph 1(2)(a) of Schedule 17 to the Water Act 1989;

(2) Except where expressly stated or where the context otherwise requires all words and expressions used in these Byelaws shall have the meanings assigned to them by the Salmon and Freshwater Fisheries Act 1975, Water Resources Act 1991 and the Water Industry Act 1991.

(Confirmed on 18th December 1996)

Byelaw 3 Migratory Salmonid Catch Returns

(1) Any person to whom a licence is issued by the Agency to fish by rod and line for salmon or migratory trout shall not later than the 1st day of January in the following year, make a return on a form provided by the Agency giving particulars of dates, the locations and the time spent fishing and the number and weight of any salmon or migratory trout caught (except in relation to small sea trout (500 g or less) where only the number caught need be returned) including those returned alive giving details of whether they were caught on fly, spinner or bait, or a statement that no salmon or migratory trout were caught by the licence holder.

(2) Any person to whom a licence is issued by the Agency to fish with any instrument other than rod and line for salmon or migratory trout shall within 7 days of the end of each month during the fishing season make a return on a form provided by the Agency giving particulars of dates, the locations and the time spent fishing and the number and individual or aggregate weight of any salmon or migratory trout caught by each instrument, or a statement that no salmon or migratory trout were caught by the licence holder or his agents.

(Confirmed 18th December 1996)

Byelaw 4 Use of a Gaff

The use of a gaff is prohibited at all times when fishing for salmon, trout, freshwater fish or freshwater eels.

(Confirmed 14th March 1997)

Byelaw 5 Keepnets, keepsacks and landing nets

- (1) Any person shall be guilty of an offence if, after 1st April 1998, he uses:-
- (a) a landing net with any knotted meshes or meshes of metallic material; or
 - (b) a keepnet-
 - (i) with any knotted meshes or meshes of metallic material; or
 - (ii) having any holes in the mesh larger than 25mm internal circumference; or
 - (iii) of less than 2.0 metres in length; or
 - (iv) with supporting rings or frames greater than 40cm apart (excluding the distance from the top frame to the first supporting ring or frame) or less than 120cm in circumference.
 - (c) a keepsack-
 - (i) not constructed of a soft, dark coloured, non-abrasive, water permeable fabric; or
 - (ii) having dimensions of less than 120cm by 90cm if rectangular; or
 - (iii) 150cm by 30cm by 40cm if used with a frame or designed with the intention that a frame be used.
- (2) Any person shall be guilty of an offence if, after 1st April 1998, he retains more than one fish in a single keepsack at any time.
- (3) This Byelaw shall not apply to any keepnet or keepsack used for retaining eels which have been legally taken by instruments other than rod and line.
- (4) This byelaw was made taking account of the requirement for notification to the European Commission under Council Directive 83/189/EEC.

(Confirmed 16th February 1998)

Byelaw 6 Coarse Fish Close Season (England)

- (1) For the purposes of this Byelaw -
- (a) the meaning of the term "drain" is not confined to that assigned to it by the Salmon and Freshwater Fisheries Act 1975 or the Water Resources Act 1991;
 - (b) any lake, reservoir, pond or canal which discharges to any river, stream, or drain shall not itself be regarded as a river, stream, or drain;
 - (c) "The Broads" means the Norfolk and Suffolk Broads as defined in section 2(3) of the Norfolk and Suffolk Broads Act 1988;
 - (d) "Specified Sites of Special Scientific Interest" means those areas which have been notified by the Nature Conservancy Council for England pursuant to the provisions of section 28(1) of the Wildlife and Countryside Act 1981 and which are listed in Schedule 3 to this Byelaw and shall include parts of areas which have been so notified if only parts of such areas are so listed.
 - (e) "canal" means any artificial channel or cut of two hundred and fifty metres or more in length, which has artificially maintained water levels with negligible flow over a majority of its length, other than that derived from water resources or navigation, and a towpath over the majority of its length.
- (2) The annual close season for fishing for freshwater fish -
- (a) in rivers, streams, drains and waterways (other than canals);
 - (b) in all waters in the Specified Sites of Special Scientific Interest and the Broads;
 - (c) in all waters listed in Schedule 4 to this Byelaw;
- shall be the statutory period that is the period from and including the 15th day of

March to and including the 15th day of June following.

- (3) In all other waters including canals there shall be no statutory close season for freshwater fish.
- (4) During the period from and including the 15th day of March to and including the 15th day of June following fishing by rod and line for eels is authorized in those waters where the statutory close season for freshwater fish has been dispensed with.
- (5) Existing byelaws which contain reference to "the annual close season for freshwater fish" shall henceforth be read and construed as if the said byelaws apply only to the waters in relation to which a close season for freshwater fish is imposed in Byelaw 6(2) notwithstanding anything to the contrary in the relevant existing byelaws.

(Confirmed on 14th March 2000)

Byelaw 7 Rainbow Trout Close Season

The annual close season for fishing for rainbow trout by rod and line in all reservoirs, lakes and ponds shall be dispensed with, regardless of whether fish can or cannot normally swim from or to other waters.

(Confirmed 14th March 1997)

Byelaw 8 Use of rods

- (1) No person shall fish with more than one rod and line at the same time when fishing for salmonids in all rivers, streams, drains and canals.
- (2) No person shall fish with more than two rods and lines at the same time when fishing for salmonids in all reservoirs, lakes, and ponds.
- (3) No person shall fish with more than four rods and lines at the same time when fishing for coarse fish or eels.
- (4) When fishing with more than one rod and line at the same time, the aggregate number shall not exceed a total of four.
- (5) When fishing with multiple rods and lines, rods shall be placed such that the distance between the butts of the end rods does not exceed three metres.

(Confirmed 14th March 1997)

NATIONAL SALMON BYELAWS 1999

The Environment Agency, in exercise of its powers under Section 210 and Schedule 25 of the Water Resources Act 1991 and all other powers enabling it in that behalf, makes the following Byelaws.

Byelaw 1 Application of Byelaws

These Byelaws shall apply to the area (specified in Section 6(7) of the Environment Act 1995) in respect of which the Agency carries out its functions relating to fisheries.

These Byelaws shall cease to have effect at midnight on the 31st day of December 2008.

Byelaw 2 Interpretation

(1) In these Byelaws unless the context otherwise requires:-

"the Agency" means the Environment Agency;

"North West Region" means the area of the Agency where the former North West Region of the National Rivers Authority carried out its functions in relation to fisheries under the Water Resources Act 1991 and which area was identified as the area of the North West Water Authority as provided by paragraph 1(2)(a) of Schedule 17 to the Water Act 1989;

Byelaw 3 Annual Close Season for Fishing for Salmon and Migratory Trout other than with Rod and Line

Notwithstanding the start date of the close season contained within existing fisheries byelaws, the annual close season for fishing for salmon and migratory trout, other than with rod and line, in any calendar year shall end on, and include, the 31st day of May.

(Confirmed 13th April 1999)

Byelaw 5 Early Season Catch and Release for Salmon with Rod and Line

Any person who removes any live or dead salmon taken by rod and line from any waters or banks without the previous written authority of the Agency before the 16th day of June in any calendar year shall be guilty of an offence.

This Byelaw shall not apply to any person who lawfully takes a salmon and returns it immediately to the water with the least possible injury.

(Confirmed 13th April 1999)

Byelaw 6 Early Season Method Restriction for Salmon with Rod and Line

Any person who fishes for, takes or attempts to fish for or attempts to take any salmon with rod and line by any means other than an artificial fly or artificial lure before the 16th day of June in any calendar year shall be guilty of an offence.

(Confirmed 13th April 1999)

NATIONAL BYELAWS 2001

The Environment Agency, in exercise of its powers under Section 210 and Schedule 25 of the Water Resources Act 1991 and all other powers enabling it in that behalf, makes the following Byelaws.

Confirmed by the Minister on 26th May 2001.

Byelaw 1 Application of Byelaws

These Byelaws shall apply to the area (specified in Section 6(7) of the Environment Act 1995) in respect of which the Agency carries out its functions relating to fisheries.

Byelaw 2 Interpretation

- (1) In these Byelaws unless the context otherwise requires:-
"Agency" means the Environment Agency;
"North West Region" means the area of the Agency where the former North West Region of the National Rivers Authority carried out its functions in relation to fisheries under the Water Resources Act 1991 and which area was identified as the area of the North West Water Authority as provided by paragraph 1(2)(a) of Schedule 17 to the Water Act 1989;
- (2) Except where expressly stated or where the context otherwise requires all words and expressions used in these Byelaws shall have the meanings assigned to them by the Salmon and Freshwater Fisheries Act 1975, Water Resources Act 1991 and the Water Industry Act 1991.
- (3) For the purpose of these Byelaws:-
 - (a) The meaning of the word drain shall not be confined to that assigned to it by the Salmon and Freshwater Fisheries Act 1975 or the Water Resources Act 1991.
 - (b) Any lake, reservoir or pond which discharges to any river, stream, canal or drain shall not itself be regarded as a river, stream, canal or drain.
 - (c) Non-native fish means either fish species not ordinarily resident in England or Wales or species included in Part 1 of Schedule 9 of the Wildlife and Countryside Act 1981.

Byelaw 3 Use of Crayfish as Bait

Any person who in fishing for salmon, trout, freshwater fish or eels, uses as bait crayfish of any species whether alive or dead, or parts thereof, shall be guilty of an offence.

Byelaw 4 Otter Guards

- (i) Failure to fit an otter guard to all eel fyke nets and eel traps where the entrance to the net or trap is greater than 95 millimetres internal diameter shall be an offence.
- (ii) The otter guard shall consist of either:-
 - (a) tightly stretched flexible netting with a mesh size measured when wet of not more than 75 mm knot to knot or 300mm round the perimeter; or
 - (b) a rigid square grid with bars separated by not more than 85mm; or
 - (c) a rigid ring with internal diameter of not more than 95mm;and shall be fitted to the funnel leading to the first chamber of the net or trap.

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- (iii) The requirement for otter guards shall extend to the 6 mile limit in coastal waters.

Byelaw 7 Return of Foul Hooked Fish

It shall be an offence to fail to return immediately all salmon, migratory trout or trout, hooked other than in the mouth or throat, to any river, stream, drain or canal.

Byelaw 8 Use of Live Fish for Bait

Any person who takes fish for use as live bait shall be guilty of an offence unless the fish are retained at and used only in the water from which they were taken.

This Byelaw shall not apply to any fish introduced as live bait under and in accordance with a consent issued under Section 30 of the Salmon and Freshwater Fisheries Act 1975

Byelaw 9 Eel Net Catch Returns

Any person to whom a licence is issued by the Agency to fish with any instrument other than rod and line for eels shall, within 30 days of the expiry of the licence (or by 31 July for elvers), make a return on a form provided by the Agency giving details of the number of days fished, the location and type of water fished, the total weight of eels and/or elvers caught by that instrument and retained or (as the case may be) a statement that no eels or elvers have been caught and retained for each month during the licence period or be guilty of an offence.

Byelaw 10 Unattended rods

Any person who leaves a rod and line with its bait or hook in the water unattended or so that the person shall be unable at any time to take or exercise sufficient control over said rod and line shall be guilty of an offence.

Byelaw 11 Exemptions

These Byelaws shall not apply to any employee of the Agency acting in his official capacity or to any person who, with the permission in writing of the Agency and acting in accordance with any conditions attached to that permission, carries out work connected with the maintenance, improvement and development of fisheries or for scientific purposes.

NATIONAL EEL FISHERIES BYELAWS 2004

The Environment Agency, in exercise of its powers under section 210 of and Schedule 25 to the Water Resources Act 1991 and all other powers enabling it in that behalf, makes the following Byelaws.

Byelaw 1 Application of Eel Byelaws

These Byelaws shall apply to the area (specified in Section 6(7) of the Environment Act 1995) in respect of which the Agency carries out its functions relating to fisheries

Byelaw 2 Interpretation of Eel Byelaws

- (1) In these Byelaws unless the context otherwise requires:-
"Agency" means the Environment Agency;
"North West Region" means the area of the Agency where the former North West Region of the National Rivers Authority carried out its functions in relation to fisheries under the Water Resources Act 1991 and which area was identified as the area of the North West Water Authority as provided by paragraph 1(2)(a) of Schedule 17 to the Water Act 1989;
- (2) Except where expressly stated or where the context otherwise requires, all words and expressions used in these Byelaws shall have the meanings assigned to them by the Environment Act 1995, Salmon and Freshwater Fisheries Act 1975 and the Water Resources Act 1991.
- (3) For the purpose of these Byelaws, elver means an anguillid not exceeding 120mm in length.

Byelaw 3 Restrictions on Fishing for Eels and Elvers

- (1) Any person who fishes for elvers on any watercourse in England or Wales, except on those draining to the sea between Compass Point in Bude, Cornwall, NGR SS198064 to the south, and Craig y Gwbert in Cardiganshire, NGR SN157502, and between Point of Ayr in Flintshire, NGR SJ130850, and Greenodd in Cumbria, NGR SD317827, shall be guilty of an offence.

Byelaw 4 Types of Instrument for Taking Eels

- (1) It shall be an offence to use for the purpose of taking eels any instrument (other than rod and line) except those authorised by this Byelaw, namely:
 - (a) Permanently fixed structures, being devices for taking eels which are incorporated into permanently built structures such as weirs (weir traps), or devices which are partly or wholly fixed permanently at one location (eel racks).
 - (i) A weir trap shall be a fixed trap incorporated into a weir or outflow structure, in which water flows through a grating set to intercept eels. The gap between the parallel bars shall be no less than 12 mm, and the use of netting in the construction and operation of a weir trap is prohibited.
 - (b) Moveable or temporarily fixed nets or traps that are not fixed permanently at one location.
 - (i) A trap shall be a putcheon, pipe trap, crigg, pot, basket, hive or like instrument (without leaders or wings), baited or unbaited, fitted with a single inscale (or two inscales if double ended). The dimensions of

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- such a trap shall not exceed 2 metres in length, 75 cm in height, or 75 cm in width. Any trap shall not be hand-held or attached to any handle.
- (ii) Fyke Net (leaderless/wingless)– shall be a conical net with inscales and a circular or D-shaped opening. The net shall not exceed 5 metres in length or 75 cm at its widest point.
 - (iii) Fyke Net (with leaders or wings) shall be a conical net with inscales and a circular or D-shaped opening, with not more than two leaders (or wings acting as leaders); each wing or leader shall not exceed 10 metres in length. The net, excluding wings or leaders, shall not exceed 5 metres in length or 1 metre at its widest point. The height of any wing or leader shall not exceed the width of the net opening at its widest point.
- (d) Elver Dip Nets, being single, hand-operated devices solely for taking elvers, which are constructed in part or in whole of netting; the net frame shall be no greater than 1 metre at its widest point and 1.25 metres in overall length excluding the handle and the depth of the net or bag shall not exceed 1 metre. No elver dip net shall be used outside the area specified in Byelaw 3(1).
- (2) It shall be an offence to fail to return any salmon, migratory trout, trout or freshwater fish caught in any instrument licensed to take eels as soon as practicable to the same water from which it was taken and with as little injury as possible.
 - (3) Except when taken in an elver dip net, it shall be an offence to fail to return any eel of less than 30 cm in length as soon as practicable to the same water from which it was taken and with as little injury as possible.
 - (4) No part of any net, wing or leader (not being towed gear) shall be made of a mesh greater than 36 mm full stretched mesh. For the purposes of this Byelaw, any measurements made must conform to the procedures set out in Commission Regulation (EC) No. 2108/84 (as amended).
 - (5) Except for an elver dip net, the use of any net for taking eels made wholly or partly of monofilament material is prohibited.

Byelaw 5 Mode of Use of Instruments for Taking Eels

- (1) Any person who, when placing or using any instrument for taking eels, other than permanently fixed structures, in any water in the Agency's area, sets it such that any part capable of retaining fish becomes completely exposed from the water and fails to inspect it and remove any fish caught before it is completely exposed, shall be guilty of an offence.
- (2) Any person who, when placing or using any instrument or groups of instruments for taking eels in any watercourse, sets them so that the width or combined width thereof exceeds one half the width of the watercourse, shall be guilty of an offence.
- (3) A fyke net and leader shall be fished parallel with the flow in the watercourse, and nets may only be set individually or in pairs and no part of any net or pair of nets shall be set closer than 30 metres to any part of any other net or pair of nets. This section shall only apply to the fyke nets set on non-tidal rivers, streams and drains.
- (4) Except where authorised by the Agency any person who fishes for eels with any instrument other than rod and line in any waters within 10 metres above and 10 metres below any dam or any obstruction, whether natural or artificial, which hinders the passage of eels, shall be guilty of an offence.

The 10 metre limits referred to shall be measured from such point on the specified obstruction as shall be the furthest upstream or downstream extent respectively of the said obstruction, and this limit shall have effect and extend to the same extent on either bank of the relevant watercourse.
- (5) In addition to the restrictions on the use of elver dip nets in Byelaws 3(1) and 4(1)(d) the following shall apply:

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- (i) It shall be an offence to fish with more than one elver dip net.
 - (ii) Any person who, when fishing an elver dip net fails to operate it by hand, shall be guilty of an offence.
 - (iii) Any person who operates an elver dip net from a boat or uses an elver dip net in conjunction with any other instrument or method, including ropes, chains or floats shall be guilty of an offence.
- (6)
- (i) Any person to whom a licence to use an instrument for taking eels or elvers has been issued who fails to attach a tag or label provided by the Agency for the current licence period to said instrument shall be guilty of an offence.
 - (ii) Any person who fails to maintain the tag or label so attached to said instrument at all times shall be guilty of an offence.

Byelaw 6 Exemptions

These Byelaws shall not apply; where the use is authorised by the previous consent in writing of the Agency of any instrument in connection with scientific purposes, improvement or preservation of a fishery or any other purpose approved by the Agency, or the use of any instrument by an officer of the Agency acting in his official capacity; where the use of any net or other instrument is used by the owners or agents of fish farms engaged in the propagation or culture of fish in the normal course of business within the confines of such premises.

BORDER ESK BYELAWS

The Environment Agency, in exercise of its powers under Article 4(2) of the Scotland Act 1998 (Border Rivers) Order 1999 and all other powers enabling it in that behalf, makes the following Byelaws.

(Confirmed and coming into force 21st April 2005)

1 Application

- (1) These byelaws shall apply to the waters of the Upper Esk.
- (2) These byelaws shall not apply to any employee of the Agency acting in his official capacity or to any person who, with the permission in writing of the Agency and acting in accordance with any conditions attached to that permission, carries out work connected with the maintenance, improvement and development of fisheries or for scientific purposes.
- (3) These byelaws shall not apply within the confines of a fish farm registered under the Registration of Fish Farming and Shellfish Farming Businesses Order 1985

2 Interpretation

- (1) In these byelaws unless the context requires otherwise;
 - (a) "Agency" means the Environment Agency
 - (b) Any lake or reservoir that discharges to any river or stream shall not itself be regarded as a river or stream.
 - (c) "Fixed engine" shall have the same meaning as in the Salmon and Freshwater Fisheries Act 1975.
 - (d) "Lead" includes any alloy or compound lead;
 - (e) "Lead weight" means split shot or any other thing suitable for weighting fish lines which is neither incorporated and fully enclosed in the core of a fishing line nor incorporated in the construction of a swim-feeder, a self cocking float or a fishing lure.
 - (f) "Upper Esk" means that part of the River Esk as defined by Scotland Act 1998 (Border Rivers) Order 1999 Article 1(2), that is that part of the River Esk lying upstream of a line drawn from a point at Ordnance Survey Grid Reference NY 3245 6632 on the western bank of the River Sark in a southerly direction to a point at Ordnance Survey Grid Reference NY 3245 6503 on the coast of Cumbria.
 - (g) "Year" means the period from and including 1st January to and including 31st December following.
- (2) Except where expressly stated or where the context otherwise requires all words and expressions used in these byelaws shall have the meanings assigned to them by the Salmon and Freshwater Fisheries Act 1975 and the Water Resources Act 1991.

*(Explanatory Note: not forming part of these byelaws:-
These byelaws apply to the "Upper Esk", as defined above, which is part of the River Esk, as defined by the Scotland Act 1998 Section 111(4). It includes the waters of the River Sark upstream of its confluence with the River Esk at Ordnance Survey Grid Reference NY 3245 6632.)*

3 Revocation

All presently subsisting byelaws made by the Agency and its predecessors under powers conferred by Section 28(6) and Schedule 3 to the Salmon and Freshwater Fisheries Act 1975, Section 210 and Schedule 25 to the Water Resources Act 1991 and all other powers shall be revoked in so far as they relate to the waters of the Upper Esk as hereinto described.

4 Annual close season for salmon (with rod and line)

The annual close season for fishing for salmon (with rod and line) shall be the period from and including the 1st day of November to and including the 31st day of January following.

5 Early season catch and release for salmon (with rod and line)

Any person who removes any live or dead salmon that has been taken by means of a rod and line, without the written authority of the Agency, before the 16th day of June in any calendar year shall be guilty of an offence.

This byelaw shall not apply to any person who lawfully takes a salmon and returns it immediately to the water from which it was taken with the least possible injury.

6 Annual close season for migratory trout (with rod and line)

The annual close season for fishing for migratory trout (with rod and line) shall be the period from and including the 1st day of October to and including the 31st day of March following.

7 Annual close season for non-migratory trout other than rainbow trout (with rod and line)

The annual close season for fishing for non-migratory trout other than rainbow trout (with rod and line) shall be the period from and including the 1st day of October to and including the 14th day of March following.

8 Annual close season for freshwater fish (with rod and line)

- (1) The annual close season for fishing for freshwater fish (with rod and line) in all rivers and streams shall be the period from and including the 15th day of March to and including the 15th day of June following.
- (2) The annual close season for fishing for freshwater fish (with rod and line) in all reservoirs or lakes shall be dispensed with, regardless of whether fish can or cannot normally swim from or to other waters.

9 Annual close season for eels

- (1) The annual close season for fishing for eels (with rod and line) in rivers and streams shall be the period from and including the 15th day of March to and including the 15th day of June following.
- (2) There shall be no close season for fishing for eels (with rod and line) in reservoirs and lakes.

10 Removal of fish

No person may take or remove from any waters covered by these byelaws, without lawful authority any salmon, trout, freshwater fish or eels, whether alive or dead.

11 Prohibition of taking undersized fish

No person shall take from any waters any fish of a kind and of a size less than such size as is hereinafter prescribed, that is to say:

Migratory trout

300 millimetres

Non-migratory trout	200 millimetres
Chub	250 millimetres
Dace	200 millimetres
Grayling	230 millimetres

The size shall be ascertained by measuring from the tip of the snout to the fork or cleft of the tail.

Provided that this byelaw shall not apply to any person who takes any undersized fish unintentionally if he at once returns to and liberates the same in the water with as little injury as possible.

12 Landing nets, keep nets and keepsacks

- (1) Any person shall be guilty of an offence if he uses:-
- (a) a landing net with any knotted meshes or meshes of metallic material; or
 - (b) a keepnet-
 - (i) with any knotted meshes or meshes of metallic material; or
 - (ii) having any holes in the mesh larger than 25 millimetres internal circumference; or
 - (iii) of less than 2.0 metres in length; or
 - (iv) with supporting rings or frames greater than 40 centimetres apart (excluding the distance from the top frame to the first supporting ring or frame) or less than 120 centimetres in circumference; or
 - (c) a keepsack-
 - (i) not constructed of a soft, dark coloured, non-abrasive, water permeable fabric; or
 - (ii) having dimensions of less than 120 centimetres by 90 centimetres if rectangular; or
 - (iii) 150 centimetres by 30 centimetres by 40 centimetres if used with a frame or designed with the intention that a frame be used.
- (2) On rivers and streams no person shall use a keep net or any other means of retaining any kind of fish during the statutory close season for coarse fish.
- (3) Any person shall be guilty of an offence if he retains more than one fish in a single keepsack at any time.

13 Fishing near fish passes

No person shall at any time without the prior consent of the Agency in writing, take or attempt to take by any means any fish within a fish pass or within a 5 metres radius of either the entrance to, or exit from, any fish pass.

14 Fishing near weirs

No person shall without the prior consent of the Agency in writing, during the period from and including 1st October to and including 31st October in any year, take or attempt to take by any means any fish within a distance of 20 metres above and 50 metres below the crest of any man made structure which impounds water in rivers and streams.

15 Baiting

During the period from and including the 15th day of March to and including the 15th day of June in any year in rivers and streams:-

- (1) fishing will only be allowed with minnow, worm, shrimp, prawn or artificial flies or

lures; and

(2) the use of any lure or bait not on or attached to a hook is prohibited.

16 Worm fishing

No person shall, excepting as hereinafter provided, use in fishing for salmon or trout a worm baited on more than a single hook and such hook shall not exceed 40 millimetres in length overall nor 15 millimetres in width of gape and the weight or weights used to sink the hook shall not in any case exceed 30 grams in the aggregate; provided that a tackle of two or three hooks may be so used if tied one above the other upon a single strand of gut or other artificial substitute material and if each of such hooks does not exceed 15 millimetres in length and is not more than 8 millimetres in width of gape.

17 Early season method restriction for salmon (with rod and line)

Any person who fishes for, takes or attempts to fish for or attempts to take any salmon with rod and line by any means other than an artificial fly or artificial lure before the 16th day of June in any calendar year shall be guilty of an offence.

18 Use of crayfish as bait

Any person who in fishing for salmon, trout, freshwater fish or eels, uses as bait crayfish of any species whether alive or dead, or parts thereof, shall be guilty of an offence.

19 Use of live fish as bait

Any person who takes fish for use as live bait shall be guilty of an offence unless the fish are retained at and used only in the water from which they were taken.

This Byelaw shall not apply to any fish introduced as live bait under and in accordance with consent issued under Section 30 of the Salmon and Freshwater Fisheries Act 1975

20 Return of foul hooked fish

It shall be an offence to fail to return to the water causing the least possible injury as soon as practicably possible all salmon, migratory trout or non-migratory trout, hooked other than in the mouth or through the mouth.

21 Use of rods

- (1) No person shall fish with more than one rod and line at the same time when fishing for salmonids in all rivers and streams.
- (2) No person shall fish with more than two rods and lines at the same time when fishing for salmonids in all reservoirs, lakes and ponds.
- (3) No person shall fish with more than four rods and lines at the same time when fishing for coarse fish or eels.
- (4) When fishing with more than one rod and line at the same time, the aggregate number shall not exceed a total of four.
- (5) When fishing with multiple rods and lines, rods shall be placed such that the distance between the butts of the end rods does not exceed three metres.

22 Unattended rods

Any person who leaves a rod and line with its bait or hook in the water unattended or so that the person shall be unable at any time to take or exercise sufficient control over said rod and line shall be guilty of an offence.

23 Use of a gaff

The use of a gaff is prohibited at all times when fishing for salmon, trout, freshwater fish or freshwater eels.

24 Use of lead weights

- (1) Subject to paragraph (2) below, no person shall use for taking salmon, trout, freshwater fish or eels in any waters any instrument to which is attached, directly or indirectly, any lead weight.
- (2) Paragraph (1) above does not prohibit the use of a lead weight of 0.06 grams or less (No.8 shot), or of more than 28.35 grams (1 ounce).

25 Migratory salmonid catch returns

- (1) Any person to whom a licence is issued by the Agency to fish by rod and line for salmon or migratory trout shall not later than the 1st day of January in the following year, make a return on a form provided by the Agency giving particulars of dates, the locations and the time spent fishing and the number and weight of any salmon or migratory trout caught (except in relation to small sea trout (500 grams or less) where only the number caught need be returned) including those returned alive giving details of whether they were caught on fly, spinner or bait, or a statement that no salmon or migratory trout were caught by the licence holder.
- (2) Any person to whom a licence is issued by the Agency to fish with any instrument other than rod and line for salmon or migratory trout shall within 7 days of the end of each month during the fishing season make a return on a form provided by the Agency giving particulars of dates, the locations and the time spent fishing and the number and individual or aggregate weight of any salmon or migratory trout caught by each instrument, or a statement that no salmon or migratory trout were caught by the licence holder or his agents.

26 Annual close season for salmon and trout (other than with rod and line)

The annual close season for fishing for salmon and migratory trout (other than with rod and line) shall be the period from and including the 1st day of September to and including the 31st day of May following.

27 Weekly close time for salmon and trout (other than with rod and line)

The weekly close time for fishing for salmon and trout (other than with rod and line) shall be the period between the hour of six on Saturday morning and the hour of six on the following Monday morning.

28 Limitation of netting

The use of any net (not being an authorised fixed engine or a landing net used in conjunction with a rod and line) for taking salmon, trout, freshwater fish or eels is prohibited except for the use of the following specified instruments:-

- (1) any net necessarily and solely used for the purpose of removing from an authorised fixed engine the fish caught by that fixed engine, or
- (2) any net used in connection with
 - (a) stocking, restocking or breeding, or
 - (b) any other activity designed to promote the better protection, preservation or improvement of salmon, trout, freshwater or eel fisheries.

Nets used in connection with (2) (a) or (b) above must be operated either by an officer of the Agency acting in his official capacity or by another person who has the prior written consent of the Agency.

CRAYFISH BYELAWS 2005

The Environment Agency, in exercise of its powers under section 210 of, and Schedule 25 to, the Water Resources Act 1991 and all other powers enabling it in that behalf, makes the following Byelaws.

Byelaw 1 Application of Crayfish Byelaws

These Byelaws apply in relation to Wales.

These Byelaws shall apply to the whole of England being the area specified in Section 6(7) of the Environment Act 1995 in respect of which the Environment Agency carries out its functions relating to fisheries

Byelaw 2 Interpretation of Crayfish Byelaws

“freshwater crayfish” means any crayfish belonging to the families *Astacidae*, *Cambaridae* or *Parastacidae*.

“non-native freshwater crayfish” means any species of freshwater crayfish other than White-Clawed Crayfish (*Austropotamobius pallipes*).

“trap” means an implement or net, either baited or unbaited, without wings or leaders, which is attached to the bed of a water body or water course by weights or other means, or which is made stationary in any other way, into which freshwater crayfish may freely enter but which does not rely on freshwater crayfish becoming entangled or enmeshed to be caught.

“the Order” means the Prohibition of Keeping of Live Fish (Crayfish) Order 1996 (SI 1996 No. 1104) as amended by the Prohibition of Keeping of Live Fish (Crayfish)(Amendment) Order 1996 (SI 1996 No. 1374).

Except where expressly stated or where the context otherwise requires, all words and expressions used in these Byelaws shall have the meanings assigned to them by the Environment Act 1995, Salmon and Freshwater Fisheries Act 1975, Water Resources Act 1991 and the Diseases of Fish Act 1937.

Byelaw 3 Use of Traps

- (a) A person may place or use traps in inland waters for taking non-native freshwater crayfish in any postcode area set out in the Schedule to the Order subject to the written permission of the Environment Agency.
- (b) No person may place or use traps in inland waters for taking non-native freshwater crayfish in any postcode area not listed in the Schedule to the Order except for scientific, conservation or fisheries management purposes and with the written permission of the Environment Agency.

*(Explanatory note : not forming part of these byelaws :-
none of the postcodes listed in the Schedule are in the North West Region)*

- (c) No person may place or use traps in inland waters for taking white-clawed crayfish (*Austropotamobius pallipes*) except for scientific, conservation or fisheries management purposes and with the written permission of the Environment Agency.
- (d) Any written permission granted by the Environment Agency may prescribe the places where, and the times when, the placing and using of traps can be undertaken.

Byelaw 4 Return of Fish

Except where previously agreed in writing with the Environment Agency, all other species of fish or eels caught in the trap, shall be returned to the water as soon as is practicable and with as little damage as possible.

Byelaw 5 Crayfish Returns

Except where previously agreed in writing with the Environment Agency a full and accurate return of crayfish caught, on a form to be provided by the Environment Agency, shall be made to the Environment Agency.

Byelaw 6 Size of Entrance of Traps

Except where previously agreed with the Environment Agency in writing the opening or entrance to any trap shall not exceed 200mm in diameter and the mesh size shall not exceed 30mm at its widest point.

Byelaw 7 Size of Crayfish Traps

Except where previously agreed with the Environment Agency in writing no trap shall exceed maximum dimensions of 600mm in length and 350mm at its widest point.

Byelaw 8 Identity Marks on Crayfish Traps

Except where previously agreed in writing with the Environment Agency all traps shall be marked by an identity tag, previously obtained from the Environment Agency, which shall be fixed to the top front of the trap.

Byelaw 9 Otter Guards

- (a) All traps where the entrance to the trap is greater than 95mm internal diameter must be fitted with an otter guard.
- (b) The otter guard shall consist of either:
 - (i) tightly stretched flexible netting with a mesh size measured when wet of not more than 75mm knot to knot or 300mm round the perimeter; or
 - (ii) a rigid square grille with bars separated by not more than 85mm; or
 - (iii) a rigid ring guard with internal diameter of not more than 95mm;

and shall be fitted to the funnel leading to the entrance of the trap.

Byelaw 10 Other Permissions

Nothing within the provisions of these Byelaws shall alter the requirement of any person who applies for permission to trap crayfish from also obtaining the relevant permission of the owner or occupier of the fishery or from obtaining any relevant licence from any other organisation which may be required to take or attempt to take crayfish.

Byelaw 11 Exemptions

- (a) These Byelaws shall not apply to any employee or agent of the Environment Agency acting in their official capacity, who carries out work in connection with the maintenance, improvement or development of fisheries or for scientific purposes.
- (b) Owners of fish farms and their agents and employees are authorised to use traps for the taking of non-native freshwater crayfish in the normal course of fish farming activity within the confines of that fish farm and do not require written permission from the Environment Agency.

<p>North West Region Area Offices</p>
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South Area

Appleton House, 430 Birchwood Boulevard, Warrington. WA3 7WD

Central Area

Lutra House, Dodd Way, Walton Summit, Preston, PR5 8BX

North Area

Ghyll Mount, Gillan Way, Penrith 40 Business Park, Penrith, CA11 9BP



**ENVIRONMENT
AGENCY**

RIVERCALL

Rivers Derwent, Ribble, Irwell, Weaver, Dane,
Eden, Lune and Kent

0906 619 7733

Don't use fishing rods or poles near overhead electric wires.

IT COULD BE FATAL – TO YOU!