



# Fisheries Byelaws: Yorkshire and North East

June 2016

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Acting to reduce the impacts of a changing climate on people and wildlife is at the heart of everything we do.

We reduce the risks to people, properties and businesses from flooding and coastal erosion.

We protect and improve the quality of water, making sure there is enough for people, businesses, agriculture and the environment. Our work helps to ensure people can enjoy the water environment through angling and navigation.

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We can't do this alone. We work with government, local councils, businesses, civil society groups and communities to make our environment a better place for people and wildlife.

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# Environment Agency - North East Region

## FISHERIES BYELAWS

### Foreword

This booklet sets out the byelaws relating to fisheries within the North East Region of the Environment Agency ('the Agency'). The byelaws should be read in conjunction with the Salmon and Freshwater Fisheries Act 1975, the Salmon Act 1986, any other relevant statutes or orders and the definitions contained at the end of this booklet.

Any supplemental notes, maps or drawings contained in this booklet are intended as a guide only. In the event of any conflict or ambiguity between this booklet and the byelaws, the byelaws prevail.

The powers of the Agency to make and enforce byelaws have in the past been exercised by a number of predecessor bodies. Byelaws made by those predecessor bodies remain in force, unless otherwise repealed. Any reference to a predecessor body within these byelaws should therefore now be taken as referring to the Agency.

Whilst every effort has been made to ensure the accuracy of the information contained herein, the Agency accepts no responsibility for any errors or omissions.

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Second Edition	August 1996
Reprinted with Amendments	April 1997; September 2000; August 2001; February 2002
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Reprinted with Amendments	Apr 2006 – minor additions and corrections
Reprinted with Amendments	Apr 2007 – minor addition
Reprinted with Amendments	Mar 2009 – incl National Salmon Byelaws, Carcass Tagging, Log Books and Sale of Rod Caught Salmon
Reprinted with Amendments	Apr 2013 – inc. Filey Bay byelaw and renewed Esk Tideway byelaw
Reprinted with Amendments	May 2016 – incl. 2009 Fish Removal (Rod and Line) Byelaws, and National Eel Byelaws 2010

### Fisheries Byelaws

The geographical areas covered by the Agency's predecessor bodies varied from those now covered by the North East Region of the Agency. For this reason the byelaws can be divided into three groups:-

- those in force throughout the whole region,
- those in force in what was the former Northumbrian Water Authority area, and
- those in force in what was the former Yorkshire Water Authority area.

#### **Unless otherwise stated the byelaws apply to the whole region.**

The terms "Northumbrian Byelaw" and "Yorkshire Byelaw" have been used throughout this booklet to indicate those areas to which the later two apply.

A description of the extent of each area is contained within the definitions section at the end of this booklet and with the maps below.

All rivers, streams, lakes, ponds, reservoirs, canals and drains including the area of the North Sea along the coast up to 6 nautical miles out, from the baseline from which the breadth of the sea is measured, are included.

The number and date each byelaw was made and confirmed is marked at the end of the text relating to the byelaw.

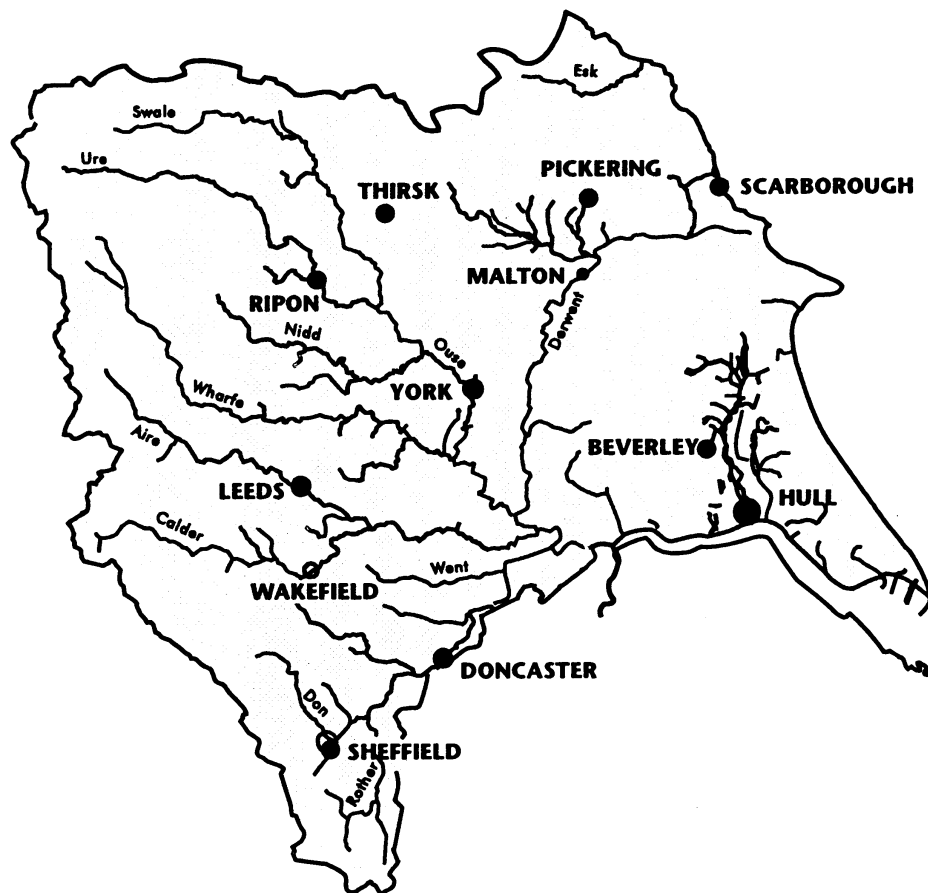
## Northumbrian Byelaws Area

The “Northumbrian Byelaws” apply to those waters which drain into, or are within the catchment of, the Rivers Aln, Coquet, Lyne, Wansbeck, Blyth, Tyne, Wear, Tees or drain directly into the North Sea between the River Tweed and Staithes but excluding the River Tweed and its tributaries. Stillwaters within the catchment of the River Tweed and its tributaries are *not* excluded.



## Yorkshire Byelaws Area

The "Yorkshire Byelaws" apply to those waters which drain into, or are within the catchment, of the Rivers Swale, Ure, Nidd, Wharfe, Derwent, Hull, Esk, Aire, Calder, Don, Rother and Ouse. It also includes those waters to the north side of the River Humber and all other waters which drain directly into the North Sea between Staithes near Whitby and Spurn Head.



## **The Coastal Area - (NE Coast Fisheries Byelaws 1994)**

**“ The Coastal Area”**, means those **tidal waters** within a straight line drawn bearing 090° **from the Scottish border** and a straight line drawn 090° from point 53°28,38' North, 00°09.32 East (**Donna Nook Control Tower**), including the River Humber but excluding the mouth of the entrance of the River Tweed (as defined in the Tweed Fisheries Amendment Act 1859) and shall extend **between high water mark and the seaward limit of the Authority's jurisdiction**;

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# SECTION 1

## Close Seasons and Associated Provisions

*Close seasons are periods when fishing for particular species of fish is not allowed.*

*As each type of fish spawns at a different time of year there are different close seasons for each type of fish. It should also be noted that the close season for each species differs depending on what method of fishing is being used, e.g. rod and line or net.*

### 1A ROD AND LINE ONLY

#### 1a. Coarse Fish Close Season

- (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 the Aire and Calder Navigation between Castleford Weir and Ferrybridge Lock

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 authorised 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.

*National Byelaw No 6 made 1st November 1999 and confirmed on 14th March 2000.  
(The provisions of Byelaw 8B of this booklet do not apply.)*

### **Yorkshire Byelaw**

- 1b** Fishing by rod and line for eels during the annual close season for freshwater fish is hereby authorised in the following waters within the area, namely:-

- (a) the River Humber including the docks at Kingston-upon-Hull, and the River Ouse upstream to Boothferry Bridge;
- (b) the harbours at Bridlington, Port Mulgrave and Scarborough;
- (c) the harbour at Whitby from the mouth up to but not beyond an imaginary line drawn straight from the north-eastern corner of the Royal Hotel to the most easterly corner of the east pier near the Spa Ladder, and
- (d) every part of the sea where the said close season applies but excluding the whole of every stream and other watercourse entering the sea.

*Byelaw No 2 made on 18th November 1977 and confirmed on 17th January 1978.  
(The provisions of Byelaw 8B .5. of this booklet apply to this byelaw.)*

## **2. Annual Close Season for Non-Migratory Trout (Rod & Line)**

### **Yorkshire Byelaw**

The annual close season for fishing for all non-migratory trout with rod and line on all waters in the Yorkshire area of the North East Region shall be from the 1st day of October to the 24th day of March following (both dates inclusive) except that there shall be no close season for rainbow trout on reservoirs, lakes and ponds.

*Byelaw No 2 made on 25th June 1976 and confirmed on 12th January 1977 as amended by Natinal Fisheries Byelaws on 14 March 1997. (The provisions of Byelaw 8B of this booklet do not apply)*

### **Northumbrian**

- (a) The annual close season for fishing for trout (other than migratory trout) with rod and line shall be the period from the 30th day of September to the 22nd day of March following (both dates exclusive) in all rivers, streams, drains and canals of the Northumbria Area of the North East Region.
- (b) The annual close season for fishing for brown trout with rod and line on all reservoirs, lakes and ponds shall be the period from the 30th day of September to the 22nd day of March following (both days exclusive) save that on Kielder Reservoir the close season shall be the period from the 1st day of November to the 30th day of April (both dates inclusive).

*Byelaw No 1 made on 15th February 1985 and confirmed on 30th September 1985 as amended on 14 March 1997  
(The provisions of Byelaw 8B of this booklet do not apply)*

- (c) The annual close season for fishing for trout (other than migratory trout) with rod and line in Broomlee Lough, Crag Lough, Greenlee Lough, the Derwent Reservoir of the Sunderland and South Shields Water Company and the East Hallington and West Hallington Reservoirs of the Newcastle and Gateshead Water Company shall be the period between the 31st day of October and the 1st day of May next following (both dates exclusive).

*Byelaw No 1 made on 8th June 1973 and confirmed on 14th August 1973.*

### 3. 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.

*Byelaw No 7 made on 26 November 1996 and confirmed on 14 March 1997  
(The provisions of Byelaw No 8B do not apply)*

### 4. Annual Close Seasons for Salmon and Migratory Trout (Rod and Line)

#### 4a Annual Close Season for Migratory Trout

The annual close season for fishing for migratory trout with rod and line shall be the period between the 31st October and 3rd day of April following (both dates exclusive)

*Byelaw No 3 made on 12<sup>th</sup> March 2001 and confirmed on 11<sup>th</sup> May 2001  
(The provisions of Byelaw 8B .4. of this booklet apply to this byelaw.)*

**Northumbrian Byelaw**

#### 4b Annual Close Season for Salmon

The annual close season for fishing for salmon with rod and line shall be the period between 31st October and 1st February following.

*Byelaw No 2 made on 13th May 1975 and confirmed on 24th July 1975.*

#### 4c Annual Migratory Trout Close Season

The annual close season for fishing for migratory trout with rod and line shall be the period between the 31st day of October and the 3rd day of April following (both dates exclusive).

*Byelaw No 6 made on 25th July 1969 and confirmed on 20th October 1971.*

**Yorkshire Byelaw**

#### 4d Annual Close Season for Salmon and Migratory Trout (Rod and Line)

The annual close season for fishing for salmon and migratory trout with rod and line shall be from the first day of November to the fifth day of April next following, both dates inclusive.

*Byelaw No 3 made on 25th January 1967 and confirmed on 26th October 1967.  
(The provisions of Byelaw 8B .5. of this booklet apply to this byelaw.)*

## 1B INSTRUMENTS OTHER THAN RODS AND LINES

### 1 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 with the following exceptions:

North East Region

(1) The use of a licensed T or J net in the North East Region where the annual close season shall end on and include the 25th day of March.

....

*Byelaw 3 Confirmed on 15 December 2008 (National Salmon Byelaws)  
The provisions of section 8B9 and Appendix B5 of this booklet apply to this byelaw  
These Byelaws shall cease to have effect at midnight on the 31st day of December 2018.*

## **2. Weekly Close Time**

- (a) Subject to paragraph (b) below the weekly close time for fishing for or taking salmon and migratory trout by means of a net within the Coastal Area shall be the period between the hour of 6.00 pm on Friday evening and the hour of 6.00 am on the following Monday morning.
- (b) In the case of a J net the weekly close time provided for by paragraph (a) above shall commence at the hour of 8.00 pm on Friday evening.
- (c) This Byelaw shall not apply to any person using a hand landing net as an auxiliary to fishing with a licensed rod and line.

*Byelaw No 3 made on 14th February 1994 and confirmed on 21st February 1995.  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

## **3. Prohibition of Netting at Night**

- (a) No person shall use any net other than a T or a J net for fishing for or taking salmon or migratory trout, or any instrument licensed for the taking of eels, within the Coastal Area during the hours from 8.00 pm in the evening to 4.00 am the following morning.
- (b) This byelaw shall not apply to any person using a hand landing net as an auxiliary to fishing with a licensed rod and line."

*Byelaw No 4 made on 14th February 1994 and confirmed on 21st February 1995 as amended by National Eel Fisheries Byelaws confirmed 19 November 2004  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

## SECTION 2

### Bag Limits And Size Limits

#### 2A SIZE LIMITS FOR MIGRATORY TROUT IN COASTAL AREA

No person shall take from any waters within the Coastal Area any migratory trout of a size less than 25 centimetres in length measured from the tip of the snout to the fork or cleft of the tail.

*Byelaw No 18 made on 14th February 1994 and confirmed on 21st February 1995.  
(The provisions of Byelaw 8B .1. of this booklet apply to this byelaw.)*

#### 2B SIZE LIMITS FOR TROUT AND FRESHWATER FISH

##### ***Northumbrian Byelaw***

- (1) No person shall take from any waters within the Area any migratory trout of a size less than ten inches in length.\*
- (2) No person shall take from the following waters any other trout of a size less than that specified, namely:-
  - (a) River Tees below Eggleston Abbey Bridge, River Wear below Harelaw Bridge, River Coquet below Pauperhaugh Bridge, and River Tyne below Hexham Bridge—nine inches in length.
  - (b) River Tees and its tributaries above High Force, River Lune and its tributaries above Selset Reservoir, River Balder and its tributaries above Balderhead Reservoir, Kilton Beck and its tributaries above Lockwood Reservoir, Burnhope Burn and its tributaries above Burnhope Reservoir, and Waskerley Beck and its tributaries above Tunstall Reservoir—seven inches in length.
  - (c) Any other waters within the Area—eight inches in length.
- (3) This Byelaw shall not apply to any person who takes any undersized fish unintentionally if he at once returns the same to the water with as little injury as possible.
- (4) The size of any fish to which this byelaw relates shall be ascertained by measuring from the top of the snout to the fork or cleft of the tail.

*Byelaw No 7 made on 25th July 1969 and confirmed on 20th October 1971.*

*\*Revoked by the East coast byelaws (confirmed on 21st February 1995 came into force on 26th March 1995) to the extent that it applies to migratory trout taken in the Coastal Area defined in those byelaws.*

##### ***Yorkshire Byelaw***

No person shall kill or take away from rivers, streams, drains or canals within the Agency's area any fish of the kinds hereinafter mentioned of a size less than such as is hereinafter specified, that is to say:

Trout (including migratory trout) 23 cms

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:

- (ii) Undersized trout shall not be kept in a keepnet.

*Byelaw No 7 made on 25th January 1967 and confirmed on 26th October 1967  
(as updated and amended 1975/1995/2009).*

## 2C LIMITATION ON THE NUMBER OF FISH WHICH MAY BE TAKEN IN ANY ONE DAY

### **Byelaw 3 Fish Removal**

(i) No person may remove by rod and line any freshwater fish listed in Schedule 1 from any river, stream or drain, or from the waters listed in either Schedule 2 or Schedule 3 except:

- (a) 15 fish, other than grayling, of not more than 20cm per day.
- (b) 1 pike of not more than 65cm per day.
- (c) 2 grayling of not less than 30cm and not more than 38cm per day.

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

Byelaw 3(i) does not apply where written permission has been given by the Environment Agency to the owner or occupier of the fishery to dispense with any of these requirements in relation to those fishing the owner's or occupier's waters.

(ii) No person may remove by rod and line any freshwater fish from any stillwaters or canals (other than those listed in Schedules 2 or 3) except with the written permission of the owner or occupier of the fishery.

(iii) No person may remove by rod and line any eels or shad from any waters.

Byelaw 3 shall not apply to any person who with as little injury as possible either returns fish immediately to the same water alive or retains fish in a keepnet or keepsack and then returns it to the same water alive on or before completion of fishing.

*Byelaw 3 of the Removal of Fish (by Rod and Line) Byelaws 2009, confirmed 6 Dec 2009.*

### **Yorkshire Byelaw**

No person shall kill or take away from rivers, streams, drains or canals in the Agency's area in any one day more than six trout (including migratory trout except when caught by a duly authorised net). Provided that this byelaw shall not apply to any person who takes away more than six such fish in any one day with the previous permission in writing of the owner or occupier of the fishery.

*Byelaw No 6 made 25th January 1967 and confirmed on 26th October 1967.  
(as updated and amended 2009)*

## 2 Early Season Catch and Release for Salmon with Rod and Line

No person shall remove any live or dead salmon taken by rod and line from any waters or banks before the 16th day of June in any calendar year.

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.

*Byelaw 5 Confirmed on 15 December 2008 (National Salmon Byelaws)  
The provisions of section 8B9 and Appendix B4 of this booklet apply to this byelaw  
These Byelaws shall cease to have effect at midnight on the 31st day of December 2018.*

## 2D BAN ON THE SALE OF ROD CAUGHT SALMON AND MIGRATORY TROUT BYELAW

### **Byelaw 2 Interpretation**

In this Byelaw unless the context otherwise requires :-

"Salmon" means salmon of the species *Salmo salar*, including part of any such fish.

"Migratory trout" means trout of the species *Salmo trutta* which migrate to and from the sea, including part of any such fish.

"Sell" and "sale" include barter or exchange for goods or services.

"Upper Esk" has the same meaning as assigned to it in the Scotland Act 1998 (Border Rivers) Order 1999.

**Byelaw 3 Restrictions on Sale of Salmon and Migratory Trout**

No person shall sell, offer or expose for sale or have in possession for sale any salmon or migratory trout which has been taken by rod and line.

*Confirmed on 23 January 2009; (National Byelaw)*

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## 2E CARCASS TAGS (Net Fishing)

- (i) No person shall be in possession of any salmon or migratory trout taken, otherwise than by rod and line, within England or Wales which does not have fixed to it the appropriate carcass tag issued by the Environment Agency.
- (ii) Carcass tags will be issued to licence holders at the time of the issue of a licence.
- (iii) At the discretion of the authorised officer the number of tags issued shall be selected from the following options: the number of fish caught per licence in the fishery in the previous year, or 25% more than the number of fish caught by the licensee the previous year, or the number of fish permitted to be caught by the licensee.
- (iv) Subject to any restrictions on the catch of fish, additional tags shall be issued to licence holders on presentation of log book information showing that tags already issued have been used.
- (v) Carcass tags may only be affixed to fish that were caught by the licensee or his or her authorised agent in the fishery to which the tag relates. Tags are not transferable between licence holders.
- (vi) Carcass tags shall be attached through the gill opening and mouth and securely locked around the gill cover so that it can not be removed without tampering with the lock, breaking or cutting the tag or without damaging any part of the fish.
- (vii) Lost and accidentally destroyed tags must be reported as soon as possible to the authorised officer. Such tags may be replaced upon presentation of a signed declaration completed by the licence holder and countersigned by the authorised officer.
- (viii) Subject to subsections (1) and (2) below carcass tags must be affixed as soon as possible after the fish is captured and remain in the fish until the carcass is processed.
- (1) In the case of a fish caught from a boat, if not tagged before, it must be tagged before it is removed from the boat from which it was caught.
- (2) In the case of a fish caught by a hand held net, or a fixed instrument, where the captor by necessity enters the water during the fish operation, if not tagged before, it must be tagged immediately the captor leaves the water for the first time after the capture of the fish.
- Where it is not necessary to enter the water during the fishing operation, if not tagged before, the fish must be tagged before the captor vacates the fishing station
- (ix) Any water bailiff appointed by the Environment Agency and any person appointed by the Minister or any constable may examine any fish caught otherwise than by rod and line.

*Byelaw 3 Confirmed on 26 January 2009 (National Byelaw)*

*The provisions of section 8B9 and Appendix B4 of this booklet apply to this byelaw*

## SECTION 3

### METHODS OF FISHING

#### 3A REMOVAL OF FISH WITHOUT THE APPROPRIATE PERMISSION

No person shall take or remove any live fish or any dead fish from any waters within the Area or the Coastal Area unless acting in accordance with a fishing licence or written permission of the Authority.

*Byelaw No 5 made on 14th February 1994 and confirmed 21st February 1995.  
(The provisions of Byelaw 8B .1. of this booklet apply to this byelaw.)*

#### 3B Early Season Method Restriction for Salmon with Rod and Line

No person shall fish for, take or attempt to fish for or attempt 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.

*Byelaw 6 Confirmed on 15 December 2008 (National Salmon Byelaws)  
The provisions of section 8B9 and Appendix B4 of this booklet apply to this byelaw  
These Byelaws shall cease to have effect at midnight on the 31st day of December 2018.*

#### 3C FOUL HOOKING OF 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 No 7 made on 26<sup>th</sup> February 1998 and confirmed on 26<sup>th</sup> May 2001  
(The provisions of Byelaw 8B .4. of this booklet apply to this byelaw.)*

##### ***Yorkshire Byelaw***

1. No person shall use a rod and line in the area with the intention of hooking any salmon, trout, freshwater fish, or eel elsewhere than in the mouth or gut.

*Byelaw No 2 made on 17th January 1980 and confirmed on 21st April 1980.  
(The provisions of Byelaw 8B of this booklet do not apply).*

#### 3D LURES AND BAITS

No person shall between the 14th day of March and the 16th day of June following (both dates exclusive) use in connection with fishing with rod and line in any river, stream, drain or other water where the close season for freshwater fish applies any lures or baits except natural or artificial fly, minnow, worm, shrimp, prawn, sand-eel or artificial lure without the permission in writing of the Agency

*Byelaw No 5 made on 12th March 2001 and confirmed on 11<sup>th</sup> May 2001.  
(The provisions of Byelaw 8B .3. of this booklet apply to this byelaw.)*

##### **1. 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 No 3 made on 26<sup>th</sup> February 1998 and confirmed on 26<sup>th</sup> May 2001.  
(The provisions of Byelaw 8B .4. of this booklet apply to this byelaw.)*

##### **2. 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 No 8 made on 26<sup>th</sup> February 1998 and confirmed on 26<sup>th</sup> May 2001.  
(The provisions of Byelaw 8B .4. of this booklet apply to this byelaw.)*

## SECTION 4

### Equipment Specifications And Restrictions

#### 4A PROHIBITED INSTRUMENTS

- (a) No person shall use, or have in his/her possession with the intention of using, for the purpose of taking fish within the Area or Coastal Area, any instrument other than is permitted by this byelaw, namely;
  - (i) a rod and line;
  - (ii) as an auxiliary to a rod and line;
    - (aa) a hand landing net,
    - (bb) a tailer when used for taking salmon or migratory trout;
  - (iii) a drift net.
  - (iv) a T net, a J net, or any instrument licensed for the taking of eels.”
- (b) Paragraph (a) shall not apply to a “T” net, “J” net or an eel trap authorised under Byelaw 16.\*

*Byelaw No 6 made on 14th February 1994 and confirmed on 21st February 1995 as substituted by National Eel Fisheries Byelaws  
Byelaw 7 and Schedule 1 section 6 confirmed 19 November 2004*

*(The provisions of Byelaw 8B .1. of this booklet apply to this byelaw.)*

\* See section 5E

#### 4B 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.

*Byelaw No 8 made on 26 November 1996 and confirmed on 14 March 1997  
(The provisions of Byelaw No 8B do not apply)*

#### 2. 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 No 10 made on 26<sup>th</sup> February 1998 and confirmed on 26<sup>th</sup> May 2001.  
(The provisions of Byelaw 8B .4. of this booklet apply to this byelaw.)*

**See notes for guidance**



## 4C KEEPNETS, KEEPSACKS AND LANDING NETS

1. Any person shall be guilty of an offence if, after 1<sup>st</sup> April 1998, he uses :-
  - (a) a landing net with any knotted meshes or meshes of metallic material;  
or
  - (b) a keepnet :-
    - (1) with any knotted meshes or meshes of metallic material ; or
    - (2) having any holes in the mesh larger than 25mm internal circumference ; or
    - (3) of less than 2.0 metres in length ; or
    - (4) with supporting rings or frames greater than 40cm apart (excluding the distance from the top of the frame to the first supporting ring or frame) or less than 120cm in circumference.
  - (c) a keepsack :-
    - (1) not constructed of a soft, dark coloured, non abrasive, water permeable fabric ; or
    - (2) having dimensions of less than 120cm by 90 cm if rectangular ; or
    - (3) 150cm by 30cm by 40 cm 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 1<sup>st</sup> 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 a 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.

*National Byelaw No 5 made on 26<sup>th</sup> November 1996 and confirmed on 16<sup>th</sup> February 1998*

### ***Yorkshire Byelaw***

5. No person shall use a keepnet (for retaining any kind of fish) during the annual close season for freshwater fish in waters to which such a close season applies.

*Byelaw No 6 confirmed on 21 December 1989 revoked and substituted as above by National Close Season Byelaws on 13 March 1995  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

## 4D RESTRICTIONS ON NIGHT FISHING

- (1) No person shall take or attempt to take by rod and line any salmon and migratory trout from any river, stream or drain between the end of the first hour after sunset and the beginning of the last hour before sunrise on the following morning
- (2) This Byelaw shall not apply to fishing with any natural or artificial fly of which each and every hook must be capable of passing along the inside of a straight rigid tube of internal diameter 10mm and length 75mm.

*Byelaw No 4 made on 12<sup>th</sup> March 2001 and confirmed on 11<sup>th</sup> May 2001  
(The provisions of Byelaw 8B . 3. of this booklet apply to this byelaw.)*

## 4E GAFFS

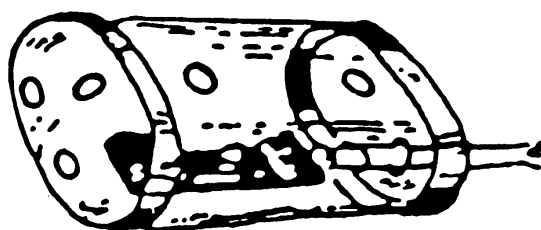
The use of a gaff is prohibited at all times when fishing for salmon, trout, freshwater fish or freshwater eels.

*National Byelaw No 4 made on 26<sup>th</sup> November 1996 and confirmed on 14<sup>th</sup> March 1997.  
(The provisions of Byelaw No 8B do not apply)*

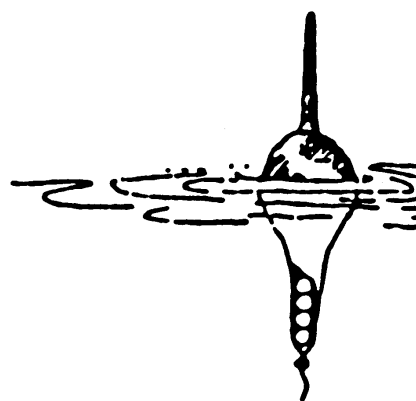
## 4F LEAD WEIGHTS

For the purpose of this byelaw only:-

- "Fishing lure" means any device, including a fishing fly, which is designed to attract fish and incorporates a fishing hook.
- "Lead" includes any alloy or compound of lead.
- "Lead weight" means split shot or any other thing suitable for weighting fishing lines which is neither incorporated and fully enclosed in the core of a fishing line nor incorporated in the construction of a swim feeder (see diagram 1), a self-cocking float (see diagram 2) or a fishing lure.



**Diagram 1**  
*A swim feeder*



**Diagram 2**  
*A self-cocking float*

### ***Northumbrian Byelaw***

- (i) Subject to paragraph (ii) below, no person shall on or after 1st September 1987 use for fishing or taking of salmon, trout, freshwater fish or eels within the Area any fishing line to which is attached, directly or indirectly, any lead in the form of a lead weight.
- (ii) Paragraph (i) above does not prohibit the use of a lead weight of 0.06 grams or less, or of more than 28.35 grams.

*Byelaw No 8 made on 22nd July 1987 and confirmed on the 27th October 1987*

### ***Yorkshire Byelaw***

- (1) Subject to paragraph (2) below, no person shall on or after 15th July 1987 use for fishing or taking of salmon, trout, freshwater fish or eels within the Area any fishing line to which is attached, directly or indirectly, any lead in the form of a lead weight.
- (2) Paragraph (1) above does not prohibit the use of a lead weight of 0.06 grams or less, or of more than 28.35 grams.

*Byelaw No 2 made on 12th May 1987 and confirmed on the 8th July 1987  
(The provisions of Byelaw 8B of this booklet do not apply.)*

## 4G DRIFT NETS

- (a) A drift net shall be unarmoured and without bags or pockets or monks and shall consist of a single sheet of netting measuring in total length not more than 550 metres along the headrope when the net is wet.
- (b) A drift net shall be shot or paid out or retrieved from a boat manned by not more than four persons and shall float and drift freely with the tide unimpeded by any weights other than those forming an integral component of the material of the lead line or attached in close contact with the lead line or footrope of the net and may be attached at one end to the fishing boat provided that the boat itself is also completely free to drift with wind and tide and is not anchored in any way.
- (c) No person shall work any drift net within 50 metres of any other fishing net.

*Byelaw No 7 made on 14th February 1994 and confirmed on 21st February 1995.  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

## 4H T AND J NETS

### Specifications and Use of T Nets and J Nets

- (a) A "T" net shall:
  - (i) comprise of plain unarmoured sheets of netting having one or more bags, pockets or monks and
  - (ii) consist of a headpiece not exceeding 92 metres in length and a tailpiece not exceeding 230 metres in length and
  - (iii) be shot from a boat manned by not more than three persons or laid along the ground at low water in the form of a letter "T" and
  - (iv) be, or be intended to be, maintained stationary by anchor or weights and
  - (v) be suspended in the water by means of floats.
- (b) A "J" net shall:
  - (i) comprise of plain unarmoured sheets of netting without bags, pockets or monks and
  - (ii) shall not exceed 370 metres in total length measured along the headropes and
  - (iii) be shot from a boat manned by not more than three persons or laid along the ground at low water in the form of a letter "T" or "J" and
  - (iv) be, or be intended to be, maintained stationary by anchors or weights and
  - (v) be suspended in the water by means of floats.
- (c) No "T" net or "J" net shall be set out on the seaward side of and in line with any other such net.
- (d) Any "T" net or "J" net shall when used in the berth adjacent to Blyth West Pier be used in such a way that an unobstructed gap of not less than five and a half metres is maintained between the said pier and the inshore end of the net.

*Byelaw No 8 made on 14th February 1994 and confirmed on 21st February 1995.  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

# **SECTION 5**

## **Supplemental Restrictions On The Use Of Nets**

### **5A NETS USED FOR TAKING SALMON AND MIGRATORY TROUT**

#### **1. Carrying of Nets During Annual Close Season**

No person shall, during the annual close season for salmon or migratory trout, carry or permit to be carried or to remain in or upon any boat in the Coastal Area any net capable of taking salmon or migratory trout, except a hand landing net, unless the type of net is commonly used in the Coastal Area for sea fishing and is carried in a boat or vessel commonly used for that purpose.

*Byelaw No 9 made on 14th February 1994 and confirmed on 21st February 1995.  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

#### **2. Carrying of Unlicensed Nets**

No person shall carry a net in, or use a net from or in association with, any boat whilst the boat is being used in connection with fishing for salmon or migratory trout in the Coastal Area unless

- (i) the net is licensed by the Authority and
- (ii) there is attached to the net in accordance with these Byelaws a net label.

*Byelaw No 10 made on 14th February 1994 and confirmed on 21st February 1995.  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

#### **3. Prohibition on the Use of More than One Net at the Same Time**

- (a) No person to whom more than one net licence has been issued shall fish with more than one such net at the same time.
- (b) No duly authorised servant or agent ("endorsee") of a person who has been issued with more than one net licence shall fish with a net under the authorisation of one of those licences at the same time as that person (or another endorsee of that person) is fishing with a net under the authorisation of another of those licences.
- (c) This Byelaw shall not apply to any instruments licensed for the taking of eels."

*Byelaw No 17 made on 14th February 1994 and confirmed on 21st February 1995 as substituted by National Eel Fisheries Byelaws 2004, Schedule 1 article 8, - confirmed 19th November 2004  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

#### **4. Marking of Nets**

The person to whom a net licence is issued shall attach a net label to the headrope of the net for which the licence is granted by threading the headrope through the hole in the net label and shall maintain the label so attached at all times.

*Byelaw No 11 made on 14th February 1994 and confirmed on 21st February 1995.  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

#### **5. Marking of Boats**

No person shall use a boat for fishing with a net in the Coastal Area for salmon or migratory trout, unless any boat label which has been allocated by the Authority in respect of such a net is at all times conspicuously displayed on the mast, staff, rigging or other such position on the boat, and such label so displayed is not obscured from view at any time.

*Byelaw No 13 made on 14th February 1994 and confirmed on 21st February 1995.  
(The provisions of Byelaw 8B . 1. of this booklet apply to this byelaw.)*

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## **5B Early Season Catch and Release for Salmon IN SPECIFIED NET FISHERIES**

### **Early Season Catch and Release for Salmon in Specified Net Fisheries**

No person shall remove any live or dead salmon -

- (a) from waters specified in any of sub-paragraphs (1) to (12) of Byelaw 3; and
- (b) which has been taken by a means of net fishing specified in that sub-paragraph,

without the written authority of the Agency before the 1st day of June in any calendar year.

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.

#### **\* See Byelaw 1B (1)**

*Byelaw 4 Confirmed on 15 December 2008 (National Salmon Byelaws)*

*The provisions of section 8B9 and Appendix B4 of this booklet apply to this byelaw*

*This Byelaw shall cease to have effect at midnight on the 31st day of December 2018.*

## **5C NETS USED FOR TAKING EELS**

Revoked by National Eel Fisheries Byelaws confirmed on 19 November 2004

### **2. Use of Eel Traps**

- (a) Any person who takes any salmon, trout or freshwater fish in any water within the Area in an instrument which is used for taking eels shall as soon as practicable return it to the same water alive and with as little injury as possible.
- (b) Any person who sets an eel trap in any tidal water within the Area shall so set it that it will not become completely exposed from the water.

*Byelaw No 19 made on 14th February 1994 and confirmed on 8th June 1995.*

*(The provisions of Byelaw 8B .1. of this booklet apply to this byelaw.)*

### **3. 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.

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

*National Byelaw No 4 made on 26<sup>th</sup> February 1998 and confirmed on 26th May 2001*

*(The provisions of Byelaw 8B .4. of this booklet apply to this byelaw.)*



## 5E AUTHORISATION OF FIXED ENGINES

Authorisation is hereby given to the placing and use of:

- (a) T and J nets licensed by the Agency within the Coastal Area excluding any inland waters and those areas specified in Schedule 1 to these Byelaws, and
- (b) instruments for the taking of eels licensed by the Agency within the Area excluding:
  - i) the River Esk upstream of a straight line drawn between the seaward end of the pier extensions at Whitby,
  - ii) the Yorkshire River Derwent,
  - iii) Staithes Beck.
  - iv) the non-tidal waters of any rivers which drain into the River Humber.”

*Byelaw No 16 made on 14th February 1994 and confirmed on 8th June 1995. As substituted by National Eel Fisheries Byelaws confirmed on 19 November 2004*

**For further provisions relating to the use of nets see:-**

Section 1	Restrictions on the use of nets during the close season.
Section 4	Specifications for nets.
Section 6	Requirement to submit returns about the number of salmon and migratory trout caught.
Section 7	Prohibited areas for fishing with nets.

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## 5F FILEY BAY NET FISHERY BYELAWS

### Byelaw 1 Application of Byelaws

- (1) These Byelaws apply to the area between a line drawn bearing 045o from point 54o 14.520' North 000o 20.200' West (Yons Nab) and a line drawn bearing 045o from point 54o 07.820' North 000o 06.400' West (Thornwick Nab) and which lies between the mean high water mark and a point 6 miles out into the territorial sea.
- (2) The geographical positions above refer to the Ordnance Survey of Great Britain (1936) Datum and all bearings are true bearings.
- (3) 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.

### Byelaw 2 Interpretation

- (1) In these Byelaws :  
“the Agency” means the Environment Agency

- (2) Unless otherwise defined in these Byelaws, expressions used in the Salmon and Freshwater Fisheries Act 1975 have the same meaning in these Byelaws.

### **Byelaw 3 Restriction on Use of T and J Nets**

Any person who is issued a licence by the Agency to fish for salmon or migratory trout using a T or J net must:

- (1) take reasonable steps, as detailed in a Code of Conduct as revised or reissued from time to time <sup>(1)</sup> to ensure the use of that net does not result in the death of sea birds
- (2) release any live sea bird caught in the net as quickly as possible and with the least possible injury
- (3) keep a record, on a form provided by the Agency, of the number of each species of sea birds caught in a net, the number of sea birds released alive and provide a copy of that record to the Agency (or other person duly authorised by the Agency) upon request
- (4) during the period from 1 June to 30 June inclusive comply with the following restrictions
  - (a) the net must be removed from the water during the hours from 9.00pm to 5.00am the following morning;
  - (b) the tailpiece of the net must be made of high visibility, multifilament, nylon and be stitched directly to the headpiece
  - (c) if the headpiece is made of monofilament material it must not exceed 70 metres in length measured along the headrope;
  - (d) the net must not be left unattended in the water at any time.

(1) Copies of the Code of Conduct (original or revised) can be obtained from the Team Leader – Technical (Fisheries, Biodiversity and Recreation), Environment Agency, Coverdale House, Aviator Court, Amy Johnson Way, Clifton Moor, York, YO30 4GZ. Tel: 08708 506506

*Filey Bay Byelaws made on 21 December 2009, confirmed with amendments (incorporated above) on 27 May 2010*

## SECTION 6

### Returns as to Fish Caught

#### 6A RETURNS AS TO SALMON AND MIGRATORY TROUT (ROD AND LINE)

- 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 (500g 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.

*Byelaw No 3(1) made on 26th November 1996 and confirmed on 18 December 1996  
(The provisions of Byelaw 8B of this booklet do not apply)*

#### **2 Log Books (Net Fishing)**

- (ii) A log book shall be issued to each licence holder by the authorised officer at the time of issue of the licence. Details of tags issued in pursuance of Byelaw 3 above will be entered in the log book by the authorised officer.
- (iii) Where an event has occurred in respect of which an entry is required to be made, the holder of the log book shall make that entry as soon as reasonably practicable and in any case before midnight on the day the event occurred.
- (iv) The holder of a log book shall, on the form provided, make a record of:
- (a) the time spent fishing,
  - (b) the individual weight of any salmon or migratory trout caught even if the fish is released or, where no fish were caught, a statement to that effect, and
  - (c) the tag numbers attached to individual fish
- (vi) The holder of a log book shall report any lost or accidentally destroyed log books as soon as possible to the authorised officer at the office which issued the fishing licence to which the log book relates. A replacement log book will be issued for any log book that is reported as lost or accidentally destroyed. The holder of the lost or accidentally destroyed log book shall complete the replacement log book so as to cover all periods of fishing in the relevant fishing season to the best of the holder's knowledge and return the replacement in accordance with the instruction in the log book.
- (vii) The holder of a log book shall deliver the log book correctly completed together with all unused tags issued to him or her to the authorised officer who issued the log book by the date specified in the log book.
- (viii) Any water bailiff appointed by the Environment Agency and any person appointed by the Minister or any constable may examine any log book issued under this byelaw.

*Byelaw 4 Confirmed on 26 January 2009(National Byelaw)  
The provisions of section 8B9 and Appendix B4 of this booklet apply to this byelaw*

#### 6B EEL NET CATCH RETURNS

Any person to whom an authorisation 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 authorisation, 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 authorisation period or be guilty of an offence.

*National Eel (Net and Trap) Byelaws 2010 – byelaw 3 (Catch Returns) made on the 12<sup>th</sup> July 2010, and amended and confirmed on the 31<sup>st</sup> December 2010*

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# SECTION 7

## Prohibited Areas

### 7A FISHING WITH A ROD AND LINE

#### 1. Prohibition of Fishing in River Esk during Hours of Darkness

No person shall fish for, take or kill any salmon, trout or freshwater fish with rod and line in the River Esk between the downstream side of Ruswarp Road Bridge and Whitby Harbour mouth between the expiration of the first hour after sunset on any day and the beginning of the last hour before sunrise on the following morning during the months of September and October in any year.

*Byelaw No 18 made on 25th January 1967 and confirmed on 26th October 1967.  
(The provisions of Byelaw 8B .5. of this booklet apply to this byelaw.)*

Modified to exclude that part of the River Esk lying between Ruswarp Weir and a line drawn due west across the river from the southern most end of Eskside Wharf, Whitby (NGR NZ 902105)

*Byelaw No 3 made on 16 October 1996 and confirmed on 12 February 1997.*

#### 2. Prohibition of Fishing on the River Esk below Ruswarp Weir

- (1) The provisions of Byelaw numbered 22 made by the Yorkshire Ouse and Hull River Authority on 25<sup>th</sup> January 1967 and confirmed on 26<sup>th</sup> October 1967 shall apply to this byelaw
- (2) No person shall fish for, take or attempt to take by any means, any fish from that part of the River Esk lying between Ruswarp Weir and a line drawn due west across the river from the southernmost end of Eskside Wharfe, Whitby (NGR NZ 902105) except that it shall be permitted to fish for sea fish with rod and line on the said part of the River Esk from 6.00am to 8.00pm or until one hour after sunset, whichever is earlier.
- (3) These Byelaws shall come into effect on 13 February 2012
- (4) In paragraph (2), "sea fish" means all fish (except salmon, trout, eels, lamprey, smelt, shad, freshwater fish and any fish specified by order under section 40A of the Salmon and Freshwater Fisheries Act 1975 for the purposes of paragraph 6 of Schedule 25 to the Water resources Act 1991).
- (5) This byelaw shall expire at the end of 12 February 2022

*Byelaw made on 28th June 2011 and confirmed on 9th February 2012.  
(The provisions of Byelaw 8B of this booklet do not apply.)*

### 7B FISHING WITH A NET

#### 1. Prohibited Areas

- (a) Subject to paragraph (b) no person shall fish for salmon, trout or freshwater fish with any instrument other than a rod and line in any inland waters within the Area nor within the areas specified in Schedule 1 and Schedule 2 to these Byelaws.
- (b) Paragraph (a) shall not apply to a "T" net or a "J" net placed and used in accordance with Byelaw 16.

*Byelaw 14 made on 14 February 1994 and confirmed on 21 February 1995*

**SCHEDULE 1** (to Byelaws made on 14 February 1994 and confirmed on 21 February 1995)  
(reference points Datum is OSGB36)

#### 1. Coquet Conservation Area A

The area bounded by the following unbroken lines

- (a) On the North by a straight line drawn from point 55°20.7' North, 01°35.22' West (the point at which the boundary between the Parishes of Amble and Birling crosses high water mark on Warkworth Sand, which is approximately 823 metres North West of the North breakwater of Amble Harbour,

measured along high water mark) in an Easterly direction to point 55°21.14' North 01°32.3' West (a point 2076 metres due North of Coquet Island Lighthouse).

- (b) On the East by a straight line from the Eastern extremity referred to in (a) above due South to point 55°20.15' North, 01°32.3' West (Coquet Island Lighthouse).
- (c) On the south by a straight line drawn in a Westerly direction from Coquet Island Lighthouse to a point 55°20.21' North, 01°33.46' West (which lies 792 metres South Easterly from the Beacon of the North breakwater of Amble Harbour and 902 metres South Westerly from the Pan Bush Buoy), thence in a straight line Westerly to a point 55°20.04' North, 01°34.02' West (15 metres South of the North corner of Amble Cemetery).

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## 2. Wansbeck Conservation Area

Those tidal waters and parts of the sea within the River Wansbeck and at Newbiggin by the Sea West of a straight line drawn between a point 55°10.16' North, 01°31.20' West (the South Eastern beacon, being one of the four beacons used by ships for identifying the measured nautical mile offshore of Newbiggin by the Sea), and a point 55°08.57' North 01°31.40' West (the Eastern-most of the four chimneys at Blyth Power Station, Cambois).

## 3. Tyne Conservation Area A

The area bounded by the following unbroken lines:

- (a) on the North by a line one nautical mile in length drawn bearing 090° True from point 55°02.25' North, 01°25.68' West (Marconi Point Cullercoats, also known as Browns Point);
- (b) on the South by a line one nautical mile in length drawn bearing 090° True from a point 54°57.47' North, 01°21.1' West (Souter Point);
- (c) on the East by a straight line joining the Eastern extremities of the Northern and Southern boundary lines;

but excluding those tidal waters or parts of the sea within an area bounded on the East by a straight line drawn between the South Pier Lighthouse, South Shields and Cleadon Hill Water Tower and on the North by the South Pier.

- 4. The tidal waters of the River Tyne upstream of a straight line drawn between the seaward ends of the North and South Piers at North and South Shields respectively.

## 5. Wear Conservation Area

The area bounded by the following unbroken lines:

- (a) on the North by a line one nautical mile in length drawn True East from Souter Point,
- (b) on the South by a line one nautical mile in length drawn True East from a point 54°52.90' North, 01°20.80' West and which said position is situated in the centre of a triangular shaped shelf of rocks jutting out from the coast known as Salterfen Rocks,
- (c) on the East by a straight line joining the Eastern extremities of the said Northern and Southern boundary.

- 6. The tidal waters of the River Wear upstream of a straight line drawn between the seaward ends of the piers known respectively as Roker Pier and New South Pier at the outer entrance at Sunderland Harbour.

## 7. Tees Conservation Area

Those tidal waters and parts of the sea bounded as follows:

- (a) on the North-East by a straight line drawn from point 54°40.94' North, 01°06.35' West (the Tees Fairway Buoy) through point 54°40.85' North, 01°09.8' West (the Longscar Buoy) to the shore at point 54°40.8' North, 01°11.84' West.
- (b) on the South-East by a straight line drawn from the Tees Fairway Buoy to position 54°37.48' North, 01°07.97' West (the North West Chimney at the British Steel Corporation Plant, Redcar).

- 8. The tidal waters of the River Tees upstream of a straight line between the seaward ends of the North and South Gare breakwaters at Tees Mouth.

## 9. The Staithes Beck Conservation Area

that is those tidal waters and parts of the sea bounded as follows:

- (a) on the East by a line drawn 327° True direction from Old Nab NZ793187,
- (b) on the West by a line drawn 036° True direction from Cowbar Nab NZ782191, near Staithes.

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## 10. Whitby Conservation Area

The area which is enclosed by the following unbroken lines:

- (a) A line drawn True North from point 54°29.38' North, 0°35.84' West (the Cretablock Wreck) to point 54°30.32' North, 0°35.84' West ("North East Point") due East of the Whitby Bell Buoy.
- (b) A line drawn True North from point 54°29.42' North, 0°37.41' West (the Eastern corner of the Metropole Hotel) to point 54°30.32' North, 0°37.41' West ("North West Point") due West of the Whitby Bell Buoy.
- (c) A straight line drawn from the North West Point to the North East Point.

## 11. Humber Conservation Area

The area bounded by the following unbroken lines:

- (a) a straight line drawn from Spurn Head Lighthouse to RAF Donna Nook Control Tower,
- (b) a straight line drawn from RAF Donna Nook Control Tower to point 53°33.50' North, 00°14.33' East ("Spurn Light Float"),
- (c) a straight line drawn from the Spurn Light Float to Spurn Head Lighthouse.

## 12. The River Esk upstream of a straight line drawn between the seaward ends of the pier extensions at Whitby.

Modified to exclude that part of the River Esk lying between Ruswarp Weir and a line drawn due West across the river from the southernmost end of Eskside Wharf, Whitby (NGR NZ 902105)

*Byelaw No 3 made on 16th October 1996 and confirmed on 12th February 1997 as modified by the Minister (MAFF).*

## 13. The River Humber and its tributaries upstream of a straight line drawn between point 53°34.47' North, 00°06.75' East (Spurn Head Lighthouse) and point 53°28.48' North, 00°09.32' East (RAF Donna Nook Control Tower) but excluding the River Trent upstream of a straight line drawn between NGR SE 86952095 on the right bank and SE 86402095 on the left bank (Island House).

## SCHEDULE 2 *(to Byelaws made on 14 February 1994 and confirmed on 21 February 1995)*

### 1. Coquet Conservation Area B

The area bounded by the following unbroken lines:

- (a) On the North by a line drawn due West to the high water mark on the shore from a point 55°23.74' North, 01°32.6' West (that is a position bearing 358° True from Coquet Lighthouse for a distance of 3.69 nautical miles as now indicated by Boulmer Stile Buoy).
- (b) On the South by a line drawn due West to the high water mark on the shore from a point 55°18.55' North, 01°31.37' West (that is a position bearing 160° True from Coquet Lighthouse for a distance of 1 nautical mile 5.6 cables).
- (c) On the East by a straight line joining the Eastern extremities of the said Northern and Southern boundary lines.

### 2. Tyne Conservation Area B

Those tidal waters or parts of the sea within an area bounded on the East by a straight line drawn between the South Pier Lighthouse, South Shields and Cleadon Hill Water Tower and on the North by the South Pier.

*Byelaw No 14 made on 14th February 1994 and confirmed on 21st February 1995.*

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## 7C WHEN USING ANY INSTRUMENT (INCLUDING ROD AND LINE AND NET)

### Fishing Near Obstructions

- (1) No person shall take or attempt to take by any means any fish at any time within a distance of 25metres upstream or 95metres downstream of the following obstructions except that for the Kielder Dam the prohibition on fishing shall only apply downstream of the obstruction and that the downstream limit for Ruswarp Weir shall be defined as the downstream side of Ruswarp road bridge.

Catchment	River / Tributary	Obstruction	NGR
Tyne	North Tyne	Kielder Dam	NY 707875
Wear	Wear	Framwellgate Dam	NZ 272422
Wear	Gaunless	Ferens Dam	NZ 215292
Tees	Tees	Tees Barrage	NZ 463191
Tees	Tees	Broken Scar	NZ 259138
Esk	Esk	Ruswarp Weir	NZ 888091

- (2) No person shall take or attempt to take by any means any fish between the end of the first hour after sunset on any day and the beginning of the last hour before sunrise on the following day or at any time during the months of September, October and November within a distance of 25 metres upstream or 95 metres downstream of the following obstructions except that for Jocks Bridge Weir on the River Gaunless the prohibition on fishing shall extend only as far as the confluence with the River Wear:

Catchment	River / Tributary	Obstruction	NGR
Aln	Aln	Lesbury Weir	NU 231115
Aln	Aln	Denwick Bottom Dam	NU 197138
Aln	Aln	Denwick Dam	NU 196139
Aln	Aln	Cannongate Dam	NU 181140
Aln	Aln	Filberthaugh Weir	NU 164155
Aln	Aln	Hulne Park Weir	NU 164155
Coquet	Coquet	Coquet Lodge Dam	NU 238 061
Coquet	Coquet	Acklington Dam	NU 203029
Coquet	Coquet	Felton	NZ 178999
Blyth	Blyth	Humford Dam	NZ 268808
Wansbeck	Wansbeck	Bothal Dam	NZ 233863
Wansbeck	Wansbeck	Sheepwash Weir	NZ 256858
Wansbeck	Wansbeck	Morpeth East Mill	NZ 208864
Wansbeck	Wansbeck	Highford Dam	NZ 181858
Wansbeck	Wansbeck	Olives Mill	NZ 198858
Tyne	Tyne	Riding Mill Weir	NZ 029621
Tyne	Tyne	Hexham Bridge Weir	NY 941646
Tyne	Devils Water	Devils Water Dam	NY 966627
Tyne	Derwent	Derwenthaugh Weir	NZ 205633
Tyne	South Tyne	Haltwhistle Weir	NY 706638
Tyne	South Tyne	Featherstone Weir	NY 672609
Tyne	South Tyne	Haydon Bridge Weir	NY 844644
Tyne	East Allen	Catton Bridge	NY831 567
Tyne	West Allen	Whitfield Dam	NY 781569
Tyne	North Tyne	Chollerford Weir	NY 919706
Tyne	Rede	Otterburn Mill Weir	NY 886929
Tyne	Tarret Burn	Tarret Burn Burnmouth Falls	NY 793881
Tyne	Houxy Burn	Esp Mill Falls	NY 829798
Tyne	Warks Burn	Roses Bower Falls	NY 798769
Wear	Wear	Prebends	NZ 273425
Wear	Wear	Chester Le Street Weir	NZ 282313



Wear	Browney	Burn Hall Weir	<b>NZ 386259</b>
Wear	Browney	Wallnook Dam	<b>NZ 216453</b>
Wear	Bedburn Beck	Black Ling Hole	<b>NZ 054278</b>
Wear	Bedburn Beck	Bedburn Gauging Weir	<b>NZ 125322</b>
Wear	Gaunless	Jocks Bridge Weir	<b>NZ 215306</b>
Wear	Killhope Burn	Burtree Falls	<b>NY 854405</b>
Tees	Tees	Low Force (Holwick Falls)	<b>NY 913279</b>
Tees	Tees	High Force	<b>NY 880284</b>
Tees	Greta	Bowes Falls	<b>NY 995133</b>
Tees	Bow Lees Beck	Bowlees Falls	<b>NY 907286</b>

- (3) No person shall take or attempt to take by any means any fish between the end of the first hour after sunset on any day and the beginning of the last hour before sunrise on the following day within a distance of 25 metres upstream or 95 metres downstream of the following obstructions:

Catchment	River / Tributary	Obstruction	NGR
<b>Coquet</b>	<b>Coquet</b>	<b>Guyzance Mill</b>	<b>NU 205035</b>
<b>Coquet</b>	<b>Coquet</b>	<b>Pauperhaugh Bridge</b>	<b>NZ 101996</b>
<b>Tyne</b>	<b>Tyne</b>	<b>Wylam Bridge</b>	<b>NZ 112644</b>
Dale House Beck	Dale House Beck	Dales House Weir	NZ 775180

*Byelaw No 6 made on 12<sup>th</sup> March 2001 and confirmed on 11<sup>th</sup> May 2001  
(The provisions of Byelaw 8B .3. of this booklet apply to this byelaw.)*

**See notes for guidance**

## SECTION 8

### Miscellaneous

#### 8A MAINTENANCE OF GRATINGS AGAINST SALMON AND MIGRATORY TROUT

<i>Yorkshire Byelaw</i>
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- (a) The obligations imposed by sub-section (1) of section 23 of the Salmon and Freshwater Fisheries Act 1923 to place and maintain a grating or gratings across any conduit or artificial channel for the purpose of preventing the descent of salmon or migratory trout shall not be in force during the period from the first day of June to the thirty-first day of January next following.
- (b) The obligations imposed by sub-section (2) of Section 23 of the Salmon and Freshwater Fisheries Act 1923 to place and maintain a grating or gratings across the outfall of any conduit or artificial channel for the purpose of preventing salmon or migratory trout entering such outfall shall not be in force during the period from the first day of February and the first day of July next following.

*Byelaw No 19 made on 25th January 1967 and confirmed on 26th October 1967.*

NB: Section 23 of the Salmon and Freshwater Fisheries Act 1923 is now Section 14 of the Salmon and Freshwater Fisheries Act 1975.

*(The provisions of Byelaw 8B .5. of this booklet apply to this byelaw.)*

#### 8B APPLICATION OF BYELAWS

- 1. The provisions of these Byelaws shall not apply to:
  - (i) any officer of the Authority acting in his/her official capacity, or
  - (ii) any person who, with the written permission of the Authority, which may be given subject to conditions as the Authority may impose acts for some scientific purpose or for the purposes of fisheries management or conservation.

*Byelaw No 20 made on 14th February 1994 and confirmed on 21st February 1995.*

**N.B. The provisions of this byelaw shall apply to all byelaws made on 14 February 1994, unless otherwise stated.**

- 2. These Byelaws shall not apply to any employee of the Agency acting in their 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 in connection with the maintenance, improvement or development of fisheries or for scientific purposes.

*Byelaw No 7 made on 12th March 2001 and confirmed on 11th May 2001*

**N.B. The provisions of this byelaw shall apply to all byelaws made on 12 March 2001.**

- 3. 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.

*Byelaw No 11 made on 26th February 1998 and confirmed on 26th May 2001*

**N.B. The provisions of this byelaw shall apply to all byelaws made on 26 February 2001**

<i>Yorkshire Byelaw</i>
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4. The provisions of these Byelaws shall not apply:
- (a) to any officer of the Authority acting in his official capacity;
  - (b) to any person who with the written permission of the Authority (which may be given subject to such conditions as the Authority may impose) uses any instrument or mode of fishing or takes any fish or fishes in any place or at any time prohibited by these Byelaws:-
    - (1) for the purpose of artificial propagation of salmon, trout or freshwater fish;
    - (2) for some scientific purpose;
    - (3) for the purpose of the preservation or development of a private fishery.

*Byelaw No 22 made on 25th January 1967 and confirmed on 26th October 1967.*

- (4) for the purpose of removing any fish from the waters in which they have been artificially propagated or reared.

*Byelaw No 3 made on 30th June 1977 and confirmed on 25th August 1977.*

**N.B. The provisions of this byelaw shall apply to all Yorkshire byelaws, unless otherwise stated.**

## **7. Exemptions (to national wild salmon and migratory trout tagging and log book byelaws)**

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

*Confirmed on 26 January 2009(National Byelaw)*

## **8C INTERPRETATION OF EXISTING BYELAWS FOR THE ANNUAL CLOSE SEASON FRESHWATER FISH**

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 by Byelaw 6(2) notwithstanding anything to the contrary in the relevant existing byelaws.

*Byelaw No 6 made on 26<sup>th</sup> November 1996 and confirmed on 14th March 1997*

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# APPENDIX A

## Notes for Guidance

1. 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.
2. When fishing with more than 2 rods a second fishing licence is required. No angler is allowed to use more than 4 rods in total.
3. Fishing for freshwater fish is not allowed in the Area during the period from 15th March to 15th June (inclusive) on waters specified in section 1A. The only exceptions to this are specified in section 19(8) of the Salmon and Freshwater Fisheries Act 1975.
4. The freshwater fish close season does not apply at any lake, pond or reservoir. At such waters, subject to the owners permission, fishing for freshwater fish and eels is permitted during the freshwater fish close season.
5. 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.
6. 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.
7. There are no specified Sites of Special Scientific Interest within the North East Region 1A 1a(c) where the close season applies.
8. Fishing for freshwater fish and eels is permitted in most canals during the freshwater fish close season. Canals where the freshwater fish close season still applies and fishing is not permitted are listed in section 1A 1a(2). *See also definition of a canal.*
9. Any person fishing with a rod and line during the freshwater fish close season is only allowed to use natural or artificial fly, minnow, worm, shrimp, sand eel or artificial lure as bait. This rule does not apply:-
  - (i) Where the Agency’s prior written permission to do otherwise has been obtained, or
  - (ii) At any water where the freshwater fish close season does not apply, i.e. a lake, pond, reservoir or canal other than the Aire and Calder Navigation between Castleford Weir and Ferrybridge Lock. *See also definition of a canal.*In all other circumstances the rule applies.
10. The use of keepnets at any waters in the Agency’s area is not permitted during the period from 15th March to 15th June (inclusive) on all waters to which the close season applies 4C 2. Keepnets may be used on lakes, ponds, reservoirs and some canals during this period with the owner’s permission.
11. The 95 metre (downstream) limit referred to in Byelaw 6 (made on 26 November 1996 and confirmed on 14 March 1997) shall be measured from such point on the specified obstruction as shall be the furthest downstream extent of the said obstruction and this limit shall have effect and extend to the same extent on either bank of the relevant watercourse.
12. The 25 metre (upstream) limit referred to in Byelaw 6 (made on 26 November 1996 and confirmed on 14 March 1997) shall be measured from such point on the specified obstruction as shall be the furthest upstream extent of the said obstruction and this limit shall have effect and extend to the same extent on either bank of the relevant watercourse



## APPENDIX B

### Interpretation/Definitions

In these byelaws, unless the context otherwise requires:-

“the Agency”	means the Environment Agency;
“the Authority”	means the National Rivers Authority or the Water Authority as appropriate;
“the area”	means the general Water Authority area defined in the Yorkshire and the Northumbria Water Authority Constitution Orders 1973 as extended by paragraph 4 of schedule 2 to the Water Act 1973;
“the coastal area”	means the North Sea along the coast up to 6 miles out from the baseline from which the breadth of the sea is measured;
“Northumbrian Byelaw”	means the byelaws which apply to those waters which drain into, or are within the catchment of, the Rivers Aln, Coquet, Lyne, Wansbeck, Blyth, Tyne, Wear, Tees or drain directly into the North Sea between the River Tweed and Staithes but excluding the River Tweed and its tributaries. Stillwaters within the catchment of the River Tweed and its tributaries are not excluded;
“Yorkshire Byelaw”	means the byelaws apply to those water which drain into, or are within the catchment, of the Rivers Swale, Ure, Nidd, Wharfe, Derwent, Hull, Esk, Aire, Calder, Don, Rother and Ouse. It also includes those waters to the north side of the River Humber and all other waters which drain directly into the North Sea between Staithes near Whitby and Spurn Head;
“fishing licence”	has the meaning assigned to it by section 25(2) of the Salmon and Freshwater Fisheries Act 1975;
“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.
“fixed engine”	includes: <ul style="list-style-type: none"> <li>• a stake net, bag net, putt or putcher;</li> <li>• any fixed implement or engine for taking or facilitating the taking of fish;</li> <li>• 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</li> <li>• 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 salmon or trout, 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;</li> </ul>
“grating”	means a device approved by the Minister for preventing the passage of salmon or trout through a conduit or channel in which it is placed;
“occupier”	in relation to a fishery or premises includes any person for the time being in actual possession of the fishery or premises;
“river”	includes a stream;
“canal”	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.
“rod and line”	means a single rod and line;

“salmon”	means all migratory fish of the salmon species, and includes part of a salmon;
“migratory trout”	means trout which migrate to and from the sea;
“trout”	means any fish of the salmon family commonly known as trout, including migratory trout and char, and also includes part of a trout;
“freshwater fish”	means any fish living in fresh water exclusive of salmon and trout and of any kinds of fish which migrate to and from tidal waters and of eels;
“eels”	includes elvers and the fry of eels.

## 2. Interpretation – NE Coast Fisheries Byelaws 1994/5

“The Area”	means the catchment area of those rivers and watercourses which drain into the North Sea between the River Tweed and the River Humber excluding the River Tweed and those rivers and watercourses and their tributaries which drain into the River Tweed or the mouth or entrance of the River Tweed (as defined in the Tweed Fisheries Amendment Act 1859) but excluding the catchment area of the River Ouse and also the catchment area of the River Humber which lies to the north of a line drawn midway between its banks.
“The Authority “	means the National Rivers Authority;
“Boat “	means coble or any other vessel;
“ The Coastal Area”	,means those tidal waters within a straight line drawn bearing 090° from the Scottish border and a straight line drawn 090° from point 53°28,38’ North, 00°09.32 East (Donna Nook Control Tower), including the River Humber but excluding the mouth of the entrance of the River Tweed (as defined in the Tweed Fisheries Amendment Act 1859) and shall extend between high water mark and the seaward limit of the Authority’s jurisdiction;
“District”	shall have the same meaning as in the National Rivers Authority – North East Coast (Limitation of Net Licences) Order 1992;
“Drift Net”	means a drift net complying as to its construction, design, materials and dimensions with the requirements for drift nets contained in these Byelaws and used for fishing for or taking salmon or migratory trout in accordance with these Byelaws;
“Eels”	means all life stages of eels;
“Eel Trap”	means a fyke net, trap or pot used for fishing for or taking eels in accordance with these Byelaws;
“Eel Trap :Licence”	means a licence to fish for eels with an eel trap in the Area;
“Fish”	means salmon, trout, freshwater fish or eels;
“Fishing Licence”	has the meaning assigned to it by Section 25(2) of the Salmon and Freshwater Fisheries Act 1975;
“Fixed Engine”	has the same meaning as in Section 6 of the Salmon and Freshwater Fisheries Act 1975 and all subsequent statutory modifications thereof;
“Inland Waters”	shall have the same meaning as in the Water Resources Act 1991 except that the expression shall not include any bay of the sea;
“J net”	means any net complying as to its construction, design, materials and dimensions with the requirements for J nets contained in these Byelaws and used for taking salmon or

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migratory trout in accordance with these Byelaws;

“Net Label” means any label which is distinguished by letters and/or numbers and is issued by the Authority in respect of a net licence or an eel trap licence;

“The River Humber” means the River Humber and its tributaries upstream of a straight line drawn between point 53°34.47’ North, 00°06.75 East (Spurn Head Lighthouse) and point 53°28,38’ North, 00°09.32’ East (Donna Nook Control Tower) but excluding the River Trent upstream of a straight line drawn between NGR SE86952095 on the right bank and SE86402095 on the left bank (Island House);

“Sea Fish” means any fish other than salmon, trout, freshwater fish or eels

“T net” means any net complying as to its construction, design, materials and dimensions with the requirements for T nets contained in these Byelaws and used for taking salmon or migratory trout in accordance with these Byelaws;

*Byelaw 1 of the NE Coast Fisheries Byelaws made on 14 February 1994 and confirmed on 21 February 1995*

### **3. (Section deleted)**

### **4. Byelaw 2 Interpretation of Byelaws**

#### **(WILD SALMON AND MIGRATORY TROUT TAGGING AND LOG BOOK BYELAWS)**

In these Byelaws except where expressly stated or where the context otherwise requires, all words and expressions used in this Byelaw shall have the meanings assigned to them by the Environment Act 1995, Salmon and Freshwater Fisheries Act 1975 and the Water Resources Act 1991.

“Authorised officer” means a person appointed by the Environment Agency to issue licences to fish for salmon and migratory trout otherwise than by rod and line.

“Day” means from 00.00.hours to 24.00 hours following.

“Fish” means salmon or migratory trout.

“Holder of a log book” means a person who holds a log book issued to them as a holder of a licence granted under section 25 Salmon and Freshwater Fisheries Act 1975

“Migratory trout” means trout of the species *Salmo trutta* which migrate to and from the sea.

“Processed” means either :-

smoking, marinating or cooking the fish, or

removing the viscera and the head of the fish and freezing the fish or cutting steaks or other portions of the fish.

“Salmon” means salmon of the species *Salmo salar*.

“Upper Esk” has the same meaning as assigned to it in the Scotland Act 1998 (Border Rivers) Order 1999.

This Byelaw does not apply to any salmon or migratory trout taken within a fish farm as defined in section 10 of the Diseases of Fish Act 1937.

*Confirmed on 26 January 2009(National Byelaw)*

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## **5 Byelaw 2 Interpretation** ***(National Salmon Byelaws)***

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

"the Agency" means the Environment Agency;

"North East Region" means the area of the Agency where the former Northumbria & Yorkshire Region of the National Rivers Authority carried out its functions in relation to fisheries under the Water Resources Act 1991, formerly the Northumbria Region and Yorkshire Region, and which areas were identified as the area of the Northumbrian Water Authority and Yorkshire Water Authority as provided by paragraph 1(2)(a) of Schedule 17 to the Water Act 1989;

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*Confirmed on 15 December 2008 (National Salmon Byelaws)*

*These Byelaws shall cease to have effect at midnight on the 31st day of December 2018.*

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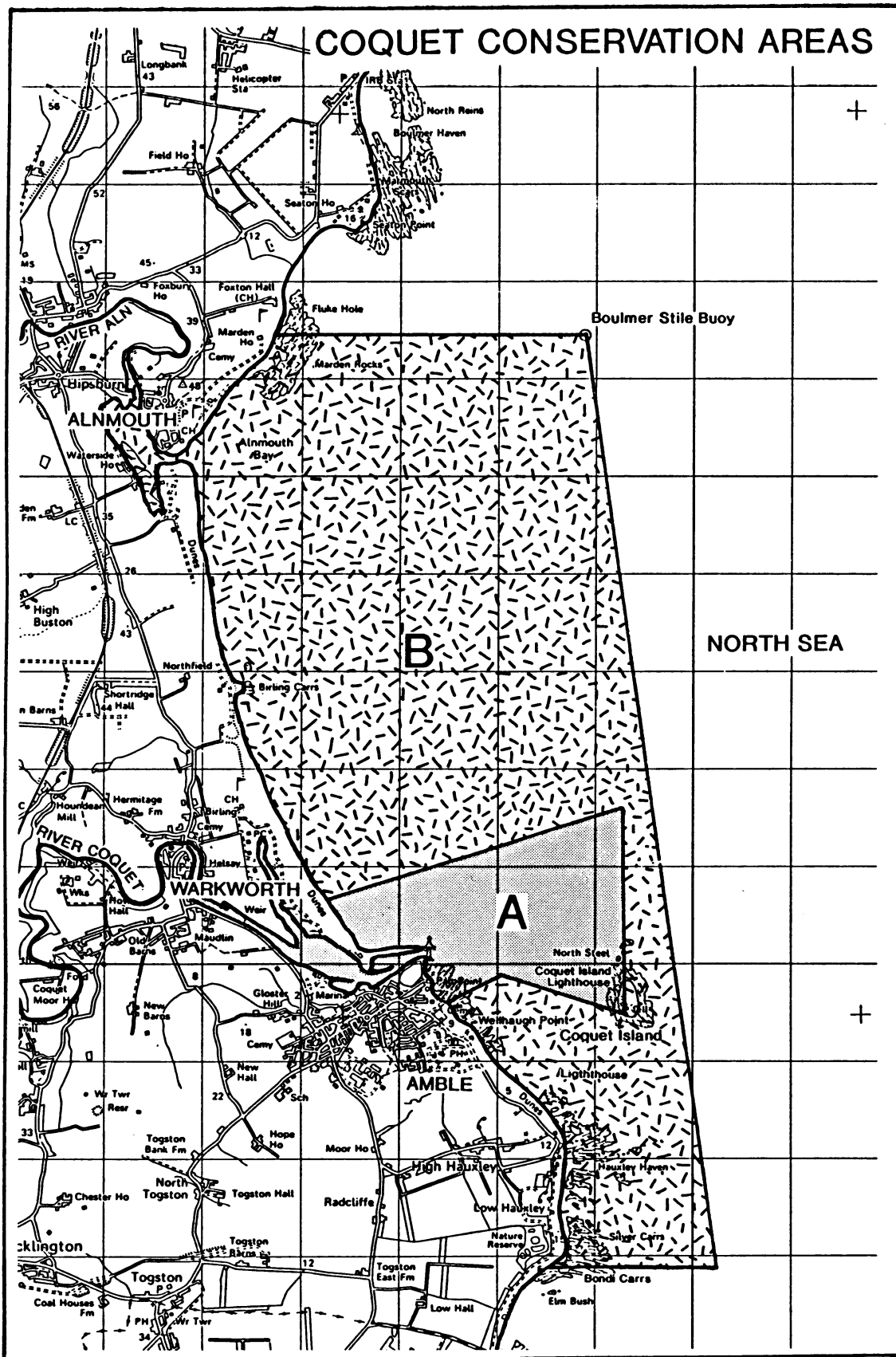
## **APPENDIX C**

### **Prohibited Area Maps**

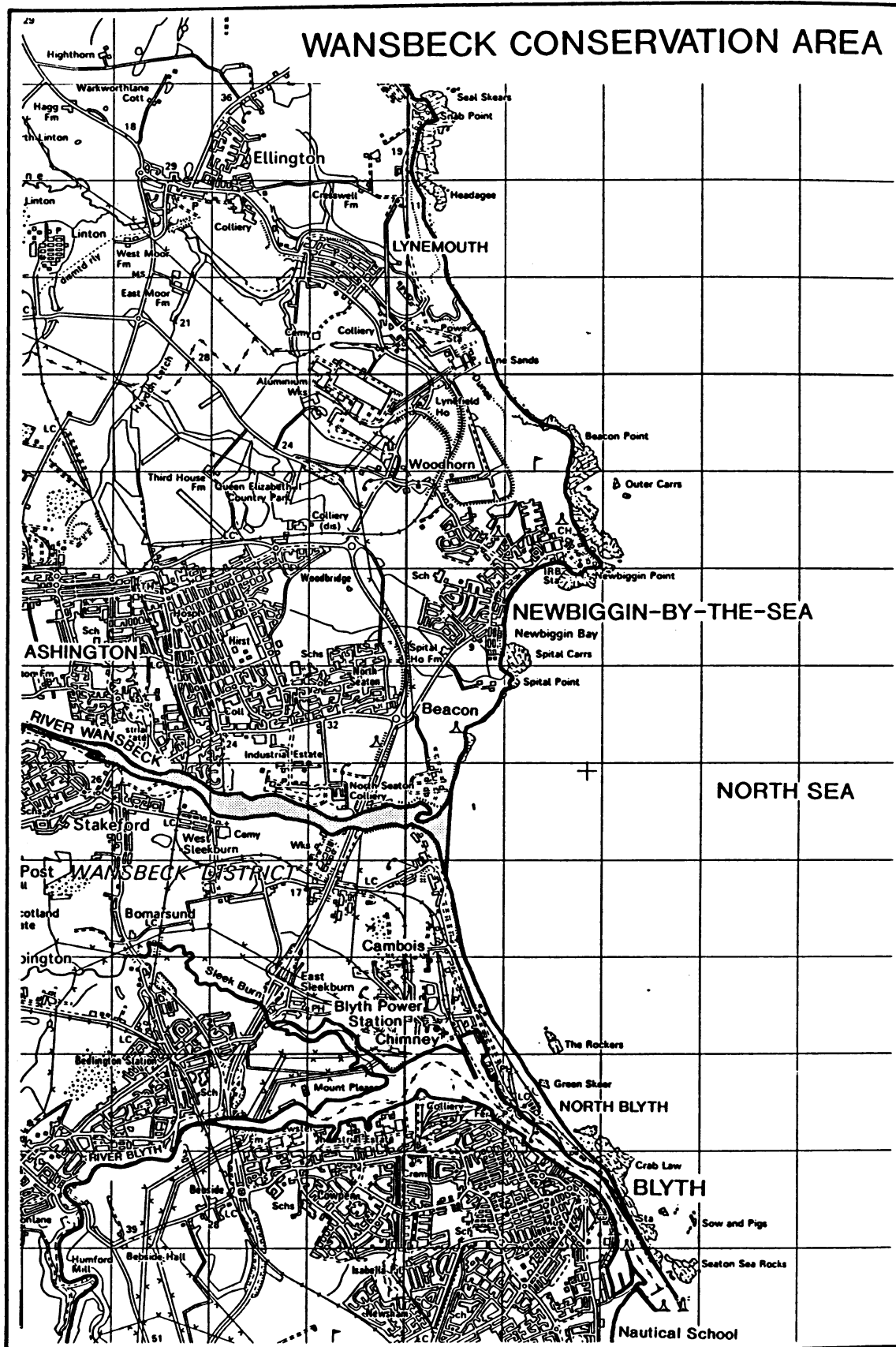
The information provided in the following maps is for guidance only and does not form any part of the byelaw. In the event of any discrepancy, the byelaw shall prevail.

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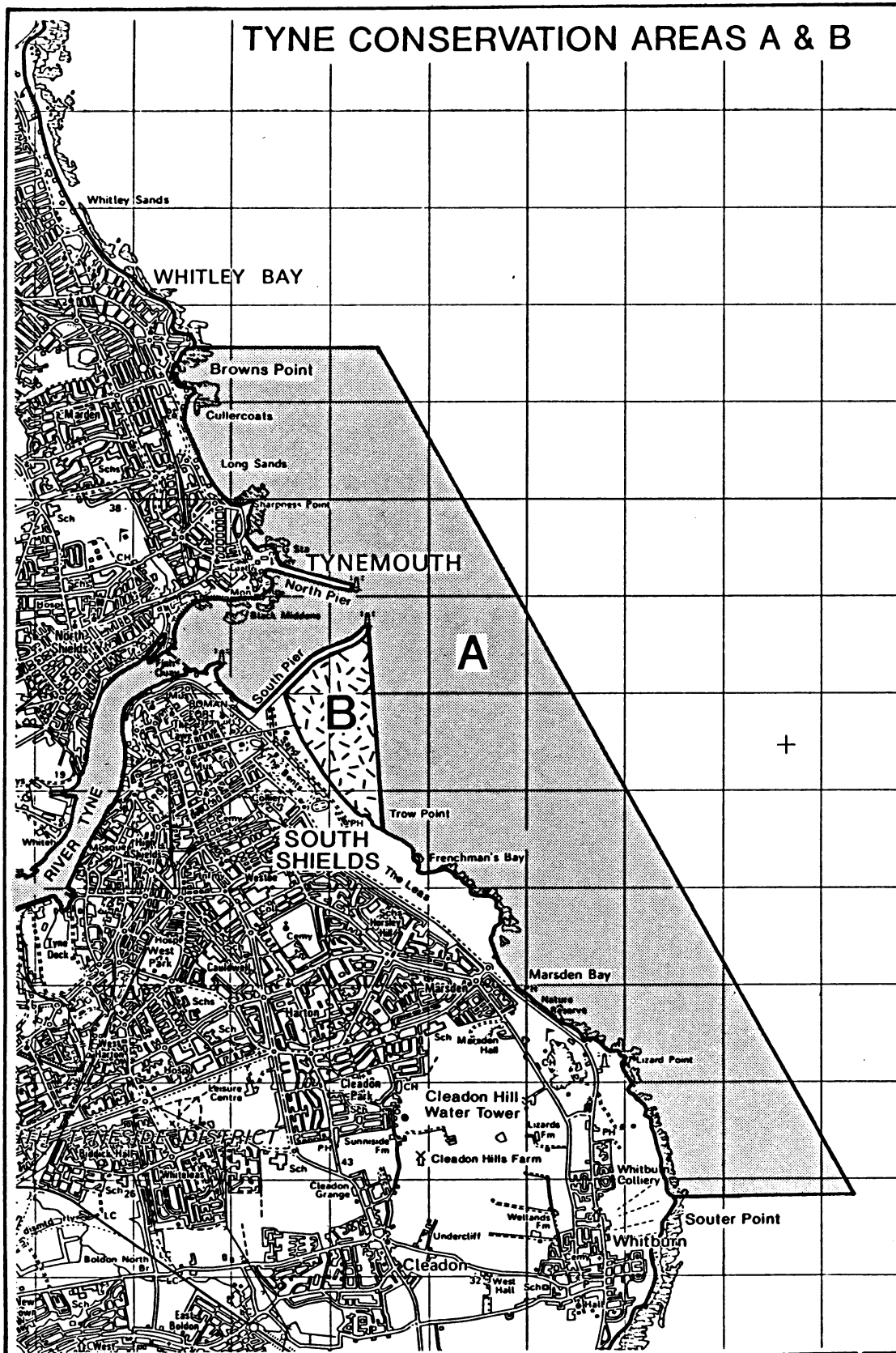
## Coquet Conservation Areas



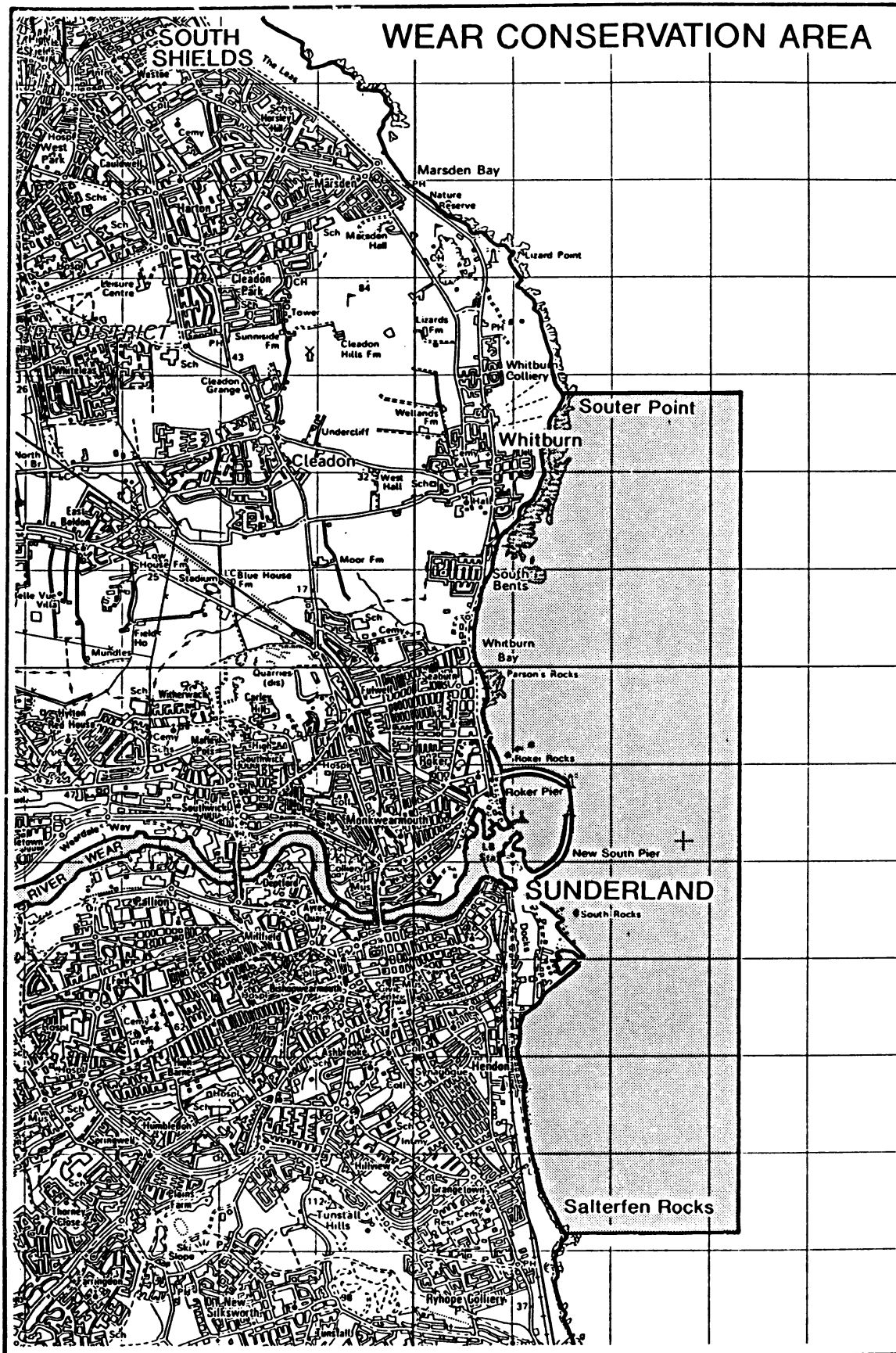
# Wansbeck Conservation Areas



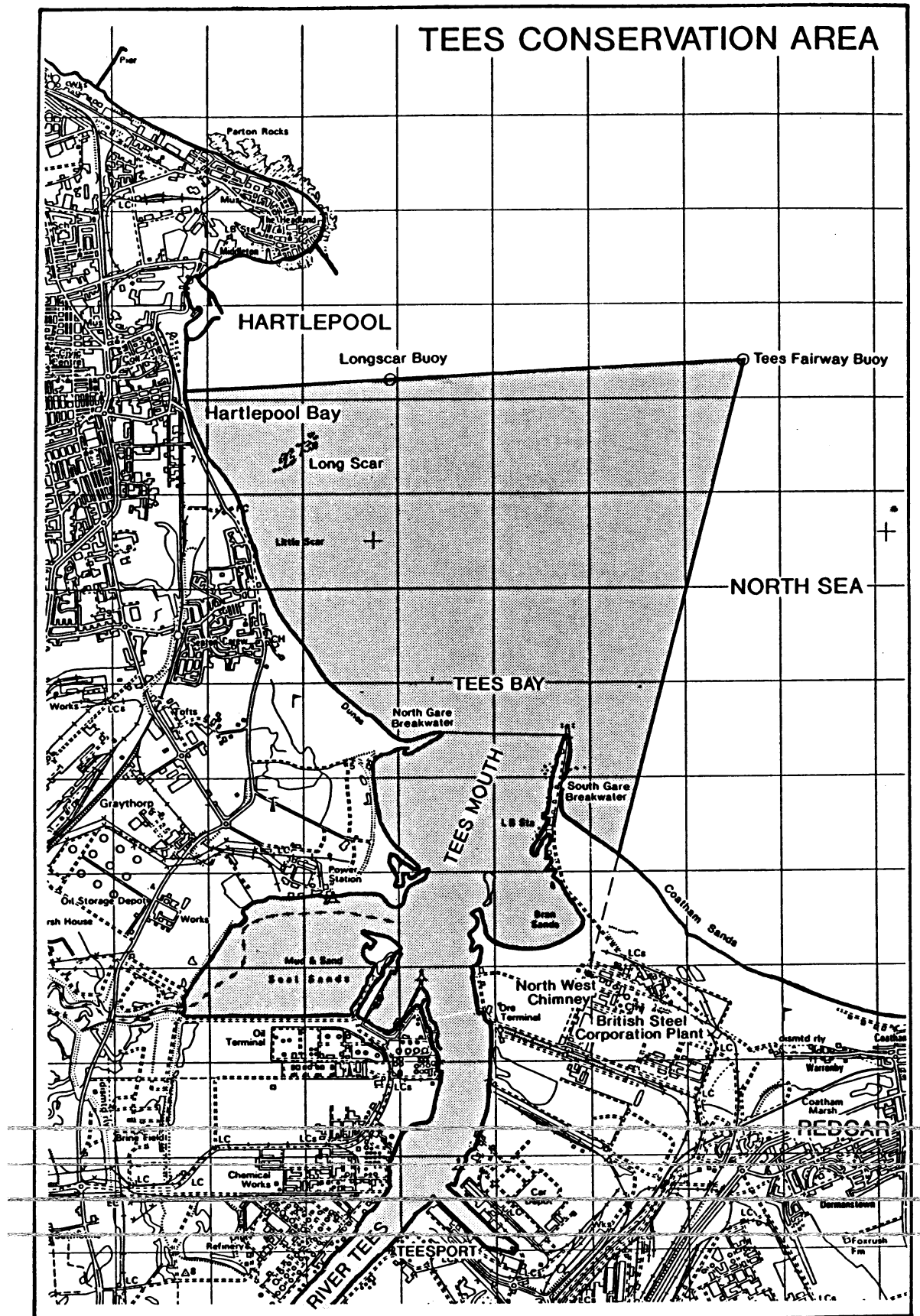
## Tyne Conservation Areas



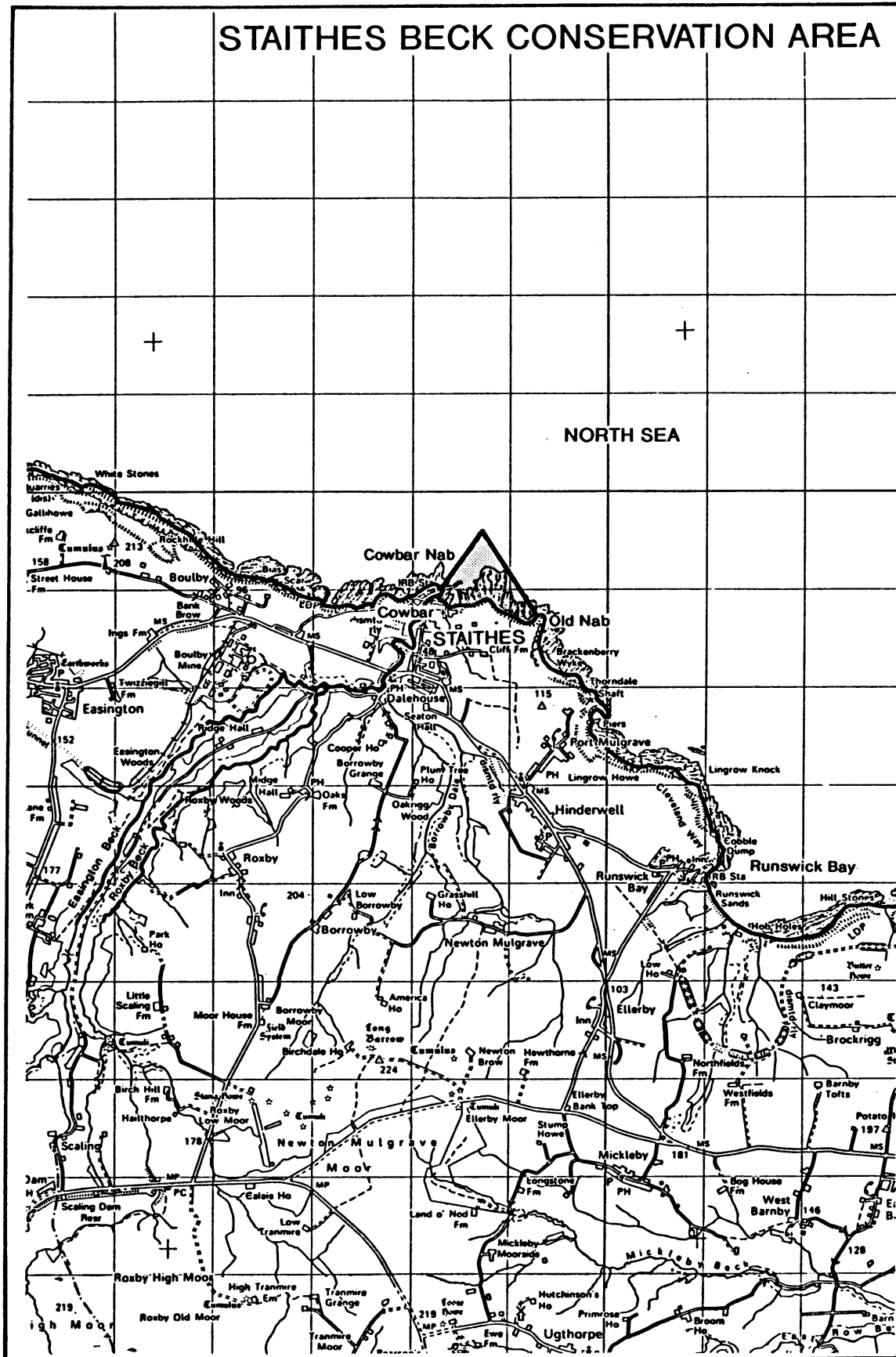
## Wear Conservation Areas



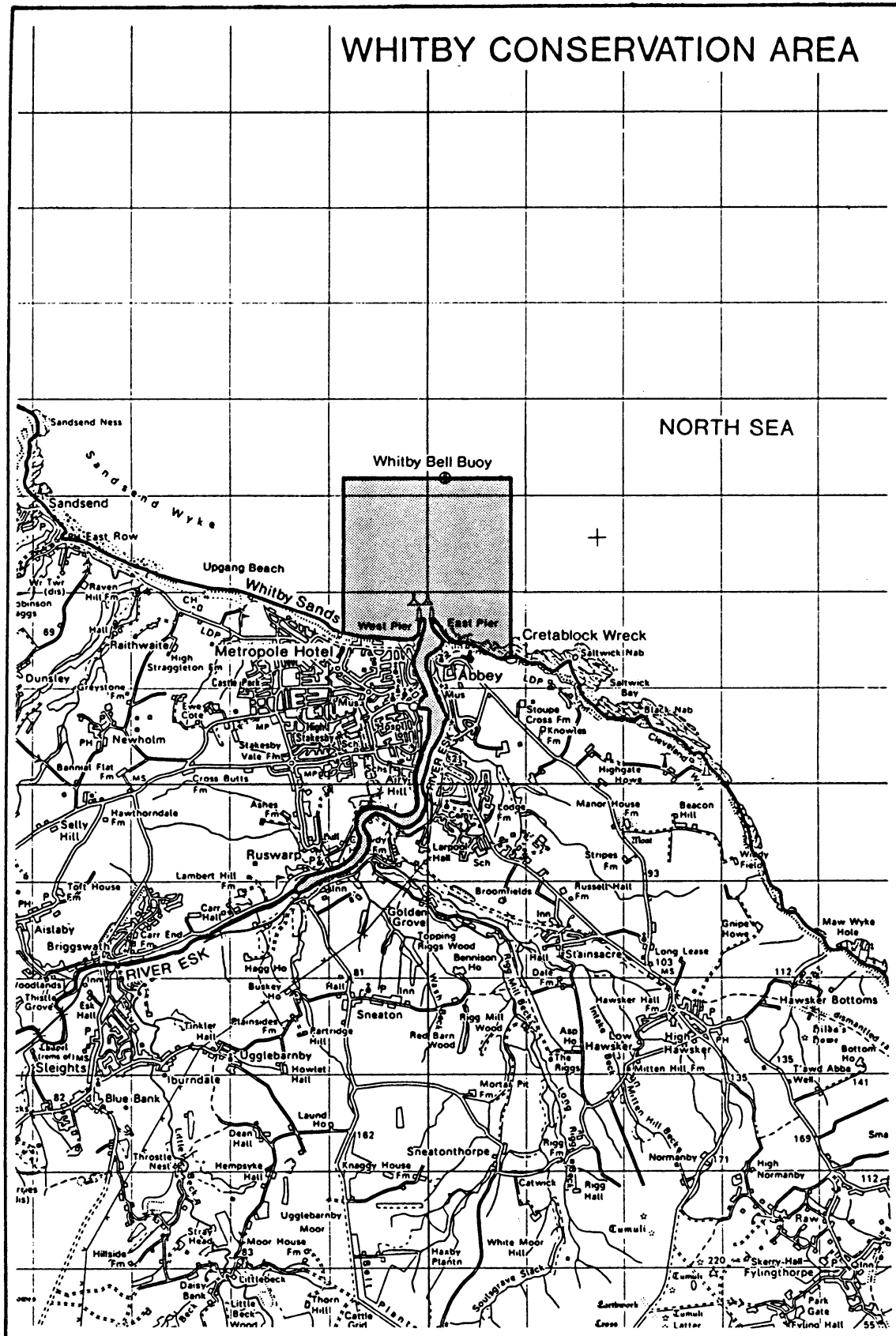
## Tees Conservation Areas



# Staithes Beck Conservation Area

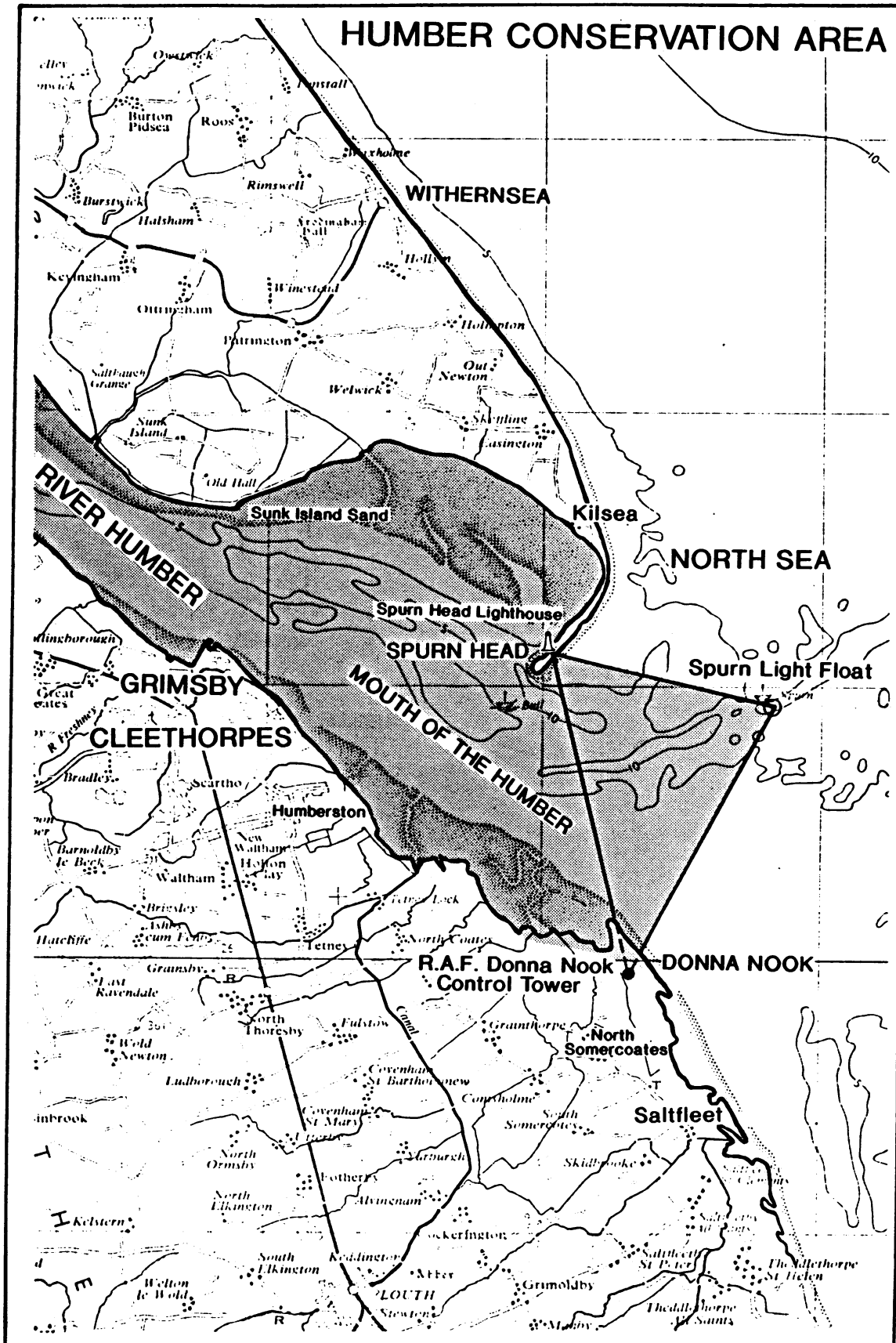


## Whitby Conservation Areas

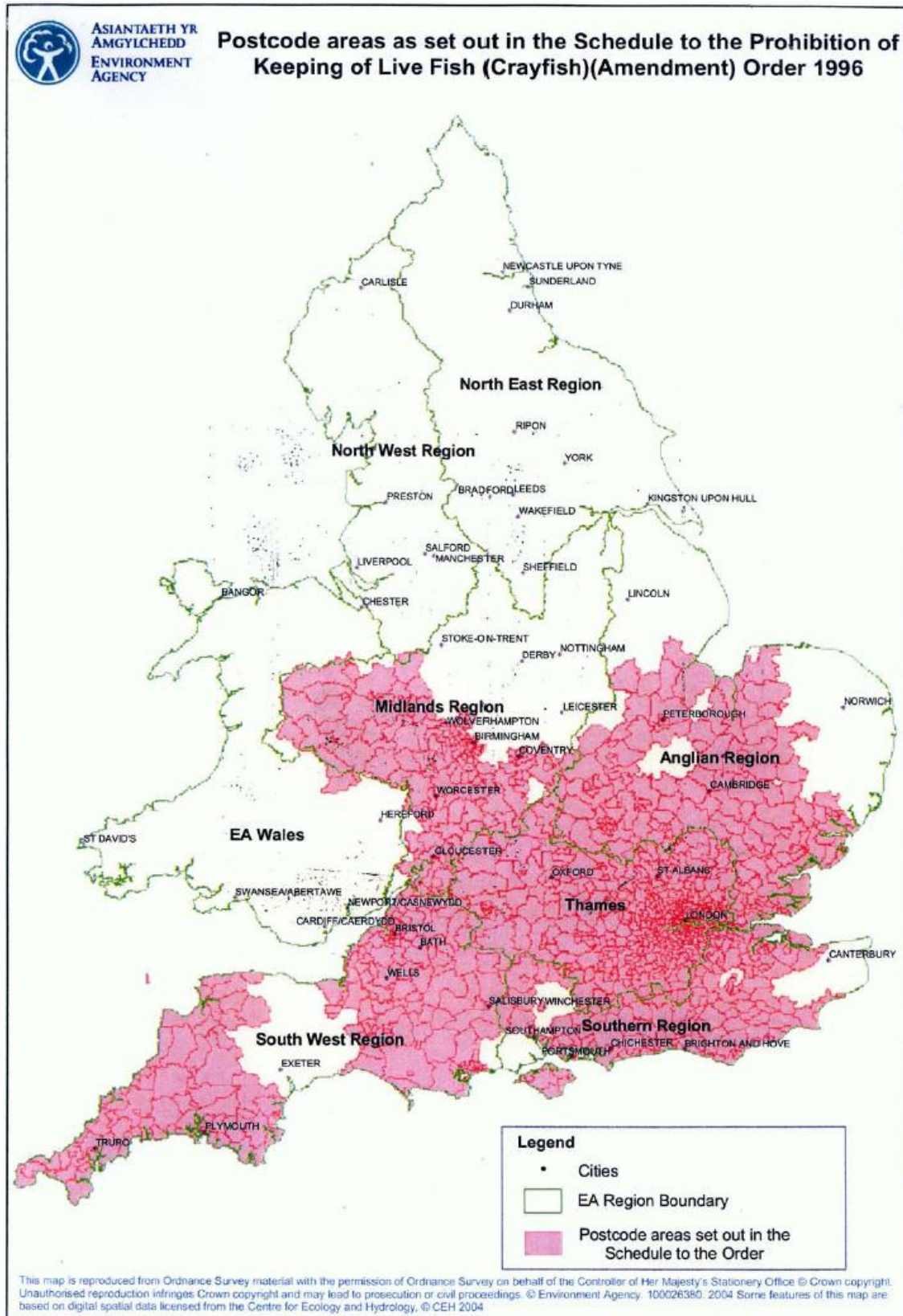




## Humber Conservation Areas



# Postcode Areas for Crayfish Order



## North Eastern Sea Fisheries Committee Byelaw

### FIXED ENGINE (AUTHORISATION) BYELAW

*The Committee for the North Eastern Sea Fisheries District, in exercise of its powers under section 5 of the Sea Fisheries Regulation Act 1966 and section 37 of the Salmon Act 1986 and having obtained the consent of the Environment Agency in accordance with section 37(3) of the Salmon Act 1986 has made the following Byelaw:*

#### *XVIII. FIXED ENGINE (AUTHORISATION) BYELAW*

- (1) The placing and use of fixed engines within those parts of the District listed in Column A of Schedule I, as defined in Schedule III, is hereby authorised as follows for a period of 5 years from the confirmation of this byelaw:
- a. Within the Area described in Column A (Area) during the times specified in Column B (Period), fixed engines of the type described in Column C (Fixed Engine) are authorised provided that the conditions specified in Column D (Conditions) are met.
  - b. Within Area C, as defined in Schedule III, the issuing of permits is subject to the further conditions contained within Schedule II.
  - c. No fixed engine authorised by this byelaw shall be placed or used for the taking of Salmon or migratory trout at any time.

#### (2) Interpretation

‘Salmon’ means fish of the species (*Salmo salar*) and migratory trout means fish of the species (*Salmo trutta*) which migrate to and from the sea.

‘Sea fish’ means fish of any description found in the sea including shellfish but does not include salmon, eels or freshwater fish.

‘The District’ means the North Eastern Sea Fisheries District as defined in the ‘North Eastern Sea Fisheries District Order 1986 (as amended).

‘Acoustic deterrent device’ means a small purpose made device, which emits a frequency of sound and is designed to prevent the accidental by-catch of cetaceans in nets. The device must conform to specifications laid down in Council Regulation 2004/812/EC .

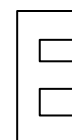
‘Registered fishing vessel’ – Fishing vessel registered in accordance with the Merchant Shipping Act 1995 and the regulations made thereunder (or any statutory modification or re-enactment thereof), or in the Channel Islands or the Isle of Man, and who holds a current fishing licence issued by the appropriate UK fisheries department .

‘Temporary Closure’ shall mean a total prohibition on the use of gillnets, used under a permit issued in accordance with Schedule II for fishing in the area defined in Area C.


‘Predetermined Level’ shall mean a sum agreed annually between the Committee and the Environment Agency.

#### (3) Revocation

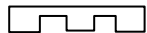
Byelaw XVIII concerning the authorisation of fixed engines and made on 3<sup>rd</sup> July 2003 is revoked.



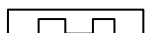
## Schedule I.

A) AREA	B) PERIOD	C) FIXED ENGINE	D) CONDITIONS
The District	1 <sup>st</sup> January to 31 <sup>st</sup> December Inclusive	Crab, Lobster and Whelk Pots	Used only for taking crab, lobsters, whelks and other shellfish species
The District	1 <sup>st</sup> January to 31 <sup>st</sup> December Inclusive	A longline	Used only for taking sea fish.
The District (excluding Area A)	1 <sup>st</sup> January to 31 <sup>st</sup> December Inclusive	A Fyke Net	<ol style="list-style-type: none"> <li>1) Must be licensed by the Environment Agency</li> <li>2) Used only for the purpose of taking eels.</li> </ol>
The District (excluding Areas A & B)	1 <sup>st</sup> April to 31 <sup>st</sup> August Inclusive	A net for taking Sole ( <i>Solea solea</i> ) being a net constructed of a single sheet of un-armoured netting not more than 500 metres in length and not more than 1 metre in height with a minimum mesh size of 100mm (measured in accordance with the rules laid down in the relevant EC legislation from time to time).	<ol style="list-style-type: none"> <li>1) The net shall be placed seaward of the 5m depth contour line.</li> <li>2) The net must only be placed or used by a registered fishing vessel</li> <li>3) Used only between 0800 hours Monday and 2000 hours on Friday following and:</li> <li>4) Anchored to the sea bed and set in such a way that the lead line of the net is in permanent contact with the sea bed along the whole of its length;</li> <li>5) Not placed within 50 metres of any other net or trap:</li> <li>6) The position of all fleets of nets must be clearly marked at each end by a surface marker. That marker must show the vessels port letters and numbers.</li> <li>7) Unless otherwise authorised in writing by the Environment Agency the fixed engine is placed parallel to the shore.</li> </ol>
 A) AREA	B) PERIOD	C) FIXED ENGINE	D) CONDITIONS

The District (excluding Areas A, B, C)	1 <sup>st</sup> November to 25 <sup>th</sup> March Inclusive	Any net for taking sea fish	1) The net shall be placed seaward of the 5m depth contour line. 2) The Headrope shall not be nearer to the water surface than 4 metres at any state of the tide
The District (ex- cluding Areas A,B & D)	1 <sup>st</sup> November to 25 <sup>th</sup> March inclusive	A net for taking cod ( <i>Gadus morhua</i> ) being a net with a minimum mesh size equal to or more than 140 mm (measured in accordance with the rules laid down in the relevant EC legislation from time to time).	1) The net must only be placed or used by a registered fishing vessel 2) The position of all fleets of nets must be clearly marked at each end by a surface marker. That marker must show the vessels port letters and numbers.
The District (excluding Areas A, B,C)	26 <sup>th</sup> March to 31 <sup>st</sup> October Inclusive	Any net for taking sea fish	1) The net shall be placed seaward of the 10m depth contour line. 2) The Headrope shall not be nearer to the water surface than 4 metres at any state of the tide.



Area C	15 <sup>th</sup> October to 30 <sup>th</sup> April Inclusive	<p>A net for taking sea bass (<i>Dicentrarchus labrax</i>) being a net constructed of a single sheet of un-armoured netting with a mesh size equal to or greater than the current requirement for bass net size in EC and national legislation (measured in accordance with the rules laid down in the relevant EC legislation from time to time). The total headline length of net permitted under each permit will not exceed 250 metres.</p>	<p>1) The net must only be placed or used under a permit issued by the Committee and in accordance with the technical provisions detailed below and the administrative provisions set out in Schedule II:</p> <p>2) The net must be clearly marked with an identification label issued by the Committee.</p> <p>3) Each net must have an acoustic deterrent device attached</p> <p>4) Any net used is inspected and cleared at least once in any 24 hour period.</p>
	1 <sup>st</sup> May to 30 <sup>th</sup> June Inclusive	<p>A net for taking sole (<i>Solea solea</i>) being a net constructed of a single sheet of un-armoured netting not more than 100 metres in length and not more than 1 metre in height with a minimum mesh size of 100mm (measured in accordance with the rules laid down in the relevant EC legislation from time to time).</p>	<p>1) The net must only be placed or used by a sea bass permit holder possessing a valid permit, issued by the Committee, in accordance with provisions detailed in Schedule II between 0800 hours Monday and 2000 hours on Friday following and:</p> <p>2) Anchored to the sea bed and set in such a way that the lead line of the net is in permanent contact with the sea bed along the whole of its length;</p> <p>3) Not placed within 50 metres of any other net or trap:</p> <p>4) The position of all fleets of nets must be clearly marked at each end by a surface marker. That marker must show the permit number of the operator.</p> <p>5) Unless otherwise authorised in writing by the Environment Agency the fixed engine is placed parallel to the shore.</p>



## *Schedule II*

1. The placing or use of a net for taking sea fish is authorised in Area C, providing that a permit has first been obtained from the Committee and signed by the clerk. A maximum of 5 Permits will be issued in any one calendar year. Permits will be allocated in accordance with Committee guidelines.
2. Such permits are not transferable and can only be relied upon by the person named in the permit and whose photograph is attached to the permit.
3. The Committee retains the right to refuse to issue a permit until such time as any applicant makes available any outstanding accurate information required for the issue of that permit.
4. The permit holder shall send to the Committee, on a pre-printed form supplied by the Committee, a monthly return showing accurate information regarding the number, weight (in kilograms) and type of species caught during the preceding month and any other information, which the Committee regards as necessary. The Committee retains the right to withdraw a permit should any outstanding information required in paragraph 4 not be supplied.
5. It shall be the responsibility of the holder of the permit to ensure that such accurate statistical returns, as required by the Committee, are received by the Committee no later than the last day of the month following the period for which the returns are due.
6. A maximum of three labels will be issued to each permit holder. Labels are not transferable and must be used by the named permit holder.

### **Closure of Fishery (1<sup>st</sup> –30<sup>th</sup> April)**

- a. During the period 1<sup>st</sup> –30<sup>th</sup> April in any permit year, the fishery can be subject to temporary closure.
- b. All permit holders are required to report to the Committee within 24 hours of capture, all salmon or migratory trout taken at anytime within the period 1<sup>st</sup> to 30<sup>th</sup> April.
- c. A temporary closure will be implemented by the Clerk of the Committee when the catch rate of salmon and migratory trout as reported by the permit holders or witnessed by fishery officers exceeds a predetermined level over any 3 day consecutive period.
- d. Once the closure is invoked the fishery will remain closed until the 15<sup>th</sup> October in the same calendar year.



### *Schedule III*

#### **AREA A**

- (1) Those tidal waters and parts of the sea in the District bounded as follows:-
- i on the east by a straight line drawn 327° True direction from Old Nab (position 54° 33.48 North, 00° 46.30 West),
  - ii on the west by a straight line drawn 036° True direction from Cowbar Nab, near Staithes (position 54° 33.65 North, 00° 47.37 West).
- (2) Those tidal waters and parts of the sea in the District bounded as follows:-
- i on the east by a straight line drawn from Whitby Highlight (position 54° 28.68 North, 00° 34.00 West) to Whitby Bell Buoy (position 54° 30.32 North, 00° 36.50 West) and
  - ii on the west by a straight line drawn 240° True direction from Whitby Bell Buoy to the land (position 54° 29.70 North, 00° 38.30 West).

#### **AREA B - The Humber**

Those tidal waters and parts of the sea in the District within the River Humber upstream of a straight line drawn between Spurn Head Lighthouse (position 53° 34.47 North, 00° 06.75 East) and RAF Donna Nook Control Tower (the Control Tower at RAF Air Gunnery and Bombing Range at Donna Nook), (position 53° 28.48 North, 00° 09.32 East) and within the area bounded by the following unbroken lines:-

- i a line drawn from Spurn Head Lighthouse to RAF Donna Nook Control Tower,
- ii a line drawn from RAF Donna Nook Control Tower to point 53° 33.50 North, 00° 14.33 East ("Spurn Light Float"),
- iii a line drawn from the Spurn Light Float to Spurn Head Lighthouse.

#### **AREA C - The Holderness Coast**

Those tidal waters within the District which lie inside the 5 metre depth contour line and between:

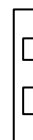
- i a line drawn true east from Flamborough Head Lighthouse in position (54° 07. 09 North, 000° 05.10 West)
- ii a line drawn true east from Withernsea Light in position (53° 43. 88 North, 000° 01.70 East)

#### **AREA D – Tees, Wear & Tyne**

##### **Tees Area**

Those tidal waters and parts of the sea in the District bounded as follows:-

- i on the north-east by a straight line drawn from position 54° 40.35 North, 01° 12.10 West to the Tees Fairway Buoy (position 54° 40.95 North, 01° 06.37 West),
- ii on the south-east by a straight line drawn from the Tees Fairway Buoy to the North West Chimney (position 54° 37.48 North, 01° 07.97 West) at the British Steel Corporation Plant, Redcar.





#### Wear Area

Those tidal waters and parts of the sea in the District bounded as follows:-

- i on the north by a line one nautical mile in length drawn True east from Souter Point (position 54° 57.40 North, 01° 21.00 West),
- ii on the south by a line one nautical mile in length drawn True east from a position 54° 52.90 North, 01° 20.80 West and which said position is situated within a triangular shaped shelf of rocks known as Salterfern Rocks,
- iii on the east by a straight line joining the eastern extremities of the said northern and southern boundary.

#### Tyne Area

Those tidal waters and parts of the sea in the District bounded as follows:-

- i on the north by a line drawn True east from the lighthouse at the seaward extremity of the south pier at the southern side of the entrance to the River Tyne (position 55° 00.68 North, 01° 24.00 West) to the point of intersection with a line drawn from a point one nautical mile True east from the leading lights of Cullercoates (position 55° 02.01 North, 01° 25.80 West) to a point one nautical mile True east from Souter Point,
- ii on the south by a line one nautical mile in length drawn True east from Souter Point,
- iii on the east by a straight line joining the eastern extremities of each of the boundaries described in (i) and (ii) above.

### Explanatory Notes

*(These notes do not form part of the byelaw)*

The purpose of this Byelaw is to protect developing inshore bass (*Dicentrarchus labrax*) stocks from overexploitation through the management of intertidal or near-shore netting effort. It is also to protect salmon and migratory trout, by prohibiting fishing with nets at times and in places where these species are vulnerable to capture with enmeshing nets and enable legitimate fishing with nets for sea fish and eels in accordance with the above aims. The Byelaw has been set for a fixed period of five years.

All positions relevant to this Byelaw are Satellite derived from WGS84 datum.



**I HEREBY CERTIFY THAT Byelaw XVIII was made by the Committee at its meeting on 26<sup>th</sup> July 2005 and agreed, as above, at the meeting on 29<sup>th</sup> April 2008.**

*Nigel Pearson*  
**Clerk of the Committee**

The Secretary of State for the Environment, Food and Rural Affairs in exercise of the powers conferred on him by Section 7 of the Sea Fisheries Regulation Act 1966 hereby CONFIRMS the foregoing byelaw.

IN WITNESS whereof of the Official Seal of the Secretary of State for Environment, Food and Rural Affairs is hereunto affixed on.....2008.

**Lee McDonough**  
**Fishing Industry Management Division**

**For and on behalf of the Secretary of State for the Department of the Environment, Food and Rural Affairs**



## Northumberland Sea Fisheries Committee Byelaw No 4. Fixed Engines

For the purpose of section 6 of the Salmon and Freshwater Fisheries Act 1975 the placing and use of any fixed engines is hereby authorised within the district of the Northumberland Sea Fisheries Committee excluding such part as lies within the River Tweed as defined in the Tweed Fisheries (Amendment) Act 1859 as amended by byelaws, providing that , in relation to any fixed engine other than a trap for taking lobsters and crabs, the following conditions are complied with:

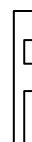
- (1) Subject as mentioned below at no time shall a fixed engine be placed or suspended for taking salmon or trout.
- (2) During the period 26th March to 31st October inclusive, no fixed engine other than a 'T' net authorised by the Environment Agency's Salmon Net Byelaws confirmed (save as to byelaws 16 and 19) on 21st February 1995 and (as to Byelaws 16 and 19) on 8th June 1995, shall:
  - (a) be placed or used in a depth of water less than 7 metres unless the position of any such fixed engine is on a rise in the sea bed separated from the shore by water deeper than 7 metres at any state of the tide;
  - (b) be placed or used so that the headline is less than 4 metres below the surface of the water at any state of the tide;
  - (c) be placed to the west of a line drawn:
    - (i) between the seaward end of the south pier at South Shields and Marsden Point; and
    - (ii) between Hauxley Point and Coquet Island Light House, thence on a bearing 355° to a point 3 nautical miles and 622 metres distant and thence north-west to Seaton Point.
- (3) During the period 1st November to 25th March inclusive no fixed engine shall be placed within the following areas (known locally as the Tyne Playground, Wansbeck Playground, and Coquet Playground) unless the headline shall be at least 4 metres below the water at any state of the tide:
  - (a) **Tyne Playground**

Those tidal waters and parts of the sea within that part of the Northumberland Sea Fisheries Committee's district as lies within an area bounded as follows:

    - (i) on the North by a line one nautical mile in length drawn due east from Marconi Point, Cullercoats;
    - (ii) on the South by a line one nautical mile in length drawn due east from Souter Point;
    - (iii) on the East by a straight line joining the Eastern extremities of the Northern and Southern boundary lines;

- (b) **Wansbeck Playground**

Those tidal waters and parts of the sea at Newbiggin by the Sea West of a straight line drawn between the South Eastern beacon, being one of the four beacons used



by ships for identifying the measured nautical mile offshore of Newbiggin by the Sea, and the Eastern-most of the four chimneys at Blyth Power Station, Cambois.

**(c) Coquet Playground**

Those tidal waters and parts of the sea within an area bounded as follows:

- (i) On the North by a straight line drawn due west to the high water mark on the shore from a position Coquet Lighthouse bearing 355° distance 3 nautical miles and 622 metres;
- (ii) On the south by a line drawn due west to the high water mark on the shore from a position Coquet Lighthouse bearing 160° distance 1 nautical miles and 1024 metres; and
- (iii) On the East by a straight line joining the eastern extremities of the said northern and southern boundary lines.



## Schedule of National Byelaws

<b>Title</b>	<b>Date Made</b>	<b>Date Con- firmed</b>	<b>Status</b>
Close Season Byelaws	8 Sept 1994	13 Mar 1995	Substantially revoked
Fisheries Byelaws	26 Nov 1996	18 Dec 1996 (1, 2, 3, 9 in part; Sch 1 para 1, 2, 3; Sch 2 in part)  14 Mar 1997 (4, 6, 7, 8, 9 in part; Sch1 part; Sch 2 part; Sch 3)  16 Feb 1998 (5)	In force
National Salmon Byelaws	17 Nov 1998	13 Apr 1999	Expired
Fisheries Byelaws	1 Nov 1999	14 Mar 2000	In Force
Fisheries Byelaws	26 Feb 1998	26 May 2001	In force
National Eel Byelaws	4 July 2003	19 Nov 2004	Revoked
Crayfish Byelaws (England)	6 Dec 2004	12 May 2005	Revoked
National Salmon Byelaws		15 Dec 2008	In force
Ban On The Sale Of Rod Caught Salmon And Migratory Trout Byelaw		23 Jan 2009	In force
Wild Salmon And Migratory Trout Tagging And Log Book Byelaws		26 Jan 2009	In force
Fish Removal (Rod and Line) Byelaws 2009		16 Dec 2009	
National Eel Byelaws (Net and Trap) 2010	12 July 2010	31 Dec 2010	In force

## FILEY BAY FISHERIES BYELAWS

### Code of Conduct

#### Introduction

Filey Bay fishery is part of the North-East Coast T & J net fishery for Sea Trout and Salmon which is licensed and regulated by the Environment Agency.

The Filey Bay Fisheries Byelaws (the Byelaws) require any person who is issued a T and J net licence to fish in Filey Bay to take certain measures to reduce the impact of net fishing on local seabird populations.

The aim of the Byelaws is to avoid damaging impacts on the Flamborough and Bempton Cliffs Special Protection Area (SPA), Flamborough Head Site of Special Scientific Interest (SSSI), and local seabird populations, whilst maintaining a viable, sustainable, local commercial salmon and sea trout net fishery. In the longer-term, the possibility of attaining accreditation to maximise the value of the fishery will be pursued.

It is recognised that if netting activities threaten the existence of seabird populations in the SPA and SSSI, then further measures may be required.

Byelaw 3(1) of the Byelaws requires reasonable steps as detailed in a Code of Conduct (as revised and re-issued from time to time) to be taken to ensure the use of a T or J net does not result in the death of sea birds. This document is the relevant Code of Conduct for the purposes of that Byelaw.

Failure to comply with this Code of Conduct may constitute a breach of the Byelaws for which the Environment Agency may take enforcement action in accordance with its Enforcement and Prosecution Policy.

#### Steps to be taken

1. The licence holder (or his registered endorsee) are expected to be in attendance at the net at all times when it is being used to fish and there are a significant number of birds in the vicinity.
2. If it becomes apparent that significant numbers of birds are being caught in the net the licence holder (or his endorsee) should take whatever steps are necessary to reduce such captures. Such steps may include but are not limited to:
  - a. implementing the steps required by Byelaw 3 (4) outside of the period 1 June to 30 June.
  - b. increasing the visibility of the net to birds
  - c. resetting the net in a different configuration
  - d. resetting the net in a different location which is less vulnerable to seabird entanglement
  - e. removing the net from that location for a temporary period
  - f. shooting and hauling the net

The licensee shall record any such changes in the fishing and shall note and report to the monitoring officer or the Environment Agency officer, the impact of such change on the capture of birds.

3. Any birds caught in the net must be removed as quickly as possible and before any fish are extracted. Where practicable uninjured birds caught in the net should be allowed recovery time

before release. All injured or dead birds should be handed over to the monitoring officer or the Environment Agency Officer as soon as practicable.

4. All licensees and endorsees will undergo training in the safe removal of birds from the net as directed by the Environment Agency and put that training into practice when handling any birds.
5. If the licensee is prevented from taking any action described above they should contact the Environment Agency immediately using the free phone telephone number 0800 80 70 60 and shall take such further steps they are advised to take.

### **Monitoring and Revision of the Code of Conduct**

The Environment Agency will monitor the impact of the effectiveness of this Code of Conduct in reducing bird by-catch. From time to time, working in conjunction with all interested parties, the Environment Agency may amend this Code of Conduct to ensure that it achieves its stated aims. Copies of the current Code of Conduct may be obtained from the Team Leader – Technical (Fisheries, Biodiversity and Recreation), Environment Agency, Coverdale House, Aviator Court, Amy Johnson Way, Clifton Moor, York, YO30 4GZ. Tel: 08708 506506

**Dated: 6 May 2010**

**Environment Agency  
Coverdale House  
Aviator Court  
Amy Johnson Way  
Clifton Moor  
York  
YO30 4GZ**

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