ENVIRONMENT AGENCY

SALMON AND FRESHWATER FISHERIES ACT 1975
WATER RESOURCES ACT 1991
ENVIRONMENT ACT 1995

SALMON AND SEA TROUT PROTECTION BYELAWS

The Environment Agency, in exercise of its powers under Section 210 and paragraphs 6(1)(b), 6(2)(aa), 6(2)(c), and 6(2)(d) of Schedule 25 to the Water Resources Act 1991 and Article 4(2) of the Scotland Act 1998 (Border Rivers) Order 1999, makes the following Byelaws.

Byelaw 1 Application of Byelaws

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

These Byelaws shall cease to have effect at midnight on 31st December 2028.

Byelaw 2 Interpretation

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

"the Agency" means the Environment Agency;

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

"North East area" means the Northumbria and Yorkshire areas;

"Northumbria Area" means the area comprising districts 1 and 2;

"Yorkshire Area" means the area comprising districts 3, 4, 5, 6 and 7;

"district 1" means the area within a line drawn bearing 090° from the Scottish border and a line drawn bearing 090° from point 54° 57.470' North 01° 21.100' West ("Souter Point") but excluding the mouth or entrance of the River Tweed (as defined in the Tweed Fisheries Amendment Act 1859);

"district 2" means the area within a line drawn bearing 090° from Souter Point and a line drawn bearing 026° from point 54° 33.650' North 00° 48.900' West ("Boulby Crags");

"district 3" means the area between a line drawn bearing 026° from Boulby Crags and a line drawn bearing 095° from point 54° 21.540' North 00° 26.720' West ("Hayburn Wyke");

"district 4" means the area between a line drawn bearing 095° from Hayburn Wyke and a line drawn bearing 045° from point 54° 14.520' North 00° 20.200' West ("Yons Nab");

"district 5" means the area between a line drawn bearing 045° from Yons Nab and a line drawn bearing 045° from point 54° 07.820' North 00° 06.400' West ("Thornwick Nab");

"district 6" means the area between a line drawn bearing 045° from Thornwick Nab and a line drawn bearing 090° from point 53° 52.580' North 00° 08.300' West ("Mappleton Church Spire");

"district 7" means the area between a line drawn bearing 090° from Mappleton Church Spire and a line drawn bearing 090° from point 53° 34.470' North 00° 06.750' East ("Spurn Head Lighthouse");

"Anglian area" means the area between a line drawn bearing 090° from point 53° 34.470' North 00° 06.750' East (Spurn Head Lighthouse) and a line drawn bearing 090° from the seaward end of Walton on the Naze pier, Essex, and shall extend between high water mark and the seaward limit of the Agency's jurisdiction;

"South West Region" means the area of the Agency where the former South Western Region of the National Rivers Authority carried out its functions in relation to fisheries under the Water Resources Act 1991, formerly the South West Region (comprising Devon and Cornwall areas) and Wessex Region, which areas were identified as the area of the South West Water Authority and Wessex Water Authority as provided by paragraph 1(2)(a) of Schedule 17 to the Water Act 1989;

"Poole Harbour" means the waters of Poole Harbour on the joint estuary of the Rivers Frome and Piddle, which lie seaward of a line drawn from the eastern extremity of Bucks Cove Island on the North to Bower Point on the South.

"Southern area" means those coastal waters between London Stone at O.S. Grid Reference TQ 859 819 on the Thames Estuary and clockwise to Christchurch Bay, Hampshire at O.S. Grid Reference SZ 214 930, together with the Isle of Wight

"salmon" means all fish of the salmon species and includes part of a salmon.

"migratory trout" means trout of the species *Salmon trutta* that migrate to, and from, the sea and also includes part of a migratory trout

"artificial lure" means any device, including spoons, spinners, wobblers and plugs, or artificial imitation fish baits made of any material which is designed to attract fish and which incorporates a fishing hook.

"artificial fly" means a fishing fly that is primarily constructed from natural or synthetic fur and feather materials and which is designed to attract fish and which incorporates a fishing hook.

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

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

Subject to Byelaw 4 below (when the annual close season for T and J nets in the North East area and for all nets on the river Dart, river Fowey and river Teign will change to the dates specified in that Byelaw) and 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, 31 May with the following exceptions:

North East area

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

South West Region

(2) The draft or seine net fisheries on the river Teign and its estuary where the annual close season shall start on, and include 1 September and end on, and include, 14 March.

(3) The seine net fisheries on the river Dart and its estuary where the annual close season shall start on, and include, 17 August and end on, and include, 14 March.

(4) The seine net fisheries on the river Fowey and its estuary where the annual close season shall start on, and include 1 September and end on, and include, 14 March.

Anglian area

(5) All net fisheries in waters situated within the Anglian area where the close shall end on and include 31 March.

Byelaw 4 **Close Season for Fishing for Salmon and Migratory Trout other than with Rod and Line in Specified Net Fisheries from 2019**

(i) From 2019 the annual close season for fishing for salmon and migratory trout other than with rod and line, on the river Teign and its estuary shall start on, and include, 1 June and end on, and include 14 March following.

(ii) From 2019 the annual close season for fishing for salmon and migratory trout other than with rod and line, on the river Dart and its estuary shall start on, and include, 1 June and end on, and include 14 March following.

(iii) From 2019 the annual close season for fishing for salmon and migratory trout other than with rod and line, on the river Fowey and its estuary shall start on,

and include, 1 June and end on, and include 14 March following.

(iv) From 2019 the annual close season for fishing for salmon and migratory trout other than with rod and line, in Poole Harbour shall start on, and include, 1 July and end on, and include 31 May following.

(v) From 2019 the annual close season for fishing for salmon and migratory trout by means of a licensed T or J net in the North East area:

(a) in districts 1, 2 and 3 shall start on and include 1 June, and end on and include 25 March following;

(b) in districts 4, and 5 shall start on and include, 1 July and end on and include 25 March following;

(c) in districts 6 and 7 shall start on and include 1 September, and end on and include 25 March following.

Byelaw 5 **Early Catch and Release for Salmon in Specified Net Fisheries**

Subject to byelaws 7 and 8 below, no person shall remove any live or dead salmon

(a) from waters specified any of sub-paragraphs (1) to (5) 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 1 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 6 **Catch and Release for Salmon in Specified Waters**

No person shall remove any live or dead salmon which has been taken

(1) by means of any net in the waters of the Anglian area or Southern area; or

(2) by means of a heave or haaf net on the river Lune and its estuary

without the written authority of the Agency.

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 7 **Prohibition of Taking of Salmon or Migratory Trout in Drift, Hang or Whammel Net Fisheries**

No person shall fish for, take or attempt to fish for or attempts to take any salmon or migratory trout

(1) by means of a drift net in the North East area;

(2) by means of a drift, hang or whammel net on the river Ribble and its estuary or the

river Lune and its estuary in Lancashire.

(3) by means of a drift net on the River Camel and its estuary in Cornwall.

Byelaw 8 Prohibition of Taking of Salmon or Migratory Trout in South West Region

From 1 June 2019 no person shall fish for, take or attempt to fish for or attempt to take any salmon or migratory trout, by means of a draft or seine net on the rivers Exe, Tamar, Tavy, Lynher, Camel, Taw or Torridge and their estuaries.

Byelaw 9 Catch and Release for Salmon in Specified Net Fisheries

From 1 June 2019 no person shall remove any live or dead salmon which has been taken

(1) by means of a T or J net in districts 4, 5, 6 and 7 in the North East area;

(2) by means of a lave net on the river Kent and its estuary or river Leven and its estuary in Cumbria;

(3) by means of a seine or draft net in Poole Harbour;

without the written authority of the Agency.

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 10 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 16 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 11 Catch and Release for Salmon with Rod and Line from Specified Waters

No person shall remove any live or dead salmon taken by rod and line from any waters, or tributaries of such waters or estuaries of such waters, listed in Schedule 1 or Schedule 2 or banks of those waters.

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 12 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 16 June in any calendar year.

Byelaw 13 Method Restrictions for Taking Salmon or Sea Trout with Rod and Line

(1) From 1 January 2019 no person shall fish for, take or attempt to fish for or take any salmon or migratory trout with rod and line using prawn or shrimp as a bait other than by means of a single, double or treble hook with a gape (measured from shank to hook point) of 7 millimetres or less.
(2) From 1 January 2019 no person shall fish for, take or attempt to fish for or take any salmon or migratory trout with rod and line by means of an artificial lure other than using a single hook with a gape (measured from shank to hook point) of 13 millimetres or less.
(3) From 1 January 2019 no person shall fish for, take or attempt to fish for or take any salmon or migratory trout with rod and line by means of an artificial fly with a treble hook with a gape (measured from shank to hook point) greater than 7 millimetres.

Byelaw 14 Exemptions

These Byelaws shall not apply to any employee of the Agency acting in their official capacity or to any person who, with the authority in writing of the Agency granted under paragraph 6(5A) of Schedule 25 to the Water Resources Act 1991 and acting in accordance with any conditions attached to that authority, carries out work connected with the maintenance, improvement or development of fisheries or for scientific purposes.

Byelaw 15 Amendments and Revocations

The amendments of existing Byelaws set out in Schedule 3 shall have effect.
The revocations of existing Byelaws set out in Schedule 4 shall have effect.

THE COMMON SEAL of the ENVIRONMENT AGENCY
was affixed on 5th day of March 2018
in the presence of

PETER KELLEY
DIRECTOR OF LEGAL SERVICES

Authorised Signatory

SCHEDULE 1 At Risk Rivers

Name of River	County(ies)
Calder	West Yorkshire
Crake	Cumbria
Derwent	Cumbria
Lune	Cumbria and Lancashire
Plym	Devon
Ribble	North Yorkshire and Lancashire
Stour	Dorset
Tees	North Yorkshire and Teeside
Wyre	Lancashire
Yealm	Devon

SCHEDULE 2 Recovering Rivers

Name of River	County
Allen	Cornwall
Aln	Northumberland
Alt	Merseyside
Annas	Cumbria
Avill	Somerset
Bela	Cumbria
Belford Burn	Northumberland
Blackeney Brook or Blackpool Brook	Gloucestershire
Blyth	Northumberland
Bristol Avon	
Brit	Dorset
Derwent	Northumberland
Don	Tyne & Wear
Doniford	Somerset
Ellen	Cumbria
Ems	West Sussex
Fal	Cornwall
Gilpin	Cumbria
Harbourne	Devon
Heddon	Devon
Keer	Lancashire
Lerryn	Cornwall
Looe	Cornwall
Meon	Hampshire
Mersey	
Mite	Cumbria
Otter	Devon
Par	Cornwall
Parrett	Dorset and Somerset
Porth	Cornwall
Seaton	Cornwall
Sid	Devon
Skelton Beck	North Yorkshire
Skinningrove Beck	North Yorkshire
Team	Durham and Tyne and Wear
Thames	
Valency	Cornwall
Wampool	Cumbria
Wansbeck	Northumberland
Warren Burn	Northumberland
Washford	Somerset
Waver	Cumbria
Weaver	Cheshire
Winster	Cumbria

SCHEDULE 3 Amendments

Amendment of Existing Byelaws

1 For Byelaw numbered 11 (which applies in the Cumbria and Lancashire area and which was confirmed on 26 November 2009) substitute:-

"11 Limitation of Netting
The use of any net (not being an authorised fixed engine or a net necessarily and solely used for the purpose of removing from an authorised fixed engine the fish caught by that fixed engine, or a landing net used in conjunction with rod and line) for taking salmon, trout, freshwater fish or eels is prohibited except for the licensed use of the named types of net in the areas specified below:-
(a) In the Solway Firth – heave or haaf nets.
(b) In the Leven Estuary – lave nets.
(c) In the Kent Estuary – lave nets.
(d) In the Lune Estuary – heave or haaf nets.
(e) ....
(f) ....
(g) In any watercourse that drains into the sea between Hilbre Point in Cheshire, National Grid Reference SJ203884, and Greenodd in Cumbria, National Grid Reference SD 317827 – the use of hand held dip nets for taking elvers."

2 For Byelaw numbered 3B(ii)(b) (which applies in the Wessex area and which was confirmed on 8 November 1993) substitute:-

"3 Annual close season for fishing for salmon
(B) The annual close season for fishing for salmon with nets shall be...
(ii) in the Avon Dorset area...
(b) in so much of the River Frome and its tributaries as lies upstream of a line drawn true south west of from Swineham Point to Turners Cove the period starting from, and including, 1 July and ending on and including 31 May following;.."

3 For Byelaw numbered 4 (which applies in the North East and Yorkshire areas and which was confirmed on 21 February 1995) substitute:-

"4 Prohibition of Netting At Night
(a) No person shall use any net for fishing for or taking salmon or migratory trout within the Coastal Area during the hours from 8pm in the evening to 4am the following morning."

4 For Byelaw numbered 14 (which applies in the North East and Yorkshire areas and which was confirmed on 21 February 1995) substitute:-

"14 Prohibited Areas
No person shall fish for salmon, trout or freshwater fish with any instrument other than rod and line in any inland waters within the Area, nor within the areas specified in Schedule 1 to these Byelaws."

SCHEDULE 4 Revocations

Revocation of Existing Byelaws

Byelaw	Agency Area(s)	Date of Confirmation
(1) National Salmon Byelaws 2009 (the whole Byelaws as they apply to England only)	England	15 December 2008
(2) River Derwent Salmon Byelaws (the whole Byelaws)	Cumbria and Lancashire	25 July 2013
(3) River Ribble Net Fishing Byelaws 2017 (the whole Byelaws)	Cumbria and Lancashire	20 June 2017
(4) River Ribble Rod and Line Byelaws 2017 (the whole byelaws)	Cumbria and Lancashire	20 June 2017
(5) River Lune Rod and Line Fishery Byelaws 2009 (the whole Byelaws)	Cumbria and Lancashire	26 November 2009
(6) River Leven and Crake Fishery Byelaws 2016 (the whole Byelaws)	Cumbria and Lancashire	10 June 2016
(7) Byelaw 5 of River Border Esk Fishery Byelaws 2005	Cumbria and Lancashire	21 April 2005
(8) Byelaw 3B(ii)(c) of North and South Wessex Fishery Byelaws 1993	Wessex	8 November 1993
(9) Byelaw 3(h) of River Camel Salmon Protection Emergency Byelaws 2017	Devon and Cornwall	30 October 2017
(10) Byelaw 16(a) of, and Schedule 2 to, North East Regional Fishery Byelaws 1995	North East and Yorkshire	8 June 1995 (Byelaw 16(a)) 21 February 1995 (Schedule 2)