

ENVIRONMENT AGENCY

SALMON AND FRESHWATER FISHERIES ACT 1975, AS AMENDED BY THE ENVIRONMENT ACT 1995 AND MARINE AND COASTAL ACCESS ACT 2009

THE ENVIRONMENT AGENCY (LIMITATION OF RIVER LUNE ESTUARY NET FISHING LICENCES) ORDER 2020

THE ENVIRONMENT AGENCY, in exercise of the powers vested in it by section 26(1) of the Salmon and Freshwater Fisheries Act 1975 and being satisfied that it is necessary to do so for the purposes of section 26(1A)(a) and (b) makes the following Order:

Citation, commencement, period of operation and application

1. This Order –

- (1) may be cited as the Environment Agency (Limitation of River Lune Estuary Net Fishing Licences) Order 2020;
- (2) comes into force on the date it is confirmed by the Secretary of State for Environment, Food and Rural Affairs, and;
- (3) applies to the area described in Column (1) of the Schedule.

Interpretation

2. "Heave or Haaf" means a single sheet of netting of mesh which measures, when wet, not less than 50mm from knot to knot or 200mm round the perimeter and which shall be constructed to form a bag or purse attached to a frame, consisting of a heave, beam or pole which shall not exceed 5.5 metres in length and which shall have at each end, an end stick or projecting arm which shall not exceed 1.25 metres in length.

"Drift, hang or whammel" means an unarmoured single sheet of netting of mesh which measures, when wet, not more than 300 metres in length and not more than 44 meshes deep at any point and which shall have meshes not less than 63mm in extension from knot to knot, or 252mm around the perimeter, and shall not be constructed to form a bag or pocket.

"Agency" means the Environment Agency or any subsequent successor in title.

"Licence" means a fishing licence issued by the Agency to use a Heave or Haaf Net, or Drift, Hang or Whammel Net to fish for salmon and migratory trout other than rainbow trout.

Limitation of licences

3. The number of Licences to be issued in each year for the area specified in Column (1) of the Schedule hereto shall be limited to the number and type of Licences specified in Column (2) of the Schedule.

Issue of fishing licences

4. (1) In issuing a licence the Agency shall give preference to any person who demonstrates to its satisfaction that in the 2 (two) years preceding the year in which the licence is to be issued, that person held a licence for the area described in column (1) of the Schedule.
- (2) Not more than 1 (one) licence shall be issued to any one person in respect of the area specified in Column (1) of the Schedule.
- (3) In considering applications for a licence, the Agency may require the applicant to provide such information as it considers relevant and in such form as it may prescribe.

Applications for fishing licences

5. (1) An application for a licence under this Order shall be made to the office specified in Column (3) of the Schedule no later than 15 November in the previous year.
- (2) Late applications will only be considered in the event that there are any licences still available.

Reissue of fishing licences

6. (1) Subject to paragraph (2), if the holder of a licence issued under this Order dies, that Licence may be re-issued on such basis and in accordance with such procedure as the Agency considers appropriate.
- (2) A licence cannot be re-issued if the number of licences issued in any given year for the area described in column (1) of the Schedule exceeds the number prescribed in column (2) of the Schedule.

Expiry

7. This Order will expire on the date 10 (ten) years after the date it came into force, unless revoked earlier.

SCHEDULE

Articles 3, 4, 5 and 6

(1) Description of area	(2) Type and number of instruments to be licensed	(3) Office
Lune Estuary – that part of the estuary of the River Lune seaward of Carlisle Bridge in the City of Lancaster and landward of an imaginary line drawn between the landward end of Knott End Jetty (NGR SD 346484) to Heysham number 2 buoy (NGR SD 331544) to the lighthouse on the South side of Heysham Harbour (NGR SD 397598).	12 (twelve) Heave or Haaf Nets	Environment Agency Ghyll Mount Gillan Way Penrith 40 Business Park Penrith Cumbria CA11 9BP
Lower Lune Estuary – that part of the estuary of the River Lune which lies seaward of an imaginary line drawn between Cockersand Abbey Lighthouse (NGR SD 422543) and Sunderland Point at its seaward extremity at high water springs (NGR SD 422552).	7 (seven) drift, hang or whammel nets	Environment Agency Ghyll Mount Gillan Way Penrith 40 Business Park Penrith Cumbria CA11 9BP

THE COMMON SEAL of the
ENVIRONMENT AGENCY was affixed on
the 17th day of July 2020 in the
presence of

SCHEDULE

Peter Kellett
PETER KELLETT

DIRECTOR OF LEGAL SERVICES

AN AUTHORISED SIGNATORY

HORIZON HOUSE, DEANENY ROAD,
BRISTOL BS1 5AT



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<p>Environment Agency Gyll Mount Glan Way Penrh 40 Business Penrh Cumbria CA11 9BP</p>	<p>(seven) diff. hand or whimel note</p>	<p>SD 387588) Heysham Harbour (NGR on the South side of 331244) to the Lighthouse number 2 buoy (NGR SD 344884) to Heysham of Knot End Jetty (NGR SD between the landward end an imaginary line drawn Lancaster and landward of Bridgton the City of Lancaster the east Lower Lure Estuary - first</p>
<p>Environment Agency Gyll Mount Glan Way Penrh 40 Business Penrh Cumbria CA11 9BP</p>	<p>(seven) diff. hand or whimel note</p>	<p>Point at its seaward extremity at high water spings (NGR SD 425825) 422243) and Sunderland Lighthouse (NGR SD Cockerand Abbey line drawn between seaward of an imaginary River Lure which lies part of the estuary of the Lower Lure Estuary - first</p>