

Environment Agency

Salmon and Freshwater Fisheries Act 1975

Water Resources Act 1991

Environment Act 1995

SEVERN ESTUARY AND RIVER SEVERN SALMON AND SEA TROUT PROTECTION BYELAWS 2021

The Environment Agency in exercise of its powers under Section 210 of, and paragraphs 6(1)(b), 6(2)(c) and 6(2)(d) of Schedule 25 to, the Water Resources Act 1991 and all other powers enabling it in that behalf, makes the following Byelaws.

Byelaw 1 Application and Exemptions

- a) These byelaws apply to the River Severn estuary and those parts of the River Severn as defined in Byelaw 2 below.
- b) These Byelaws shall not apply to any employee of the Environment Agency acting in their 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 fisheries or for scientific purposes.
- c) These Byelaws shall expire 10 years after the date when they first come into force

Byelaw 2 Interpretation

(1) In these Byelaws:

"the Agency" means the Environment Agency;

"Salmon" means both species Atlantic salmon (*Salmo salar*) and Pink salmon (*Onchrynchus gorbuscha*);

"Sea trout" means any migratory (anadromous) form of the species *Salmo trutta* which are commonly known as sea trout (migratory trout) or sewin and also includes part of a sea trout.

"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.

"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 or hooks;

"Bait" means any worm, prawn and shrimp whether natural or artificial;

"Barbless" means a hook with no barb or a hook with a fully crushed barb only;

"Hook gape" means the widest opening of a hook used for rod and line fishing, the dimensions of which are measured from hook point directly across to the shank of the hook;

"Draft net" means an unarmoured net, without bags or pockets, worked by more than one person during any portion of the time of its use, and drawn out of the water onto the bank, whether from a boat or otherwise, for the purpose of securing the fish, and consisting of a single sheet of netting which measures not more than 185 metres in length in the waters of the River Severn below or downstream of the Lower Parting, Gloucester (SO81600 18900) and 95 metres in length in all other parts of the River Severn estuary, such measurement to be made when the net is wet;

"Lave net" means a single sheet of netting of mesh which measures, when wet, not less than 50mm in extension from knot to knot or 200mm round the perimeter for knotted mesh, or not less than 25mm in extension or 100mm round the perimeter for knotless mesh, and which shall be constructed to form a bag or purse attached to a yoke in the shape of a 'V', the widest part of which shall not exceed 3 metres and which shall be fitted with a handstaff to the apex of the yoke;

"Patcher basket" means a single or multiple tier or rank of patcher baskets that are designed to capture salmon and which have historically been licensed for use within the Severn Estuary and shall be conical in shape with a round mouth measuring a maximum of 75cm at its widest point across;

"River Severn" means the area of the natural catchment of the River Severn and of all watercourses draining or flowing, directly or indirectly, into it, reaching an imaginary line drawn between Beachley Point (NGR ST54800 90300) and Avonmouth (NGR ST51200 79700) and which passes through both the Shoots (NGR ST51600 86500) and a point offshore from Avonmouth (NGR ST49800 80600) which are wholly within England;

"River Severn estuary" means all of the tidal waters of the Severn estuary upstream of an imaginary line drawn between Beachley Point (NGR ST54800 90300) and Avonmouth (NGR ST51200 79700) and which passes through both the Shoots (NGR ST51600 86500) and a point offshore from Avonmouth (NGR ST49800 80600) and then upstream to the tidal limit at Maisemoor Weir (SO81806 21669) which are wholly within England.

- (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 Catch and release of salmon and sea trout taken by means of lave net within the River Severn estuary

- a) No person shall retain a live or dead salmon or sea trout that has been taken by a licensed lave net within the River Severn estuary.

- b) Any salmon or sea trout caught when operating with a licensed lave net within the River Severn estuary must be returned immediately to the water at the point of capture with the least possible injury.

Byelaw 4 Prohibition on catching salmon and sea trout by draft net within the River Severn estuary

No person shall fish for salmon or sea trout within the River Severn estuary by means of a draft net.

Byelaw 5 Prohibition of catching salmon and sea trout by putcher within the River Severn estuary.

No person shall fish for salmon or sea trout within the River Severn estuary by means of a putcher basket or rank of putcher baskets.

Byelaw 6 Prohibition on the retention of salmon or sea trout from the River Severn taken by rod and line

- a) No person shall remove or retain a salmon or sea trout that has been taken by rod and line in the River Severn.
- b) Any salmon or sea trout that has been taken by rod and line shall be returned immediately to the water at the point of capture with the least possible injury.

Byelaw 7 Prohibition of methods for fishing for salmon and sea trout by rod and line within the River Severn

- a) No person shall fish for, take or attempt to fish for or attempt to take any salmon or sea trout with rod and line within the River Severn by any means other than an artificial fly or artificial lure.
- b) No person shall fish for, take or attempt to fish for or attempt to take any salmon or sea trout within the River Severn with rod and line by means of any bait.
- c) No person shall fish for, take or attempt to fish for or attempt to take any salmon or sea trout with rod and line within the River Severn using an artificial lure or fly unless fitted with barbless or de-barbed hooks
- d) No person shall fish for, take or attempt to fish for salmon or sea trout within the River Severn catchment using artificial lures unless fitted with one single barbless or de-barbed hook with a maximum gape of 13 millimetres measured from the shank to the point.

The restriction to one single hook shall not apply to wobblers, plugs or artificial imitation baits which are allowed up to a maximum of 3 single barbless or de-barbed hooks with each single hook having a maximum hook gape of no more than 13 millimetres.

- e) No person shall fish for, take or attempt to fish for, or attempt to take any salmon or sea trout within the River Severn with an artificial fly unless furnished with either a single barbless or de-barbed hook with a maximum hook gape of 13 millimetres or a single barbless or de-barbed treble or double hook with the maximum hook gape of any treble or double hook(s) being no greater than 7 millimetres.

THE COMMON SEAL of the ENVIRONMENT AGENCY was affixed on 26th day of February 2021 in the presence of

Peter Kellett

Peter Kellett
Director of Legal Services



AN AUTHORISED SIGNATORY

HORIZON HOUSE, DEANCM ROAD
BRISTOL BS1 9AH

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The Secretary of State for Environment, Food and Rural Affairs, pursuant to Section 210 of and Schedule 26 to, the Water Resources Act 1991 confirms the Severn Estuary and River Severn Salmon and Sea Trout Protection Byelaws 2021 made by the Environment Agency on 26th February 2021 in exercise of the powers conferred by Section 210 of, and paragraphs 6(1)(b), 6(2)(c) and 6(2)(d) of Schedule 25 to, that Act.

These Byelaws come into force on the date of confirmation and shall expire 10 years after the date when they first come into force.

Confirmed by a Senior Civil Servant for and on behalf of the
Secretary of State for Environment, Food and Rural Affairs.

A handwritten signature in black ink, appearing to read "Anne Kee". The signature is written in a cursive, flowing style.

Date: 1 September 2021