

## DEVON AND SEVERN INSHORE FISHERIES CONSERVATION AUTHORITY

On the 1<sup>st</sup> April 2011, the Devon and Severn Inshore Fisheries and Conservation Authority (D&SIFCA) was fully vested under the Marine and Coastal Access Act 2009 (MaCCA).

D&SIFCA took over the fisheries and conservation management and enforcement responsibilities of the previous Devon Sea Fisheries Committee (DSFC) and the Environment Agency (EA) within the new district. The D&SIFCA district<sup>1</sup> covers all tidal waters (out to six nautical miles from the 1983 baselines) within Devon County Council borders in the south and from the Devon and Cornwall County Council boundary up to the Gloucestershire County Council border and Wales in the north.(please refer to map overleaf)

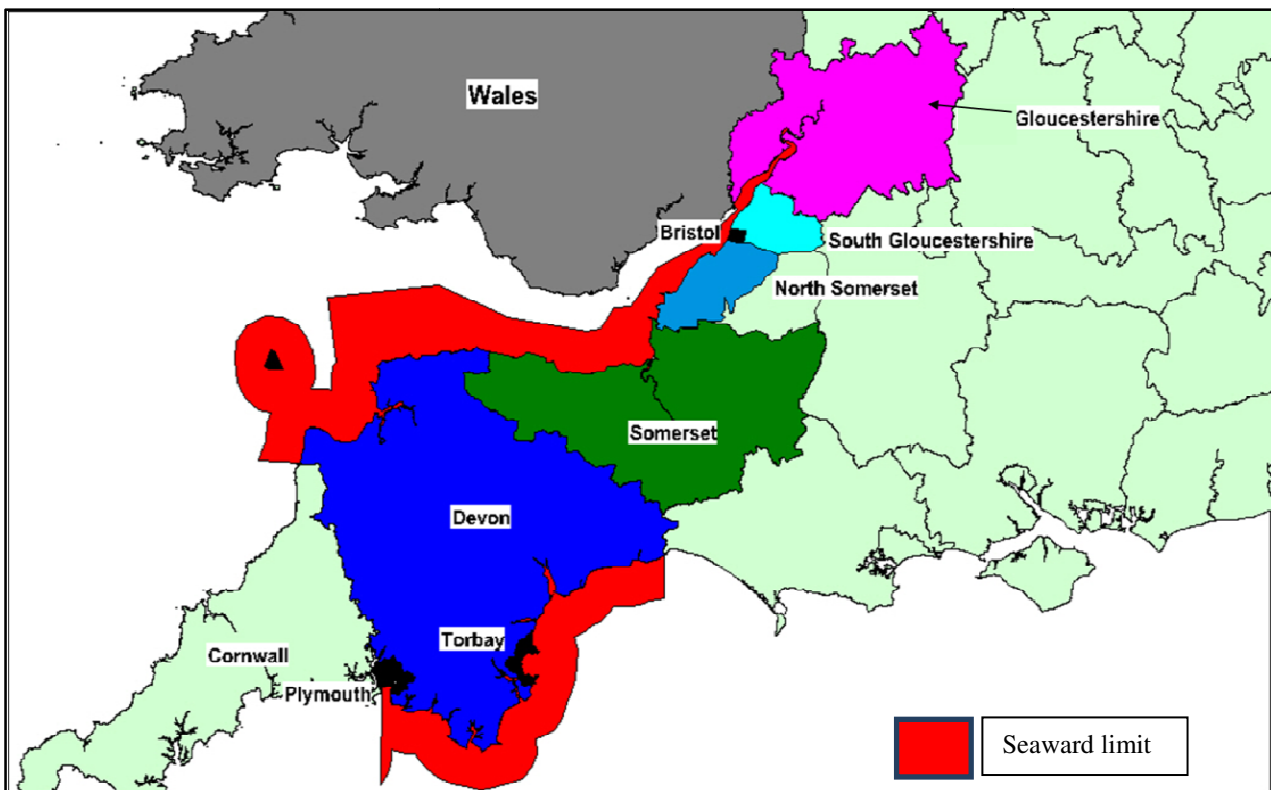
Under section 6 of The Marine and Coastal Access Act 2009 (Transitional and Savings Provisions) Order 2011, the D&SIFCA has inherited and can actively enforce the local byelaws made by DSFC and the EA covering the district described above. D&SIFCA are required to review the inherited byelaws, the Authority endeavours to have completed this process within the next 24 months.

The booklet provides information on all the legislation currently in force. If you are in any doubt on how these byelaws may impact on you, please contact the office for further advice before fishing.

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The Devon and Severn IFCA District

<sup>1</sup> The Devon and Severn Inshore Fisheries and Conservation Authority Order 2010

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*The following byelaws; Nos.1 - 11 only apply to the estuaries of the Rivers Taw and Torridge. These byelaws were made by the Devon River Board, the River Board was superseded by the Devon River Authority on 1 April 1965, and by virtue of the Water Resources Act 1963, these byelaws are still in force.*

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Note:

In the Devon Sea Fisheries Committee byelaws all references to the Clerk of the Committee should now be read as Chief Officer.

Charts relevant to above Devon Sea Fisheries Committee byelaws are available on the D&SIFCA website. [www.devonandsevernifca.gov.uk](http://www.devonandsevernifca.gov.uk)

Minimum landing sizes and how to measure marine organisms can be found at the back of the booklet.

From time to time byelaws and other legislation covered in this booklet may change. Please always check the D&SIFCA website or contact the office if you are unsure how the legislation may affect your fishing activity.

**BYELAWS**

(Devon Sea Fisheries Committee – the following byelaws; Nos. 1 - 29 only apply within the Devon County Boundaries)

**1. Revocation of Existing Byelaws (26<sup>th</sup> February 1998)**

All Byelaws heretofore in force in the Devon Sea Fisheries District are hereby revoked, provided that nothing in such revocation shall affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any Byelaw so revoked.

**2. Application (26<sup>th</sup> February 1998)**

The following Byelaws shall apply to the whole area of the Devon Sea Fisheries District except in cases to which the provisions of Section 6 of the Sea Fisheries Regulation Act 1966 apply. Provided that nothing in these Byelaws shall apply to any person bona fide fishing for sea fish or removing shellfish for scientific purposes or for stocking or breeding under written authority in that behalf of the Local Fisheries Committee signed by their Clerk and in accordance with the conditions contained in that authority.

**3. Scallops – Close Season (12<sup>th</sup> April 2002)**

1. No Person shall fish for or take any scallop from a fishery on any day before 0700 local time and after 1900 local time.
2. No Person shall remove from a fishery any scallop (*Pecten maximus*) during the months of July, August and September each year.
3. Notwithstanding the provision contained in paragraph 2 above, a limited bye-catch of 10 dozen scallops per day will be permitted for vessels engaged in trawling.
4. This byelaw shall apply to any part of the District within a line drawn on the seaward of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured but shall not include that part of the District which lies to the west of a line drawn on a bearing of 243 degrees true from Bolt Tail. For the purpose of this paragraph “the baselines” means baselines as they existed at 25<sup>th</sup> January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 IIIp 6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 IIIp 2866).

**Definition**

“Engaged in trawling” means: - The dragging of a net along the sea bed as a means of catching fish.

**4. Scallops – Methods of Fishing (20<sup>th</sup> October 2000)**

1. No person shall use in fishing for scallop any dredge except one fitted with a spring loaded tooth bar and with a mouth which does not exceed 85cm width overall.
2. Where rings are used in the construction for the retaining bag for a dredge, these shall not be less than 75mm measured across the inside diameter. Where net is used in the construction of a retaining bag for this dredge it shall have a minimum mesh size of

100mm. No person shall obstruct or otherwise reduce the size of the ring or net mesh of the retaining bag by any method.

3. The total number of dredges used by any vessel shall not exceed 12 at any one time.
4. Where multiple dredges are used, the length of the tow bar, including attachments, shall not exceed 5.18 metres.
5. No vessel shall use more than two tow bars at any one time.

For the purpose of this byelaw a “tow bar” shall mean any pole, bar or beam to which the dredges are attached.

**5. Trawling in Start Bay - Prohibition (19<sup>th</sup> October 2001)**

No person shall use in fishing for sea fish any kind of trawl net within an area enclosed by the following limits: From START POINT Lighthouse a line drawn 090° for a distance of 1.66 miles, thence a line drawn 021° for a distance of 3.15 miles, thence a line drawn 264° on the bearing of the TOR CROSS HOTEL for a distance of 3.15 miles. The landward limit shall be the low water mark. All bearings are true.

**6. Restrictions of Trawling in Estuaries (16<sup>th</sup> January 1998)**

Within that portion of the Devon Sea Fisheries District which lies to the landward side to:-

- (a) a line drawn from Langstone Point straight across the estuary of the River Exe to Orcombe Point;
- (b) a line drawn from the Lucett Beacon off Shaldon foreshore straight across the estuary of the River Teign to the lighthouse at Teignmouth;
- (c) a line drawn from the castle known as Kingswear Castle straight across the estuary of the River Dart to the castle known as Dartmouth Castle;
- (d) a line drawn from Splat Point straight across to Limbury Point in the Salcombe estuary;
- (e) a line drawn from Season Point to Mouthstone Point in the River Yealm estuary;
- (f) a line drawn from Picklecombe Point to the Western end of the breakwater and from Staddon Point to the Eastern end of the breakwater (Rivers Tavy, Tamar, Lyhner);

no person shall use any trawl or trammel net for fishing for sea fish.

**7. Shellfish – Escallop (26<sup>th</sup> February 1998)**

No person shall remove from a fishery any escallop measuring less than 100mm across the broadest part of the flatshell.

**8. Shellfish – Re-deposit of (26<sup>th</sup> February 1998)**

Any person who takes any shellfish, the removal of which from a fishery is prohibited by any of the Byelaws, or the possession or sale of which is prohibited by or in pursuance of any Act of Parliament, shall forthwith re-deposit the same without injury in the water as near as possible to the place from which they were taken.

**9. Temporary Closure of Shellfish Beds (26<sup>th</sup> February 1998)**

Where in the opinion of the Committee, in any fishery, any bed or part of a bed of shellfish is so severely depleted as to require temporary closure in order to ensure recovery, or any bed or part of that bed contains mainly immature or undersize shellfish which in the interests of the protection and development of the fishery ought not to be fished for the time being or any bed of transplanted shellfish ought not to be fished until it has become established, and where the bed or part thereof has been clearly defined in notices displayed in the vicinity prohibiting the removal of the shellfish, or where the display of notices is not practicable a notice in a weekly newspaper circulating in the district in which the shellfish bed or part of the bed is situated, no person shall, while the bed or part thereof so defined, take away any shellfish without the consent of the Committee. For the purpose of this Byelaw the term “shellfish” means, mussels, oysters, clams and periwinkles.

**10. Winkles (26<sup>th</sup> February 1998)**

No person shall remove from a fishery any winkle which will pass easily through a gauge within a square opening of 16mm measured over each side of the square.

**11. Crabs (26<sup>th</sup> February 1998)**

No person shall remove from a fishery any edible female crab which measures less than 140mm across the broadest part of the back. No person shall remove from a fishery any edible cock crab which measures less than 160mm across the broadest part of the back provided that this byelaw shall not apply to any person removing any such crab for scientific purposes, or for stocking or breeding purposes, under the written authority of the Clerk of the Committee.

**12. Prohibition of Netting – River Exe (19<sup>th</sup> September 1998)**

No person shall fish for or take any sea fish other than by rod and line in any tidal waters that lie between St James’ Weir and a straight line bearing 225° true drawn from Retreat House (Topsham) across the River Exe to the opposite shore. The foregoing does not prohibit the use of a landing net when being used as an auxiliary to angling with rod and line.

For the purpose of this Byelaw “sea fish” means fish of any description found in the sea including shellfish but does not include:-

- a) fish of the salmon species,
- b) trout which migrate to and from the sea,
- c) eels (*Anguilla anguilla*)

**13. Prohibition of Spear Fishing in Lundy Marine Conservation Zone (MCZ) (16<sup>th</sup> October 2009)**

No person shall use in fishing for sea fish or shellfish any harpoon spear or like instrument within the area designated by the Secretary of State for the Environment, by Order under Section 36 of the Wildlife and Countryside act 1981, as the Lundy Island Marine Conservation Zone, that is, the area enclosed by the following limits:-

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From a point 51° 09'N 004° 42'W thence due North  
to a point 51° 13'N 004° 42'W thence due East  
to a point 51° 13'N 004° 38'W thence due South  
to a point 51° 09'N 004° 38'W thence due West  
to a point 51° 09'N 004° 42'W.

**14 Trawling and Netting Prohibition – part of Lundy Island Marine Conservation Zone (MCZ) (16<sup>th</sup> October 2009)**

Within an area shown on the map annexed hereto and enclosed by the following limits marked thereon:-

From a point A 51°09'00"N 004°41'30"W  
thence a line due North  
To point B 51°10'00"N 004°41'30"W  
thence a line in a North/Easterly direction  
To point C 51°10'30"N 004°41'00"W  
thence a line due North  
To point D 51°11'30"N 004°41'00"W  
thence a line in a North/Westerly direction  
To point E 51°12'00"N 004°41'30"W  
thence a line due North  
To point F 51°12'30"N 004°41'30"W  
thence a line due East  
To point G 51°12'30"N 004°39'48"W  
thence a line due South  
To point H 51°11'48"N 004°39'48"W  
thence a line in a South/South Easterly direction  
To point J 51°11'18"N 004°39'18"W  
thence a line in a East/South Easterly direction  
To point K 51°11'12"N 004°38'30"W  
thence a line due South  
To point L 51°10'30"N 004°38'30"W  
thence a line due East  
To point M 51°10'30"N 004°38'00"W  
thence a line due South  
To point N 51°09'30"N 004°38'00"W  
thence a line in a South Westerly direction  
To point P 51°09'00"N 004°39'00"W  
thence a line due West  
To point A

No person shall fish for sea fish or shellfish:-

- a) by trawling.
- b) by using any kind of tangle net or moored or fixed gill net except in accordance with the written authority of the Sea Fisheries Committee signed by their Clerk and in accordance with the conditions contained in that authority.

**15 Potting Restrictions – Lundy Island Marine Conservation Zone (MCZ)(16<sup>th</sup> October 2009)**

No person shall use pots or traps or other like instruments for the purpose of capturing or storing sea fish or shellfish within 100 metres of low water mark around the Knoll Pins as defined by mean low water spring tides.

**16 Definition of Trawling (26<sup>th</sup> February 1998)**

In these Byelaws the term “trawling” includes dredging which shall be interpreted as the towing along the sea bed of any device for catching fish.

**17 Fixed Engines (27<sup>th</sup> February 2001)**

(To be read in conjunction with Article 11 of Council Regulation (EC) No 850/98)

*Please note that EC No 850/98 requirements mean that the maximum permitted mesh size under section 2(c) of the byelaw should be 70mm.*

For the purposes of section 6 of the Salmon and Freshwater Fisheries Act 1975 the placing and use of fixed engines is authorised in the Devon Sea Fisheries District except that no fixed engine may be set:

1 In any waters inshore or the specified closing lines for the following estuaries or harbours:-

(a) in South Devon

(i) River Axe - a line joining the breakwater 270° True to the beach.

(ii) River Otter - a line drawn from Otter Ledge to Otter Point

(iii) River Exe - a line drawn from Warren Point to Orcombe Point.

(iv) River Teign - a line drawn from the Ness 000° True to the harbour light.

(v) River Dart - a line drawn from Combe Point to Inner Froward Point.

(vi) Salcombe - a line drawn from Splat Point to Limbury Point.  
Harbour

(vii) River Avon - a line drawn from the seaward extremity of Burgh Island 090° True to the coast.

(viii) River Erme - a line drawn from Beacon Point to the seaward extremity of Battsborough Island.

(ix) River Yealm - a line drawn from Season Point to Mouthstone Point.

(x) River Plym - a line drawn from the Western end of Mountbatten Pier 000° True to Fishers Nose.

(xi) River Tamar - a line drawn from Devils Point 225° True to Wilderness Point.

- (b) in North Devon
- (i) River Lyn - a line drawn across Lynmouth Harbour Mouth.
2. In the areas enclosed by the following lines within one nautical mile of the shore as defined by the lowest astronomical tide.
- (a) in South Devon
- (i) From Humble Point (East of Axe) to a point bearing 162° True and from Branscombe Mouth (West of Beer Head) to a point bearing 181° True.
- (ii) From Salcombe Mouth (East of Sidmouth) to a point bearing 173° True and from Torquay Harbour to a point bearing 178° True.
- (iii) From Mewstone (East of Dartmouth) to a point bearing 158° True and from Langerstone Point (East of Prawle Point) to a point bearing 154° True.
- (iv) From Warren Point (East of Thurlestone) to a point bearing 244° True and from St Anchorite's Rock (West of River Erme) to a point bearing 184° True.
- (v) From Yealm Head (East of Plymouth) to a point bearing 205° True and from Rame Head (west of Plymouth) to a point bearing 180° True.
- (b) in North Devon
- (i) From Blackchurch Rock (West of Clovelly) to a point bearing 026° True and from Baggly Point to a point bearing 270° True
- (ii) From Morte Point (West of Morte Hoe) to a point bearing 275° True and from Bull Point to a point bearing 326° True.
- (iii) From Beacon Point (East of Ilfracombe) to a point bearing 341° True and from Rillage Point (East of Hele Bay) to a point bearing 341° True.
- (iv) From Duty Point (West of Wringcliff Bay) to a point bearing 342° True and from Foreland Point to a point bearing 000° True.

Unless the headline of every fixed engine is set at least three metres below the surface of the water at any state of the tide or the fixed engine does not prevent or interfere with the migration of salmon or sea trout and permission has been given by the Clerk of the Sea Fisheries Committee, subject to the consent of the Environment Agency. Any permit shall be in writing under the hand of the Clerk and shall be used in accordance with the conditions set out in that permit regarding the times and manner of setting fixed engines.

- (c) The maximum permitted mesh size contained in any fixed engine to which such permit refers shall be **71** millimetres, except
- (d) during the period between 1<sup>st</sup> October and 31<sup>st</sup> December inclusive the maximum mesh size may be between 90 and 93 millimetres.

3. Permits which will be valid until the following 31<sup>st</sup> Decembershall be issued by the Committee to the owner of the boat and shall refer to the registered number of the boat to be used in connection therewith. They may include conditions requiring the holder of the permit to submit to the Committee such information in regard to catches and other

data relating to fishing as the Committee may require. The permit shall not be transferable.

4. For the purposes of this byelaw “fixed engine” has the same meaning as in the Salmon and Freshwater Fisheries Act 1975.

## **18 Size of Vessels (5<sup>th</sup> June 1996)**

1. No vessel which exceeds 15.24 metres overall length shall be used in fishing for or taking sea fish within the district except:-
  - (i) in that part of the district within 3 miles from baselinesvessels exceeding 15.240 metres overall length but not exceeding 18.288 metres registered length may be used as long as the vessel fished in the district prior to the Byelaw coming into force and remains in the same ownership as on 9<sup>th</sup> March 1989.
  - (ii) in that part of the district between 3 and 6 miles from baselines vessels exceeding 15.24 metres overall length may be used as long as the vessel fished in the district within the previous 24 months prior to the Byelaw coming into force and remains in the same ownership as on the date of the Byelaw coming into force.
2. No vessel which exceeds 15.24 metres overall length shall be used for fishing or taking sea fish within the district unless the vessel satisfies the criteria in (i) or (ii) above and the vessel is registeredwith the Committee and has obtained a certificate to that effect signed by the Chief Fishery Officer of the Committee. The certificate shall be issued without payment upon application on the prescribed form and on production of the Certificate of Registry of the said vessel as recorded in Part II of the register of British Shipsestablished under Section 8 of the Merchant Shipping Act 1995.Applications must be made within 6 months of the bylaw cominginto force.

### Definitions

“Overall length” means the distance in a straight line between the foremost part of the bow and the aftermost part of the stern.

“Bow” includes the stem, forward bulkheads and any permanent fixtures thereto.

“Stern” includes the transom and any trawl ramp bulwark and other permanent fixtures thereto but excludes the rudder and rudder post.

“Sea fish” means fish of any description found in the sea including shellfish.

“The baselines” means the baselines as they existed at 25<sup>th</sup> January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 IIIp. 6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 IIp 2866).

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“Ownership” means as recorded in Fishing Boat Register held by the Registrar of Shipping and Seamen at Cardiff.

**19 Byelaw Prohibiting Netting in Tamar, Plym and Yealm (15<sup>th</sup> March 1990)**

Notwithstanding Byelaw No. 17 no net shall be used for taking fish in any tidal waters inshore of the closing lines specified herein.

1. River Tamar (and its subsidiary estuaries)

All tidal waters inside a line drawn from Devil’s Point 225° True to Wilderness Point.

3. River Plym

All tidal waters inside a line drawn from the western End of Mountbatten Pier 000° True to Fisheries Nose.

4. River Yealm

All tidal waters inside a line drawn 203° True from Season Point to Mouthstone Point,

Provided that this Byelaw shall not prohibit the use of:-

- (a) fyke nets for taking eels, licensed by the Environment Agency;
- (b) seine nets for taking salmon or sea trout licensed by the Environment Agency,
- (c) landing nets used in conjunction with rod and line.
- (d) seine nets with mesh size no greater than 20mm for taking sand-eels in the area described at 3 above.

**20 Jurisdiction (25<sup>th</sup> October 1991)**

All byelaws under Section 5 of the Sea Fisheries Regulation Act 1966 as read with Section 37 of the Salmon Act 1986 which are in

force in the Devon Sea Fisheries District on 22 December 1992 shall not apply to any part of the sea beyond 3 nautical miles from

the 1983 baselines. For the purpose of the byelaw “the 1983 baselines” means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.2866).

**21 Parts of Edible Crab (*Cancer pagurus*) (16<sup>th</sup> February 1993)**

No person shall remove from a fishery any part of an edible crab (*cancer pagurus*) which is detached from the carapace of the crab.

**22 Pots Used For Fishing For Crustacea (20<sup>th</sup> November 2007)**

No person shall use or cause to be used for the purpose of fishing for Brown/ Edible Crab (*Cancer pagurus*) Lobster (*Homarus gammarus*) or Spider Crab (*Maja squinado*) any pot of

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whatever material having an entrance fitted with a soft eye unless the pot or parlour within a pot is fitted with an escape gap.

Any escape gap must:

- a) be located in the exterior wall of the pot
- b) be so designed and constructed and of sufficient size that there may be easily passed through it a rigid box shaped gauge which measures 84 millimetres wide by 46 millimetres high by 100 millimetres long, and
- c) be fitted in such a way that the longitudinal axis is parallel to the base of the pot and is located in the lowest part of the parlour as is practically possible, other than in the bottom

For the purpose of this byelaw:-

A 'pot' shall mean a cage or trap capable of capturing a crustacean.

'Parlour' shall mean a separate compartment within a pot.

'Soft eye' shall mean the entrance or entrances to the pot or parlour which are constructed of netting.

To facilitate the necessary modifications to existing pots this byelaw shall come into force 24 months following the date of confirmation.

## **23 Dredging in Salcombe Estuary (25<sup>th</sup> September 1998)**

Notwithstanding the provisions restricting the use of dredges contained in other Devon Sea Fisheries Committee byelaws, dredging for scallops is authorised to permit holders within that area of the Devon Sea Fisheries District within the Salcombe Estuary between a line drawn across the estuary from Snapes Point to Scoble Point and a line drawn across the estuary from Woodville Rocks to Ager Point in accordance with the following provisions:-

1. Annual permits will be issued by the clerk of the Committee to applicants who are the owners of British registered fishing vessels not exceeding seven metres in overall length and shall refer to the registered fishing number of the boat to be used in connection therewith.
2. The person named on the permit shall be present and responsible during the fishing operations.
3. Permits will be valid from 15<sup>th</sup> December to 15<sup>th</sup> March following and will require the holder of the permit to submit to the Committee at the end of each permit period the number of scallops landed.
4. The permit shall be non-transferable and shall remain the property of the Committee.
5. The maximum dredge width to be used shall be one metre.
6. The maximum number of dredges to be used at any one time shall be two.
7. No toothed dredges shall be used.

8. Dredges shall be hauled by hand only and no mechanical assistance is permitted.
9. Fishing shall only take place between 0900hrs and 1600hrs on weekdays, but not during public holidays.

**24 Harvesting of Shore Crab (18<sup>th</sup> July 2008)**

For the purpose of conservation of marine resources the taking of shorecrab (*Carcinusmaenas*) is prohibited in the following areas:-

- a. In the Exe estuary north of a line joining Starcross Yacht Club Lat 50°38.8N Long 003°27.00W and Parsonage Stile Lat 50°38.99N Long 003°25.90W.
- b. In the vicinity of Dawlish Warren, south of a line joining Lat50°36.65N Long 003°26.62W and Lat 50°36.62N Long 003°25.74W.

**25 Dredging in the Dart Estuary (29<sup>th</sup> September 1998)**

Notwithstanding the provisions restricting the use of dredges contained in other Devon Sea Fisheries Committee byelaws, dredging for mussels is authorised to permit holders within that area of the Devon Sea Fisheries District which lies to the landward side of a line drawn from the castle known as Kingswear Castle across the estuary of the River Dart to the castle known as Dartmouth Castle in accordance with the following provisions:-

1. Annual permits will be issued by the Clerk of the Committee to applicants who are the owners of British registered fishing vessels not exceeding seven metres in overall length and shall refer to the registered fishing number of the boat to be used in connection therewith.
2. The person named on the permit shall be present and responsible during the fishing operations.
3. Permits shall be valid for the period 1<sup>st</sup> October to 31<sup>st</sup> March following and will require the holder of the permit to submit to the Committee at the end of each permit period the amount of mussel by weight removed.
4. The permit shall be non-transferable and shall remain the property of the Committee.
5. Only one dredge will be permitted, the width of which shall not exceed one metre.
6. Fishing shall only take place between 0800hrs and 1800hrs on weekdays, but not during public holidays.

**26 Protection of V-Notched Lobsters (15<sup>th</sup> September 1998)**

No person shall remove from a fishery any V-Notched or mutilated lobster of the species *Homarusgammarus*.

Any lobster so marked shall be returned immediately to the sea.

Definitions:

“V-Notched” means an indentation in the shape of the letter “V” made in either of the two uropods on either side of the central telson of the lobster “Mutilated lobster” means any

lobster where either of the two uropods adjoining the central telson of the tail fan are missing or mutilated in such a manner that could hide or obliterate a V-notch.

**27 Protection of Undersize and Berried Lobsters (15<sup>th</sup> September 1998)**

1. No person shall remove from a fishery any berried Lobster, i.e. any lobster carrying any spawn attached to the tail or some other exterior part of the lobster, or which is in such a condition as to show that, at the time when it was taken, it was carrying spawn so attached.
2. No person shall remove from a fishery any lobster of the species (*Homarus gammarus*) which has a carapace length less than that specified in paragraph 3 below.
3. The minimum size for lobster (*Homarus gammarus*) as measured in accordance with paragraph 4 below shall be 87 millimetres in the twenty-four months following confirmation of this byelaw and 90 millimetres thereafter.
4. Lobsters are to be measured using the carapace length and shall be measured parallel to the mid line from the rear of either eye socket to the distal edge of the carapace.

**28 Lundy "No Take Zone" (11<sup>th</sup> February 2003)**

For marine environmental purposes no person shall remove any sea fish from within the following area:-

From North East Point	Lat:- 51° 12.04N	Long:- 004° 40.12W
thence due east		
to a point	Lat:- 51° 12.04N	Long:-004° 39.00W
thence due south		
to a point	Lat:- 51° 10.07N	Long:-004° 39.00W
thence due west		
to a point	Lat:- 51° 10.07N	Long:- 004°39.60W known as Sugar Loaf

Thence in a northerly direction along the east coast of Lundy Island following the contour of the highest astronomical tide to the North East Point.

This area shall be known as the Lundy Island "No Take Zone".

**29 River Exe – Prohibition of Netting (11<sup>th</sup> June 2009)**

Notwithstanding Byelaws No 12 & 17. No net shall be used for taking fish in any tidal waters enclosed by a line drawn 068° true from Langstone Point to Orcombe Point at the entrance to the River Exe, Devon.

Provided that this Byelaw shall not prohibit the use of :-

DEVON AND SEVERN INSHORE FISHERIES CONSERVATION AUTHORITY

- a) fyke nets for taking eels (*Anguilla anguilla*), licensed by the Environment Agency;
- b) seine nets for taking salmon and sea trout licensed by the Environment Agency;
- c) landing nets used in conjunction with rod and line;
- d) seine nets with a mesh no greater than 20mm and no greater than 20 metres in total length and with a draft not exceeding 3 metres for the taking of sandeels (*Ammodytesmarinus*)

*(Environment Agency – Sea Fisheries Fixed Engine Prohibition Byelaws)[showing only the parts relevant to the Devon and Severn IFCA district]*

## **1 Application**

These byelaws shall apply to the areas described in Byelaws 3 to 10 below where the Environment Agency acts as the local fisheries committee pursuant to section 18 of the Sea Fisheries Regulation Act 1966.

## **2 Interpretation**

“Devon Sea Fisheries Committee district” means the district created by the principal order as defined in the Devon Sea Fisheries District (Variation) Order 1998 SI 1998/1211.

“fixed engine” means -

- (a) a stake net, bag net, putt or putcher;
- (b) any fixed implement or engine for taking or facilitating the taking of fish;
- (c) 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
- (d) 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 fish, 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.

“sea fish” means fish of any description found in the sea including shellfish but does not include –

- (a) fish of the salmon species, or
- (b) trout which migrate to and from the sea.

## **8 Sea fishing in areas inland of Devon Sea Fisheries Committee district**

The placing and use of fixed engines for taking sea fish is prohibited in any water inland of the landward boundary of the Devon Sea Fisheries Committee district.

## **10 Sea fishing in River Severn**

The placing and use of fixed engines for taking sea fish is prohibited in all parts of the River Severn and its tributaries in England inland of a line drawn across the River Severn, from a

point of the eastern side of the mouth of the Rhymney River in the county of Cardiff (ST229774) true north of the lighthouse on Flatholm (ST222646), thence to the said lighthouse, and thence true east to the coast of the Unitary Authority of North Somerset (ST331646).

*(Environment Agency– the following byelaws; Nos. 1- 11 are only applicable to the estuaries of the Rivers Taw and Torridge. These byelaws were made by the Devon River Board, the River Board was superseded by the Devon River Authority on 1 April 1965, and by virtue of the Water Resources Act 1963, these byelaws are still in force.(Please note that following the above introduction of byelaw No.8 -Sea fishing in areas inland of Devon Sea Fisheries Committee district, October 2010 byelaw No.4below no longer applies)*

## **1 Application**

The following Byelaws shall apply to the whole of the area or areas in respect of which the Devon River board (hereinafter referred to as ‘the Board’) have the powers of a Local Fisheries Committee, under the Rivers Boards Act 1948, and the Sea

Fisheries Regulation Acts 1888 to 1930, as amended or extended by any other enactment, except in the cases to which the provisions of the Thirteenth Section of the Sea Fisheries Regulation Act 1888, apply: PROVIDED

that nothing in such Byelaws shall apply to a person fishing solely for scientific or experimental purposes or removing shellfish for stocking or breeding under the written authority in that behalf of the Board signed by their Clerk, and in accordance with the conditions contained in that Authority.

## **2 Revocation of existing byelaws**

All byelaws of the Board relating to sea fisheries hitherto in force in the Board’s area are hereby repealed, provided that nothing in such repeal shall affect any penalty, forfeiture or punishment incurred in respect of any offences committed against any Byelaws so repealed.

## **3 Trawling and trammelling**

No person shall use in fishing for sea fish any kind of trawl net or trammel net except in the area to the West of a line drawn from the most westerly point of North Tail to the most westerly point of South Tail.

## **4 Stake or Stop nets**

No person shall use any stake or stop net in fishing for sea fish except in accordance with the following regulations:-

- (a) The site of the net shall be marked by buoys or other marks visible above the surface of the water at high water of spring tides, and such buoys or marks shall be maintained so long as stakes of the net continue in position.
- (b) No portion of the net shall be at a less distance than 150yards from any portion of any stake or stop net.
- (c) No portion of the net shall be nearer the centre of any stream or channel than the edge of such stream or channel at low water of any tide.

(d) No iron or metal supports for nets and no wire netting shall be used.

(e) No stake or fixed support shall remain in position after the expiry of 14 days after the net has been removed or the use of the net has been discontinued, whichever shall be the shorter period.

**5 Mesh and nets**

No person shall use in the fishing for sea fish any net unless it has in all its parts a mesh of such dimension that when the mesh is stretched diagonally lengthwise of the net a flat guage 3 inches broad and  $\frac{3}{32}$  of an inch thick will pass through it easily when the net is wet.

**6 Reducing mesh of nets**

No person shall use any double net or over-lapping net, or an artifice so as to reduce the effective size of the mesh of any net to a size prohibited by these Byelaws.

**7 Shellfish – Minimum sizes**

No person shall remove from a fishery:-

(a) Any oyster that will pass through a guage having a circular opening of  $2\frac{1}{4}$  inches in diameter.

(b) Any mussel of less than 2 inches length.

(c) Any cockle that will pass through a guage having an aperture of  $\frac{3}{4}$  inch square.

(d) Any edible crab measuring less than  $4\frac{1}{2}$  inches across the broadest part of the back.

(e) Any lobster or crawfish measuring less than 9 inches from the tip of the beak at the end of the tail when spread as far as possible flat.

**8 Lobster, Crawfish and crabs**

No person shall remove from a fishery any berried edible crab, lobster or crawfish or any soft shelled crab or crawfish

**9 Shellfish – Redeposit of**

Any person who by inadvertence takes any shellfish, the removal of which from a fishery is prohibited by any of the Byelaws, or the possession or sale of which is prohibited by or in pursuance of any Act of Parliament, shall forthwith redeposit the same as nearly as possible in the place from which they were taken or under the written authority of the

Clerk on other suitable ground, and, in redepositing cockles, in accordance with this Byelaw shall spread them thinly and evenly over the beds.

**10 Regulation of shellfish beds**

Where, in the opinion of the Board, in any fishery any bed or part of bed of shellfish is so severely depleted as to require temporary closure in order to ensure recovery, or any bed or part of abed contains mainly immature or undersized shellfish which in the interests of the

protection and development of the fishery ought not to be disturbed for the time being, or any bed or transplanted shellfish ought not to be fished until it has become established, and

where the bed or part of bed thereof has been clearly defined in notices displayed in the vicinity prohibiting the removal or disturbance of the shellfish, or where the display of notices is not possible written notice has been given by one of the Board's officers, no person shall, while the bed or any part thereof is so defined, take away or otherwise disturb any shellfish without the consent of the Board.

**11 Deposit of refuse**

No person shall deposit or discharge any solid or liquid substance detrimental to sea fish or sea fishing except in such places and at such times and in such quantities, and

subject to such conditions as may from time to time be prescribed by the Board, in writing, under the hand of the Clerk.

*(Environment Agency - The following byelaw No.1 only applies to the River Yeo.)*

**1 Prevent Sea Fishing in the Tidal River Yeo (Barnstable)**

No person shall fish for sea fish in the tidal River Yeo (Barnstaple) between an imaginary line drawn across its confluence with the tidal River Taw at NGR SS 5532 3336 and Raleigh Weir at NGR SS 5660 3397

**Minimum Sizes for Fish and Shellfish**

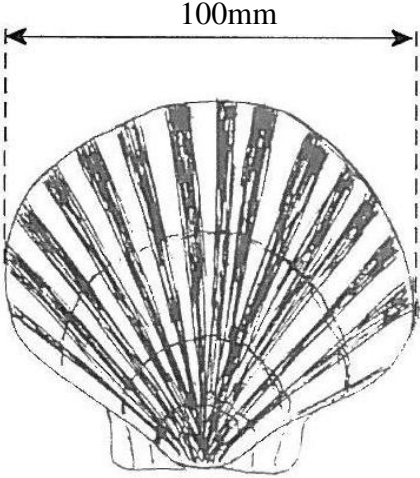
EU/ National		Devon & Severn IFCA	
Species	Size (cms)	Species	Size (cms)
Anchovy	12	Anchovy	12
Bass	36	Bass	36
Cod	35	Cod	35
Haddock	30	Haddock	30
Hake	27	Hake	27
Herring	20	Herring	20
Horse Mackerel	15	Horse Mackerel	15
Ling	63	Ling	63
Blue Ling	70	Blue Ling	70
Mackerel	20	Mackerel	20
Mackerel (North sea)	30		
Megrim	20	Megrim	20
Plaice	27	Plaice	27
Pollack	30	Pollack	30
Saithe (Coley)	35	Saithe (Coley)	35
Sardine	11	Sardine	11
Sole	24	Sole	24
Whiting	27	Whiting	27
Species	Size (cms)	Species	Size (cms)
Lobster (Carapace)	8.7	Lobster (Carapace)	9
Queen Scallop	4	Queen Scallop	4
Spider Crab (female)	12	Spider Crab (female)	12
Spider Crab (male)	13	Spider Crab (male)	13
Scallop	10	Scallop	10
Scallop (7D & Wales)	11		
Velvet Crab	6.5	Velvet Crab	6.5
Crawfish (Carapace)	11	Crawfish (Carapace)	11
Surf Clam	2.5	Surf Clam	2.5
Nephrops (overall)	8.5	Nephrops (overall)	8.5
Nephrops (carapace)	2.5	Nephrops (carapace)	2.5
Nephrops (tails)	4.6	Nephrops (tails)	4.6
Whelk (length of shell)	4.5	Whelk (length of shell)	4.5
Edible Crab (female)	Various	Edible Crab (Female)	14
Edible Crabs (male)	Various	Edible Crabs (Male)	16
Winkles		Winkles	1.6 <sup>1</sup> (square)

**Notes**

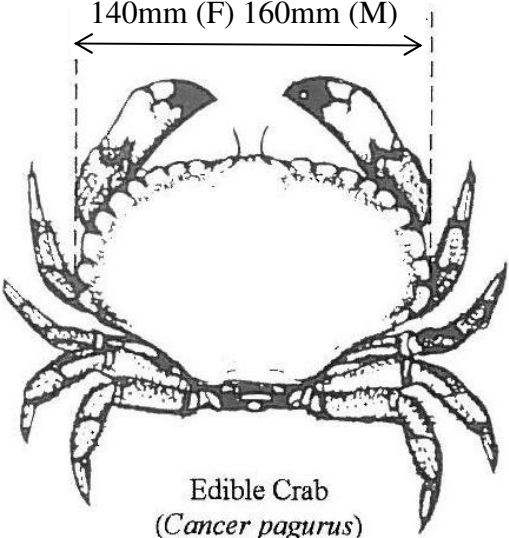
<sup>1</sup>Winkle size refers to 1.6 cm square gauge.

Female edible crab sizes vary in other areas. Other minimum landing sizes apply for nephrops in areas 7A and 6A.

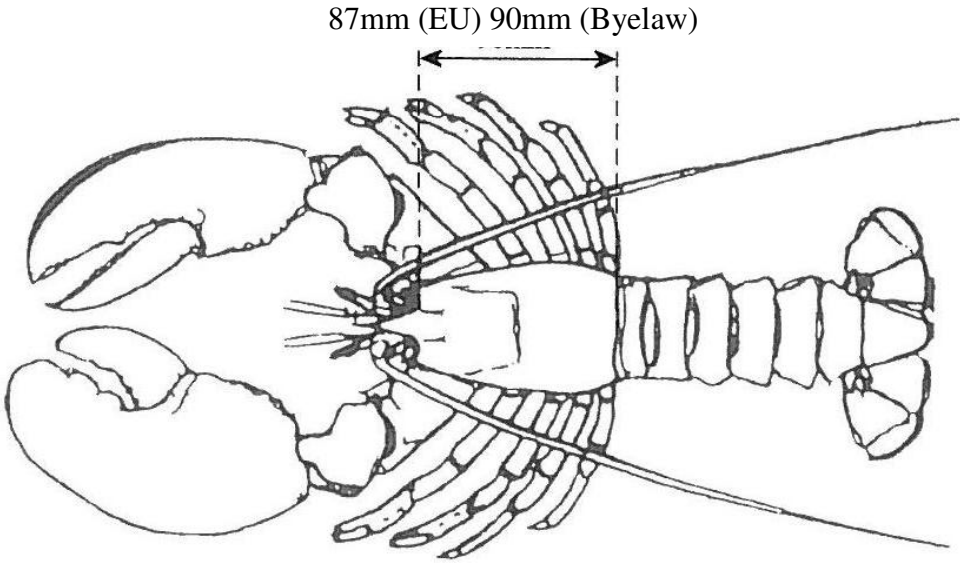
How to measure a marine organism



Scallop  
*(Pecten maximus)*



Edible Crab  
*(Cancer pagurus)*



Lobster (*Homarus gammarus*)