

The Relevant Byelaws

Harvesting of Shore Crab (18th July 2008)

This Byelaw applies to all persons and prohibits the taking of shorecrab (*Carcinus maenas*) from a defined area in the Exe Estuary.

Comments:

Although this Byelaw is species related, it does have relevance to the use of crab tiles within the Exe Estuary.

Shellfish – Re-deposit of (26th February 1998)

This Byelaw means that 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, shall re-deposit them without injury in the water as near as possible to the place where they were taken from.

Comments:

The essence of this Byelaw has been incorporated into Permit Byelaws (Permit Conditions) developed by D&S IFCA to manage other activities such as potting or diving for scallop, crab and lobster.

Temporary Closure of Shellfish Beds (26th February 1998)

This Byelaw allows D&S IFCA to close areas to help aid recovery of the beds or to protect stocks of immature or undersize shellfish. The Byelaw applies to all persons taking shellfish but is restricted to defined species which include mussels, oysters, clams and periwinkles.

Comments:

This Byelaw has been used recently (1st May 2019) to prohibit any person from taking mussel from the public beds in the Teign and Exe Estuaries. A weakness that D&S IFCA has already identified is that cockles are not included in the definition of shellfish.

Winkles (26th February 1998)

This Byelaw applies to all persons and prohibits the removal of any winkle which will pass easily through a gauge within a square opening of 16mm measured over each side of the square.

Comments:

The size of the winkle (16mm) was questioned during the call for information phase. It was suggested it should be increased, resulting in a larger winkle size that could be removed legally.

Crabs (26th February 1998)

This Byelaw prohibits any person from removing edible crab (brown crab) below the specified sizes as measured across the broadest part of the shell, regardless of what method is being used. The sizes in this Byelaw are specified as being 140mm for female crab and 160mm for male crab.

Comments:

The sizes within this Byelaw for female brown crab that apply to any person is different to the 150mm carapace size specified within the Potting, Netting and Diving (for shellfish) Permit Byelaws.

Prohibition of Spear Fishing in Lundy Marine Conservation Zone (MCZ) (16th October 2009)

This Byelaw prohibits any person from using a harpoon spear or like instrument to catch fish or shellfish from within the specified site at Lundy Island.

Comments:

This spatial restriction is related to Diving but is not incorporated into the Diving Permit Byelaw as it includes sea fish. The area defined is larger than the Lundy No Take Zone, where it is prohibited for any person to remove sea fish.

Parts of Edible Crab (16th February 1993)

This Byelaw prohibits any person from removing any part of an edible crab (brown crab) which is detached from the carapace of the crab, regardless of what method is being used.

Protection of V-Notched Lobsters (15th September 1998)

This Byelaw prohibits any person from removing any v-notched or mutilated lobster (*Homarus Gammarus*) from a fishery and requires that any such lobster to be returned immediately to the sea.

Protection of Undersize and Berried Lobsters (15th September 1998)

This Byelaw applies to any person. It prohibits the removal of berried lobsters (those carrying eggs) and lobsters that are below 90mm in length (as measured along the carapace).

Lundy “No Take Zone” (11th February 2003)

This Byelaw prohibits any person from removing any sea fish from a defined area at Lundy Island.

Comments:

This Byelaw is species related and it is envisaged that it would not be revoked until a complete suite of activity related Permit Byelaws would be in place, including a potential hook and line Permit Byelaw.

Shellfish – Minimum Sizes

This Byelaw applies to any person, but it is limited to the Taw Torridge Estuary. It prohibits the removal of:

- Any oyster that will pass through a gauge having a circular opening of 2 ¼ inches in diameter
- Any mussel of less than 2 inches in length
- Any cockle that will pass through a gauge having an aperture of ¾ inch square
- Any edible crab measuring less than 4 ½ inches across the broadest part of the back
- 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

Comments:

This old legacy byelaw uses imperial, rather than metric sizes.

Lobster, Crawfish and Crabs

This Byelaw applies to any person, but it is limited to the Taw Torridge Estuary. It prohibits the removal of any berried edible crab, lobster or crawfish or any soft-shelled crab or crawfish.

Shellfish – Re-deposit of

This Byelaw applies to any person, but it is limited to the Taw Torridge Estuary. This Byelaw means that 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, shall re-deposit them as nearly as possible in the place they were taken from. If cockles are re-deposited, they should be spread thinly and evenly over the beds.

Regulation of Shellfish Beds

This Byelaw is very similar to Temporary Closure of Shellfish Beds (26th February 1998) but is limited to the Taw Torridge Estuary. It allows areas to be closed to help aid recovery of the beds or to protect stocks of immature or undersize shellfish.

Prevent Sea Fishing in the Tidal River Yeo (Barnstable)

This Byelaw applies to any person, but it is limited to a specific area of the tidal River Yeo. It prohibits fishing for sea fish by any method.