



BYELAWS

IN FORCE IN THE CUMBRIA SEA FISHERIES DISTRICT

MADE UNDER SECTION 5 OF
THE SEA FISHERIES REGULATION ACT, 1966
AND
THE SALMON ACT, 1986

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LIMITS OF CUMBRIA SEA FISHERIES DISTRICT

The Cumbria Sea Fisheries District comprises so much of the sea within the national waters of the United Kingdom adjacent to England as is not included within the national waters of the United Kingdom adjacent to Scotland, and so much of the sea within six nautical miles from the baselines from which the breadth of the territorial sea of the United Kingdom adjacent to England is measured as is not included within six nautical miles from the baselines from which the breadth of the territorial sea of the United Kingdom adjacent to Scotland is measured, with the adjoining coast, as lies within the following limits, namely on the north-east, a line drawn from the eastern side of the mouth of the River Sark at Sarkfoot, across Rockcliffe Marsh to Burghmarsh Point, and, on the south, a line drawn true south-west from the seaward extremity of Haverigg Point in the County of Cumbria (being the northern boundary of the North Western and North Wales Sea Fisheries District); such lines being shown on a map marked S.651-1895 as subsequently amended on a map marked FGB 34440-1980, both of which are deposited at the Ministry of Agriculture, Fisheries and Food.

The sea fisheries district shall not extend above a line drawn at or near the mouth of every river or stream flowing into the sea or into any estuary within such limits, as follows:-

A line drawn across the River Sark, true west from the southern extremity of the eastern bank of the river at Sarkfoot;

A line drawn across the River Esk and Eden, from the eastern side of the mouth of the River Sark at Sarkfoot, across Rockcliffe Marsh to Burghmarsh Point;

A line drawn across the River Wampool, along the seaward side of the site of the former railway bridge near Whittrigg, as defined by the bridge buttresses;

A line drawn across the River Waver, along the seaward side of the site of the former railway bridge near Abbeytown, as defined by the bridge buttresses;

A line drawn across the River Ellen, along the seaward side of the bridge carrying the A.594 road at Maryport;

Lines drawn across the River Derwent and across the adjacent Mill Stream, along the seaward side of the bridges carrying the Carlisle to Barrow-in-Furness railway line at Workington.

A line drawn across the River Ehen, along the seaward side of the footbridge near, and to the north of, Sellafield railway station;

A line drawn across the River Calder, along the seaward side of the Calder Viaduct carrying the Carlisle to Barrow-in-Furness railway line near Sellafield;

A line drawn across the River Esk, near its confluence with the Rivers Irt and Mite, from the post on the north shore near Drigg Point to the post on the south shore marking the line of the Post Office submarine cable;

A line drawn across every river or stream not hereinbefore specified, such a line being in continuation of the general line of the shore at mean high water springs.

In respect of the said rivers and streams above the lines beyond which the sea fisheries district does not extend, the Environment Agency shall within its area have the powers of a local fisheries committee.

BYELAWS

Byelaw No. 1 – revocation of byelaws heretofore in force

All byelaws heretofore in force in the Cumbria Sea Fisheries District are hereby revoked.

Byelaw No. 2 – authority to make byelaws

The Cumbria Sea Fisheries Committee in exercise of the powers conferred on them by Section 5 of the Sea Fisheries Regulation Act, 1966 and by Section 37(2) of the Salmon Act, 1986 and of all other powers enabling them in that behalf and with the consent of the Environment Agency where appropriate hereby make the following byelaws to have effect throughout the whole of the Cumbria Sea Fisheries District provided that nothing in these byelaws shall apply to any person bona fide fishing for scientific purposes or in connection with stocking or breeding of fish under the written authority of the Committee signed by the Secretary thereof and in accordance with the conditions contained in that authority.

Explanatory Note:

- * The sea areas as defined in the Byelaws are shown on the chart deposited in the office of the Secretary of the Cumbria Sea Fisheries Committee, The Courts, Carlisle.
- * In the Sea Fisheries Regulation Act, 1966, "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;

"shellfish" includes crustacea and molluscs of any kind.

Byelaw No. 3 - size limit of boats allowed inside the district

No person shall fish for sea fish

- (i) in that part of the Cumbria Sea Fisheries District from low water mark for a distance of three nautical miles to seaward, from any mechanically propelled vessel exceeding 13.72 metres registered length except with hooks and lines;
- (ii) within the remainder of the part of Cumbria Sea Fisheries District to which these Byelaws apply from any mechanically propelled vessel exceeding 21.34 metres registered length except with hooks and lines.

For the purposes of this Byelaw the registered length of a vessel shall be that which is recorded on the vessels Certificate of Registration as issued by the Registrar of Shipping.

Explanatory Note:

This byelaw prohibits fishing by vessels exceeding 13.72 m registered length from fishing within the 3 mile belt and by vessels exceeding 21.34 m registered length in the area within the Committee's district that extends 3 nautical miles to seaward of the bay closing line in the Solway Firth. This measure is designed to ease fishing effort on local white fish and shellfish stocks by large, high powered vessels.

Byelaw No. 4 - marking and siting of fixed nets, traps, pots and lines

No person shall use in fishing for sea fish any anchored or moored net or any net fixed in position by whatever means or any traps pots or lines except in accordance with the following requirements:-

- (a) the site of the net, traps, pots or lines shall be marked at each end by a flag on a pole, perch or buoy the flag to be at least one metre above the surface of the sea and to be maintained so long as the nets, traps, pots or lines remain in position. The pole, perch or buoy shall be legibly marked with the name and address of the owner of such net, trap, pot or lines or the registered number of his vessel.

- (b) No portion of any anchored, moored or fixed net shall be nearer the centre of the fairway to any harbour than the edge of such fairway at low water of the tide during which the net is used for fishing.
- (c) No portion of any anchored, moored or fixed net shall be nearer than one hundred and fifty metres to any portion of another anchored, moored or fixed net.

Explanatory Note:

This byelaw prohibits the use of any static gear that is not marked in such a way that Ownership of the gear is not clearly apparent and the marker is not a hazard to the safe navigation of other vessels.

Byelaw No. 5 – minimum removal size for mussels

No person shall remove from a fishery any mussel measuring less than 45 millimetres in length.

Explanatory Note:

This byelaw sets the minimum removal size for mussels. The measure is designed to protect small and immature stock that has not had a chance to spawn and enhance the bio-mass of the species.

Byelaw No. 6 – minimum removal size for cockles

No person shall remove from a fishery any cockle which will pass through a gauge having a square aperture of 20 millimetres measured over each side of the square.

Explanatory Note:

This byelaw sets the minimum removal size for cockles. The measure is designed to protect small and immature stock that has not had a chance to spawn and enhance the bio-mass of the species.

Byelaw No. 7 - winkles – method of fishing, and minimum size

This byelaw applies to any part of the Cumbria Sea Fisheries Committee's district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured ("the district"). For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

- 1 No person shall fish for or remove from any fishery from within the district, winkles (*Littorina littorea*) except by hand.
- 2) No person shall remove from a fishery any winkle (*Littorina littorea*) which will pass through a gauge having a square aperture of 16 millimetres measured over each side of the square.

Explanatory Note:

This byelaw sets the minimum removal size and removal method for winkles. The measure is designed to protect small and immature stock that has not had a chance to spawn and enhance the bio-mass of the species.

Byelaw No. 8 – berried lobsters

No person shall remove from a fishery any berried lobster.

Explanatory Note:

This measure is designed to protect ripe female lobsters thereby enhancing the bio-mass of the stock.

Byelaw No. 9 - skate fishery

No person shall take from a Fishery -

- (i) any Skate or Ray that measures less than 45 centimetres between the extreme tips of the wings; or
- (ii) any wing which measures less than 22 centimetres in its maximum dimensions and which is detached from the body of the Skate or Ray.

Explanatory Note:

This measure is designed to allow fish to reach maturity in order that they may have the opportunity to breed.

Byelaw No. 10 - fixed engine fishery

For the purposes of Section 6 (3) of the Salmon and Freshwater Fisheries Act, 1975 as amended by Section 33 of the Salmon Act, 1986, the placing and use of fixed engines is authorised by this Byelaw in the following areas of Cumbria Sea Fisheries District during the times specified below and subject also to any conditions specified below and to the general conditions specified in the Schedule.

(1) **The Upper Solway**

Sea area east of a line drawn 184⁰ true from Powfoot in Scotland position Latitude 54⁰ 58'.66N Longitude 003⁰ 19'.63W to Grune Point in England position 54⁰ 54'.00N 003⁰ 20'.24W from 1st October to 31st January inclusive:

- (a) Each net shall be constructed from twine of a minimum thickness of 2 millimetres
- (b) Nets shall be constructed of multifilament, braided or cabled twines.
- (c) Any stakes used in connection with the net, must be removed for the duration of the period 1st February to 30th September in each year.

(2) **Box Areas**

AREA 1 - River Ellen, Maryport - The sea area within a radius of 1 nautical mile drawn from Maryport south pier beacon position Latitude 54° 43'.06N Longitude 003° 30'.69W from 1st December to 31st March inclusive.

AREA 2 - River Derwent, Workington - The sea area within a radius of 1 nautical mile drawn from Workington south pier beacon position Latitude 54° 39'.10N Longitude 003° 34'.60W from 1st December to 31st March inclusive.

AREA 3 - The Rivers Ehen and Calder, Sellafield - The sea area within a radius of 1 nautical mile drawn from the centre of Calder Railway bridge position Latitude 54° 24'.62N Longitude 003° 30'.18W from 1st December to 31st March inclusive.

AREA 4 - The Rivers Irt, Mite and Esk, Ravenglass - The sea area within a radius of 2 nautical miles drawn from the centre of the bridge at Ravenglass carrying the Carlisle to Barrow-in-Furness railway line over the River Mite position Latitude 54° 21'.45N Longitude 003° 24'.68W from 1st December to 31st March inclusive.

(3) Deep Water Fishing

All waters within Cumbria Sea Fisheries District, excluding the four box areas defined in (2) above, at all times of the year provided that there is at least 3 metres of water above the instrument at all states of the tide.

(4) Shallow Water Fishing

The sea area adjacent to the coastline from Grune Point to the southernmost boundary of Cumbria Sea Fisheries District, excluding the four box areas defined in (2) above from 1st December to 31st May inclusive.

SCHEDULE

General conditions for placing and use of fixed engines

- 1 A fixed engine shall not be used for taking or facilitating the taking of salmon or sea trout.
- 2 A fixed engine must be fished regularly whilst it is set, that is to say the engine shall be visited and, cleared of fish at least once every other tide, unless adverse weather conditions prevent this operation being carried out.
- 3 Any salmon or sea trout taken by a fixed engine shall be returned to the sea immediately upon the first emptying of the fixed engine following such taking and whether such salmon or sea trout be alive or dead.
- 4 A fixed engine shall not exceed 240 metres in length.
- 5 No portion of any net shall at any time encroach into any channel less than 300 metres wide which exists at low water of the tide during which the net is used for fishing.

Explanatory Note:

*** Fixed Engine**

In the Salmon and Freshwater Fisheries Act, 1975, fixed engine includes:-

- (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 salmon or trout, 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.

Byelaw No. 11 - drift or beach seine nets

No Drift or Beach Seine Nets shall be used within the four Box Areas set out in Byelaw 10 part 2 or in the sea area east of a line drawn from Powfoot in Scotland to Grune point in England, other than a drift net licensed for fishing for Salmon in Cumbria coastal waters by the Environment Agency in exercise of the powers conferred on them by Section 25 of the Salmon and Freshwater Fisheries Act 1975.

Explanatory Note:

This byelaw prohibits the use of drift or beach seine nets within the four box areas, so as to afford protection to migratory fish (Salmon and Sea Trout).

Byelaw No. 12 – redepositing of shellfish

Any person who takes any shellfish, the removal of which from a fishery is prohibited by these byelaws, or the possession or sale of which is prohibited by or in pursuance of an Act of Parliament, shall forthwith redeposit the same without injury as nearly as possible in the place from which they are taken, or under the written authority of the Secretary of the Committee on other suitable grounds, and in redepositing cockles in accordance with this byelaw shall spread them thinly and evenly over the beds.

Explanatory Note:

This measure is designed to protect immature and undersized shellfish. In the event that a predominant amount of undersized shellfish is removed from a bed, they shall be returned to the fishery, without injury, as quickly as possible.

Byelaw No. 13 - multi-rigged trawling gear

- 1 Subject to paragraph 2 below, no person shall use any towed trawl net to fish for seafish either from a fishing vessel or by any other means.
- 2 The prohibition in paragraph 1 above shall not apply to the use of:
 - (a) single trawls fitted with a single cod-end and utilising one pair of otter boards;
 - (b) vessels fishing with beam trawls.

This byelaw applies to any part of the district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured. For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

Explanatory Note:

This byelaw prohibits the use of twin or multi-rigged trawling gear. The measure is designed to ease fishing effort both on prawn (Nephrop) and white fish stocks within the Committee's district.

Byelaw No. 14 - shrimps or prawns

This byelaw applies to any part of the Cumbria Sea Fisheries Committee's district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured ("the district"). For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

- (a) No person shall use in fishing for shrimps or prawns, any beam trawl whereof the effective length of beam exceeds 9 metres, or in the case of an otter trawl, the length of headline exceeds 9 metres.
- (b) No person shall use in fishing for shrimps or prawns, more than one beam trawl at any one time, unless the aggregate length of the beams does not exceed 9 metres.
- (c) With a view to limiting the destruction of immature fish, every person in fishing for shrimps or prawns shall as soon as practicable after each haul, thoroughly sift the catch in a riddle, having a mesh such that the spaces between adjacent longitudinal wires are not less than 5 mm and the spaces between the adjacent lateral wires are not less than 60 mm.
- (d) The immature sea fish that pass through such a riddle, must be returned to the sea forthwith.

Explanatory Note:

This byelaw prohibits the use of a beam or other trawl that exceeds 9 m in length. This measure is designed to protect shrimp and prawn stocks.

Byelaw No. 15 – vessels with a registered engine power > 221 kw

No person shall fish for sea fish in that part of Cumbria Sea Fisheries district to the east of a line drawn from Maryport south pier end to Southernness Point light house, from any mechanically propelled vessel, with a registered engine power exceeding 221 KW, except with hooks and lines.

Explanatory Note:

This byelaw is designed to prevent high powered vessels from fishing in the environmentally sensitive area of the inner Solway Firth.

Byelaw No. 16 - cockles - seasonal closure

This byelaw applies to any part of the Cumbria Sea Fisheries Committee's district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured ("the district"). For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

No person shall remove any cockles from a fishery between the 15th April and the 14th September in the same year, both days inclusive.

Explanatory Note:

This byelaw is in force to protect immature cockle stocks.

Byelaw No. 17 - taking of fish other than by hooking them in the mouth

This byelaw applies to any part of the Cumbria Sea Fisheries Committee's district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured ("the district"). For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

No person shall, for the purpose of fishing for sea fish, use a rod and line or any other instrument or device in a manner calculated to foul hook or take any fish other than by hooking them in the mouth.

Byelaw No. 18 - shellfishery - temporary closure

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 a bed containing mainly immature or undersized shellfish or mature stock critical for spawning which in the interest of the protection and development of the fishery ought not to be removed or disturbed for the time being, or any bed of transplanted shellfish ought not to be removed or disturbed 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 or disturbance of the shellfish, or where the display of notices is not possible written notice by advertising in local newspapers has been given by one of the Committees' Officer's, no person shall, while the bed or part thereof is so defined remove or otherwise disturb any shellfish therein without the authority of the Committee.

Provided that no bed or part of a bed may remain closed under this Byelaw for a longer period than one year, without review by the Committee.

Explanatory Note:

This byelaw allows the Committee to close any area known to contain shellfish that are mainly immature or undersized or mature shellfish that are critical for enhancing the bio-mass of the stock.

Byelaw No. 19 - application of byelaws

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 Cumbria Sea Fisheries District on the date of confirmation of this byelaw shall not apply to any part of the sea beyond three nautical miles from the 1983 baselines. For the purposes of this 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.6452A, amended by 1979 II p.2866)."

Explanatory Note:

The contents of this byelaw relates to all byelaws within this booklet unless stated in the individual byelaw itself.

Byelaw No. 20 - for the protection of immature plaice - minimum mesh sizes

No person shall use in fishing for sea fish any towed net between the first day of June and the last day of October inclusive unless: -

- (1) the cod-end sensu-stricto is of such dimensions that the mesh when measured in accordance with Commission Regulation (EEC) 2108/84 is not less than 110 mm; and
- (2) the cod-end sensu-stricto, as defined in Commission Regulation (EEC) 3440/84, shall not have less than 30 meshes in its longitudinal axis, when measured between the cod-line meshes and any lacing meshes joining it to the main body of the trawl or any lengthening piece; and
- (3) the cod-end is made of single twine.
- (4) For the purpose of this byelaw, "fishing vessel" means any vessel for the time being employed in fishing operations or any operations ancillary thereto.

This byelaw applies to any part of the Cumbria Sea Fisheries Committees' district bounded in the north by a line drawn due west from the base of Maryport south pier seaward to the median line between England and Scotland and in the south by a line due west from the base of Whitehaven south pier seaward to a position Latitude 54° 33'.80N Longitude 003° 40'.40W and thence along a line drawn 230°(T) to a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured. For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

Explanatory Note:

This byelaw is designed to protect stocks of small and immature Plaice in a defined area where they are known to shoal and are vulnerable to being caught by towed gear at certain times of the year.

Byelaw No. 21 - cockles - permit scheme

No person shall fish for Cockles unless

- a) they have written authorisation issued by the Committee; and
- b) they have undertaken to provide, and do provide to the Committee, a daily record of the quantity of Cockles removed from the fishery, together with the method of removal, area of fishing, the number of hours fishing; and
- c) such records to be provided to the Committee for each month and submitted by the 5th day of the following month.

Written authorisations issued by the Committee shall be valid from the 1st day of August until the 31st of December in the same year, both days inclusive.

This byelaw applies to any part of the district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured. For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

Explanatory Note:

This byelaw prohibits the catching or gathering of Cockles anywhere in the district except under an annual permit issued by the Committee and includes daily catch restrictions. The measure is also designed to obtain useful data regarding the stocks so as to aid better management of the fisheries.

Byelaw No. 22 - cockles - catch restrictions

No person shall remove from a fishery more than 1 tonne of cockles in any one day except with the prior written authority of the Committee and the maximum number of persons onboard any vessel or working with any harvesting implement for the purpose of determining the quantity of cockles which may be removed shall not exceed 3.

Under this byelaw the Committee may consider increasing the daily catch restriction subject to favourable stock assessments.

This byelaw applies to any part of the district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured. For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

Explanatory Note:

The explanatory note at the end of byelaw number 21 also applies here.

Byelaw No. 23 - mussels - permit scheme

No person shall fish for Mussels unless

- a) they have written authorisation issued by the Committee; and
- b) they have undertaken to provide, and do provide to the Committee, a daily record of the quantity of Mussels removed from the fishery, together with the method of removal, area of fishing, the number of hours fishing; and
- c) such records to be provided to the Committee for each month and submitted by the 5th day of the following month.

Written authorisations issued by the Committee shall be valid for one year from 1st of January until the 31 of December in the same year.

This byelaw applies to any part of the district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured. For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964

(1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

Explanatory Note:

This byelaw prohibits the catching or gathering of Mussels anywhere in the district, except under an annual permit issued by the Committee and includes daily catch restrictions. The measure is also designed to obtain useful data regarding the stocks so as to aid better management of the fisheries.

Byelaw No. 24 - mussels - catch restrictions

No person shall remove from a fishery more than 1 tonne of mussels in any one day except with the prior written authority of the Committee, and the maximum number of persons onboard any vessel or working with any harvesting implement for the purpose of determining the quantity of mussels which may be removed shall not exceed 3.

Under this byelaw the Committee may consider increasing the daily catch restriction subject to favourable stock assessment.

This byelaw applies to any part of the district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured. For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

Explanatory Note:

The explanatory note at the end of byelaw number 23 also applies here.

Byelaw No. 25 - requirement for escape gaps in pots, creels and traps

No person shall use or cause to be used for the purpose of fishing for sea fish or crustacea any pot, creel or trap constructed of whatever material unless:-

- (a) it has at least one unobstructed escape gap located in the lowest part of the pot, creel or trap or in the case of a parlour pot the parlour area; and
- (b) is so designed and constructed that each escape gap is of sufficient size that there may be easily passed through the escape gap and completely passed into the pot, creel or trap, a rigid boxed shaped gauge which shall be a gauge 74 millimetres wide, 44 millimetres high and 100 millimetres long.

This byelaw applies to any part of the district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured. For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

Explanatory Note:

This Byelaw is designed to allow small immature lobsters and crabs that have not had a chance to breed to escape from pots and creels and thereby enhance the biomass of the species.

Byelaw No. 26 - permit to fish for Lobster, Crab and Whelks

- 1 This byelaw applies to any part of the Cumbria Sea Fisheries Committee's district within a line drawn on the seaward side of the baselines 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured. For the purpose of this paragraph "the baselines" means the baselines as they existed at 25 January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III

p.6452A) as amended by the Territorial Waters (Amendment) Order in Council 1979 (1979 II p.2866).

- 2 No person shall use a boat to fish for or take or land from any fishery within the district, any Lobster (*Homarus gammarus*), Crab (*Cancer pagurus*), or Whelk (*Buccinum undatum*) except under a permit issued by the Clerk to the Committee, and in accordance with the following conditions:
 - a) the permit shall be valid until the 31st December in the year of issue of the permit, and
 - b) the permit shall not be transferable, and
 - c) the person to whom the permit is issued shall not use more than 5 pots or 100 metres of net (measured along the headline) and shall not take or land more than one lobster, 5 edible crabs or 10 kgs of whelks which must be landed on the same calendar day they were caught and may not be stored in any keep pot or similar device, and
 - d) all pots or nets and any dahns, poles or buoys used to work such gear shall be clearly marked with the number issued with the permit, and
 - e) any boat used in accordance with the byelaw shall clearly display the number issued with the permit, and shall not be used to haul any pots or nets not marked with that number, and neither shall any boat used in accordance with the byelaw display more than one permit number, and
 - f) applications to fish under this byelaw shall be made using the printed forms available from the Committee, and
 - g) the permit to fish shall be invalid if any of the above conditions are not met.
- 3 The byelaw shall not apply to any person fishing from a boat registered in accordance with the rule for the time being in force for the registration of a British Sea Fishing boat and holding a current licence issued by the appropriate UK fisheries department.

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