* PLEASE NOTE THE VENUE FOR THE MEETING

To: Members of the Central Area Fisheries Advisory Committee:

(Messrs. W. Bailey; R. Barratt; R. A. Challenor; J. M. Croft; J. H. Fell; R. Harper; A. L. Harris; R. D. Houghton; J. Johnson; G. Jones; J. P. Lord; H. B. Whittam; G. Wilson; Dr. R. B. Broughton; Professor W. E. Kershaw; and the Chairman of the Authority (G. Mann); the Vice Chairman of the Authority (A. Richardson); and the Chairman of the Regional Fisheries Advisory Committee (T. A. F. Barnes) (ex officio)).

Dear Sir,

A SPECIAL MEETING of the CENTRAL AREA FISHERIES ADVISORY COMMITTEE will be held at 2.30 p.m. on MONDAY, 7TH SEPTEMBER, 1981 at the SOUTH CUMBRIA AREA OFFICE of the RIVERS DIVISION, 'BEATHWAITE', LEVENS, RENDAL for consideration of the following business.

Yours faithfully,

G. W. SHAW,
Director of Administration.

AGENDA

1. Appointment of Chairman.
2. Apologies for absence.
3. Minutes of the last meeting held on 1st April, 1981, (previously circulated and approved by the Regional Fisheries Advisory Committee on 27th April, 1981. Enclosed herewith are the Minutes of the Regional Fisheries Advisory Committee for 27th April and 13th July, 1981).
4. MAFF Consultation Paper on Review of Inland and Coastal Fisheries in England and Wales.
5. A National Salmon Policy.
6. Commercial Eel Trapping on Windermere.
NORTH WEST WATER AUTHORITY

MINUTES OF A MEETING OF THE
REGIONAL FISHERIES ADVISORY COMMITTEE

27TH APRIL, 1981

Present: T. A. F. Barnes, Esq. (Chairman)
J. S. Bailey, Esq. R. D. Houghton, Esq.
A. G. R. Brown, Esq. Mrs. W. Lomas
F. Bunting, Esq. G. Mann, Esq.
E. P. Ecroyd, Esq. Major J. G. W. Skipwith
J. H. Fell, Esq. L. B. Williams, Esq.
E. H. Funk, Esq. G. Wilson, Esq.

37. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received from Mr. J. Johnson, Mr. Wm. McKenna, Mr. A. Richardson and Mr. M. Wareing.

38. MINUTES OF THE LAST MEETING

RESOLVED:

That the Minutes of the last meeting of the Committee held on 2nd February, 1981, be approved as a correct record and signed by the Chairman.

39. MINUTES OF LOCAL ADVISORY COMMITTEES

(A) Northern Area

The Chairman of the Northern Area Advisory Committee submitted the Minutes of the proceedings of the meeting held on 30th March, 1981.

RESOLVED:

(1) That the Minutes of the meeting of the Northern Area Advisory Committee held on 30th March, 1981, be received.

(2) That the recommendation contained in Minute No. 11 (Representation on the Regional Fisheries Advisory Committee) be noted, and the structure and membership of the Regional Committee be considered at the meeting of the Regional Committee on 13th July, 1981.

(3) That the recommendations contained in Minute No. 12 (Fishing Licence Duties) be considered under the appropriate Agenda item.

(B) Central Area

The Chairman of the Central Area Advisory Committee submitted the
Minutes of the proceedings of the meeting held on 1st April, 1981.

RESOLVED:

(1) That the Minutes of the meeting of the Central Area Advisory Committee held on 1st April, 1981, be received.

(2) That the recommendations contained in Minute No. 16(3) (Matters arising from the Minutes of the last meeting – Fishery Byelaws) and Minute No. 19 (Fishing Licence Duties) be considered under the appropriate Agenda items.

(3) That the recommendation contained in Minute No. 21 (Authority Works on headwater becks of the River Hodder and on the River Douglas) be noted and that wherever possible the appropriate consultations envisaged take place.

(4) That the recommendations contained in Minute No. 24 (Mitton Fishery – River Ribble) be approved.

(C) Southern Area

The Chairman of the Southern Area Advisory Committee submitted the Minutes of the proceedings of the meeting held on 8th April, 1981.

RESOLVED:

(1) That the Minutes of the meeting of the Southern Area Advisory Committee held on 8th April, 1981, be received.

(2) That the recommendation contained in Minute No. 12 (Membership of the Committee) be approved.

(3) That the recommendations contained in Minute No. 13 (Licensing of Angling for Freshwater Fish) and Minute No. 14 (Fishing Licence Duties) be considered under the appropriate Agenda item.

40. MEMBERSHIP OF THE COMMITTEE

It was reported that on 16th March, 1981, the Authority had approved the recommendation made at the last meeting of the Committee (Minute No. 31) that the Chairmen of the three new area committees should serve on the Committee in an ex officio capacity.

41. FISHING LICENCE DUTIES

On 16th March, 1981, (Minute No. 50) the Authority had requested the Committee to consider the need for and formulate proposals for increases in fishing licence duties to be effective from 1st January, 1982.
The approved Fisheries budget for 1981/82 which allowed for inflation showed an increase in gross expenditure of 13.9% attributable entirely to past, present and future price increases. This was very similar to the annual rate of inflation of 13% as reflected by the January, 1981 Retail Price Index, but this figure could be expected to increase by a further one or two points in the light of the Chancellor's Budget. In view of the Government's declared intention to reduce inflation, an all round increase of 10% on all existing fishing licence duties, as set out in the Appendix to these Minutes, was proposed and this had been considered by the Area Committees at their March/April round of meetings.

As indicated in the Minutes of the respective Committees, the proposed 10% increase had been accepted by all three Committees, albeit reluctantly, and especially so by the Southern Area Committee who had felt that consideration should be given to the special needs of that area with a view to the issue for that area of the non-migratory trout, freshwater fish and eels licence at a concessionary rate of duty as from 1st January, 1982. The Southern Area Committee also looked for an improvement in the fisheries service in the southern area and had suggested that consideration should also be given to the introduction of a separate freshwater fish licence into the licence structure as from 1st January, 1983.

The Northern and Central Area Committees had also suggested that the rod licence structure be reviewed and the Northern Area Committee had recommended that consideration be given to the introduction of a single tier licence duty for rod and line to take effect from 1st January, 1983.

The Committee felt that notwithstanding the recommendation made at their meeting on 15th February, 1979, (Minute No. 40(2)):

"That in the event of a further revision of licence duties in the future, prime consideration be given to the introduction of Option 2 (a single tier licence system) subject to such variation in the amount of the duties as may be considered necessary, at that time".

the climate of opinion amongst anglers and angling associations, and particularly those representative of coarse angling interests, had changed since that time and it was therefore unlikely that this proposal would have the necessary support. Nevertheless it was agreed that further thought should be given to the introduction of a new licence structure for the region that would hopefully gain a consensus of support from all factions and accordingly members undertook to consult their respective associations prior to the November meeting of the Committee when this matter would be discussed formally.

RESOLVED:

That consideration of a new fishing licence structure for rod and line angling throughout the region to come into force as from 1st January, 1983, be deferred to the November meeting and that in the meantime the officers prepare an appropriate paper
including details of the licence structures existing in all other Water Authority areas.

RECOMMENDED:

1. That the Policy and Resources Committee be recommended to approve the proposals to increase the rod and line, net and fixed engine licence duties, as set out in the Appendix to these Minutes, to come into force throughout the region from 1st January, 1982.

2. That subject to the approval of this recommendation by the Policy and Resources Committee, the Director of Administration be authorised:

   (a) to publish a Notice of the Authority's intention to fix these fishing licence duties in appropriate newspapers, as required by clause 3 of Schedule 2 of the Salmon and Freshwater Fisheries Act 1975.

   (b) to take all such steps as may be necessary, including representation at a Public Inquiry, in the event of objections to the proposals being received by the Minister of Agriculture, Fisheries and Food.

42. REVIEW OF FISHERY BYELAWS

Further to Minute No. 32 of the last meeting, the Committee noted that on 1st April, 1981, (Minute No. 16(3)) the Central Area Committee had further considered proposed byelaw 17 - prohibition of taking undersized fish, and had recommended that the size limit for brown trout and char be amended to 200 mm (8 ins).

Representations relating to certain of the proposals had also been received on behalf of the Padiham and District Angling Society, but to date the informal comments invited from MAFF had not been received, although these were expected shortly.

RESOLVED:

That the recommendation relating to the Review of Fishery Byelaws contained in Minute No. 16(3) of the meeting of the Central Area Committee held on 1st April, 1981, be received and that this recommendation together with the representations of the Padiham and District Society upon the proposals and the comments of MAFF be considered at the next meeting of the Committee on 13th July, 1981.

43. CLOSURE OF PRESTON DOCKS

Further to Minute No. 43 of the last meeting concerning the decision of Preston Borough Council to close the Port of Preston, it was reported that following consultations between the officers of the Authority and officers of Preston Corporation, at which a mutually
acceptable settlement had not been reached, the Authority had proceeded with its Petition against the Preston Corporation Bill. The hearing before a Select Committee of the House of Lords had taken place in early April, 1981, when both Fylde BC and Sefton MBC had also petitioned against the Bill.

At the end of the hearing the Select Committee had announced that they would be reporting on the Bill on the Third Reading with the following amendments:

(1) The clauses giving the Secretary of State default powers to require the Authority at their own expense to repair or restore (for unspecified purposes) the training walls upstream of Lytham, and to require the Authority to finance any surveys that the Secretary of State may require, should be deleted.

(2) The clause giving the Secretary of State default powers to require Preston at their own expense to carry out works on the training walls downstream of Lytham to remove any new navigational hazards, should be extended to cover the whole length of the training walls.

The effects of these proposed amendments were that the Bill would now merely empower the Authority to carry out works on the training walls upstream of Lytham and that any works which they might carry out, if approved by Preston subject to arbitration, would qualify for contributions from Preston for a period of ten years from the closure of the Port. Preston would be responsible for, and could be so directed by the Secretary of State, any works required to remove any new navigational hazards over the whole length of the training walls.

From the Authority point of view this was a satisfactory outcome, but it did not entirely meet the objections of Fylde and Sefton who wanted Preston to retain their present duty to maintain the training walls for navigational purposes at least until there had been sufficient time to assess from further study and experience the likely effects on their areas.

It was now possible that one or both Councils might oppose the Bill in the House of Commons, in which case the Authority would hold a watching brief to ensure that any further amendments did not adversely affect their interests. Should this happen then a further report would be made to the Committee.

44. CALENDAR OF MEETINGS 1981-82

A proposed calendar of meetings for the Committee and the Area Fisheries Advisory Committees for 1981-82, was submitted for the information of members, dates for meetings of the Committee being noted as follows:

Monday 13th July, 1981
Monday 9th November, 1981
Monday 1st February, 1982
Monday 26th April, 1982
The dates were an integral part of the calendar of meetings for the Authority, Committees and Sub-Committees, which had been approved by the Policy and Resources Committee on 2nd March, 1981, and would be submitted to the Authority for consideration in accordance with Rule 1(3) of the Rules of the Authority at the Annual Meeting to be held on 15th June, 1981.
## APPENDIX

### FISHING LICENCE DUTIES

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Duty (£p)</td>
<td>Duty (£p)</td>
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</table>

#### 1. Single Rod and Line

(a) Salmon

<table>
<thead>
<tr>
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<th>Present</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Season</td>
<td>18.00</td>
<td>19.80</td>
</tr>
<tr>
<td>Part Season from June 1st</td>
<td>12.00</td>
<td>13.20</td>
</tr>
<tr>
<td>Season concessionary</td>
<td>9.00</td>
<td>9.90</td>
</tr>
<tr>
<td>Part Season concessionary from June 1st</td>
<td>6.00</td>
<td>6.60</td>
</tr>
<tr>
<td>Seven day</td>
<td>3.00</td>
<td>3.30</td>
</tr>
<tr>
<td>Junior (10-13 years inclusive)</td>
<td>nil</td>
<td>nil</td>
</tr>
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</table>

(b) Migratory Trout

<table>
<thead>
<tr>
<th></th>
<th>Present</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Season</td>
<td>6.00</td>
<td>6.60</td>
</tr>
<tr>
<td>Season concessionary</td>
<td>3.00</td>
<td>3.30</td>
</tr>
<tr>
<td>Seven day</td>
<td>1.20</td>
<td>1.30*</td>
</tr>
<tr>
<td>Junior (10-13 years inclusive)</td>
<td>nil</td>
<td>nil</td>
</tr>
</tbody>
</table>

(c) Non migratory trout, (brown trout, rainbow trout and char) freshwater fish and eels

<table>
<thead>
<tr>
<th></th>
<th>Present</th>
<th>Revised</th>
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<tbody>
<tr>
<td>Season</td>
<td>3.60</td>
<td>3.90*</td>
</tr>
<tr>
<td>Season concessionary</td>
<td>1.80</td>
<td>1.90*</td>
</tr>
<tr>
<td>Seven day</td>
<td>0.60</td>
<td>0.70*</td>
</tr>
<tr>
<td>Junior (10-13 years inclusive)</td>
<td>nil</td>
<td>nil</td>
</tr>
</tbody>
</table>

Concessionary licences are issued to juveniles (14-16 years), state retirement pensioners and registered disabled persons.

* rounded down to nearest 10p

#### 2. Commercial Eel Fishing

<table>
<thead>
<tr>
<th></th>
<th>Present</th>
<th>Revised</th>
</tr>
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<tbody>
<tr>
<td>Fixed eel trap per annum</td>
<td>30.00</td>
<td>33.00</td>
</tr>
<tr>
<td>Eel or fyke net per annum</td>
<td>0.60</td>
<td>0.65</td>
</tr>
<tr>
<td>Traps, putcheons or baskets (per 25 or part thereof) per annum</td>
<td>6.00</td>
<td>6.60</td>
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</table>

#### 3. Nets and Fixed Engines

(Area within the boundaries of former Cumberland River Authority)

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<thead>
<tr>
<th></th>
<th>Present</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whole area Drift, Hang or Whammel net (not exceeding 275m in length when wet)</td>
<td>125.00</td>
<td>137.50</td>
</tr>
<tr>
<td>River Eden, Draw, Draft or Seine net (not exceeding 275m in length when wet)</td>
<td>300.00</td>
<td>330.00</td>
</tr>
<tr>
<td>-----------------------------</td>
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</tr>
<tr>
<td><strong>3. Nets and Fixed Engines (cont'd)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whole area Heave or Haaf net</td>
<td>25.00</td>
<td>27.50</td>
</tr>
<tr>
<td>River Eden coop</td>
<td>117.00</td>
<td>128.70</td>
</tr>
<tr>
<td>River Derwent coop</td>
<td>260.00</td>
<td>286.00</td>
</tr>
<tr>
<td>South West Cumberland garth</td>
<td>130.00</td>
<td>143.00</td>
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<tbody>
<tr>
<td><strong>4. Nets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Area within the boundaries of former Lancashire River Authority)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>River Ribble, Drift, Hang or Whammel net (not exceeding 140m in length when wet)</td>
<td>80.00</td>
<td>88.00</td>
</tr>
<tr>
<td>River Lune, Drift, Hang or Whammel net (not exceeding 300m in length when wet)</td>
<td>133.00</td>
<td>146.30</td>
</tr>
<tr>
<td>River Lune, Draw, Draft or Seine net (not exceeding 185m in length when wet)</td>
<td>116.00</td>
<td>127.60</td>
</tr>
<tr>
<td>River Duddon, Draw, Draft or Seine net (not exceeding 185m in length when wet)</td>
<td>110.00</td>
<td>121.00</td>
</tr>
<tr>
<td>River Lune Heave or Haaf net</td>
<td>51.00</td>
<td>56.10</td>
</tr>
<tr>
<td>River Kent Lave net</td>
<td>60.00</td>
<td>66.00</td>
</tr>
<tr>
<td>River Leven Lave net</td>
<td>50.00</td>
<td>55.00</td>
</tr>
</tbody>
</table>
MINUTES OF A MEETING OF THE
REGIONAL FISHERIES ADVISORY COMMITTEE

13TH JULY 1981

T. A. F. Barnes, Esq. J. Johnson, Esq.
W. S. Bell, Esq. A. Jones, Esq.
H. Caunce, Esq. Wm. McKenna, Esq.
E. P. Ecroyd, Esq. A. Richardson, Esq.
J. H. Fell, Esq. Major J. G. W. Skipwith
J. E. Gouldbourn, Esq. G. Wilson, Esq.

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Mr. T. A. F. Barnes be appointed Chairman of the Regional Fisheries Advisory Committee for the ensuing 'Authority Year'.

(T. A. F. BARNES, ESQ., CHAIRMAN)

2. INTRODUCTION AND WELCOME TO MEMBERS

The Chairman welcomed Messrs. W. S. Bell; H. Caunce; J. E. Gouldbourn; A. Jones; I. Jones; G. E. Lowe and J. E. Redhead, to their first meeting of the Committee. In doing so he reiterated the role and constitution of the Committee and the area advisory committees, and expressed the hope that the Committee would continue to help the Authority to carry out its statutory fisheries functions to the benefit of all fisheries throughout the region.

3. APOLOGY FOR ABSENCE

An apology for absence from the meeting was received from Mr. G. Mann.

4. MINUTES OF THE LAST MEETING

RESOLVED:

That the Minutes of the last meeting of the Committee held on 27th April, 1981, be approved as a correct record and signed by the Chairman.

5. MINUTES OF THE NORTHERN AREA ADVISORY COMMITTEE

The Chairman of the Northern Area Advisory Committee submitted the Minutes of the proceedings of the special meeting held on 16th June 1981.

RESOLVED:

That the Minutes of the special meeting of the Northern Area Fisheries Advisory Committee held on 16th June 1981, be received and that the recommendation contained in Minute No. 21 (Fisheries in the Solway Firth) be approved.
6. APPOINTMENT OF THE REGIONAL FISHERIES ADVISORY COMMITTEE 1981/82

The Committee noted the approved membership thereof for 1981/82 as set out in Appendix 1 to these Minutes.

7. REVIEW OF REGIONAL COMMITTEE STRUCTURE AND MEMBERSHIP

The Committee received a report which summarised the structure and membership of the Committee from the date of its establishment, 3rd December 1973, up to the present time.

Since its inception, apart from changes arising from the appointment of new Chairmen to two of the former local advisory committees, only two changes in the fisheries membership of the Committee had taken place. Membership of the Committee was at strength and, as set out in Appendix 1 to these Minutes, now totalled 22.

In accordance with Section 28 of the Salmon and Freshwater Fisheries Act 1975, the seven fisheries members on the Committee were designated as 'persons interested in fisheries in the area' rather than the nominees of a specific association or organisation. Each fisheries member was also a member of an area advisory committee.

RECOMMENDED:

That the future nominations of fisheries members to the Regional Committee be from members then serving on one of the area committees.

8. APPOINTMENT OF THE AREA FISHERIES ADVISORY COMMITTEES 1981/82

Consideration was given to membership of the three area fisheries advisory committees for the year 1981/82. It was proposed that the existing area committees should continue in their present form and with their current memberships pending the filling of the two vacancies outstanding on the Southern Area Committee.

The Chairman of the Northern Area Committee reported that Mr. G. Richardson had recently tendered his resignation and that consideration would be given to nominating a successor at the next meeting of that Committee.

RESOLVED:

That the members listed in Appendix 2 to these Minutes be appointed to the respective area advisory committees for the ensuing 'Authority Year'.

9. APPOINTMENT OF FISHERIES REPRESENTATIVES ON LOCAL LAND DRAINAGE ADVISORY COMMITTEES

The constitution of the land drainage advisory committees provides for one member to represent fisheries interests on each of the Lancashire and Mersey and Weaver Committees and two members for those interests on the Cumberland Committee.
RESOLVED:

That the existing members, Mr. F. Bunting and Mr. E. P. Ecroyd, be reappointed to serve on the Cumberland Committee; Mr. J. H. Fell on the Lancashire Committee and Mr. J. S. Bailey on the Mersey and Weaver Committee.

10. DRAFT NET LICENCES - RIVERS DERWENT AND ELLEN

In accordance with Minute No. 22 of the meeting of the Northern Area Committee held on 16th June 1981, a comprehensive report was submitted which detailed all matters relevant to the granting of and fixing a duty for, the use of a draft net off the mouth of the River Derwent at Workington and also the use of a similar net at the mouth of the River Ellen at Maryport.

Under the Authority's present fishery byelaws the use of a draft net was legal in both areas and under the provisions of Schedule 2 of the Salmon and Freshwater Fisheries Act 1975, the Authority was obliged to grant such licence to any applicant who at the time of making the application was not disqualified by a court from holding such a licence, on payment of the duty in respect of the instrument to which that licence would relate.

Draft netting in both the Workington area and off the mouth of the River Ellen at Maryport had had no precedent over many years, although it was not illegal, and no duty had ever been fixed for the use of draft nets in those waters. Before such licences could be issued, the Authority needed to fix an appropriate licence duty. Subject to any approval required from MAFF, once that had been done the new duty and its associated licence would come into force on 1st January following.

The matter was discussed at length, several members expressing grave concern at the effect the use of the proposed licensed nets could have on the fisheries in the Rivers Derwent and Ellen. In the case of the River Derwent, Castle Fisheries of Cockermouth claimed exclusive ownership of the fisheries throughout the tidal length of the river including the Prince of Wales Dock and the Old Harbour, down to the sea and up to high water mark, in which case, no netting could take place in those waters without a permit from Castle Fisheries.

On the assumption that such a net could be operated in the tidal River Derwent, the report suggested that the only comparable situation existed on the River Eden where draft netting took place in the tidal river, which was considerably wider than the corresponding point on the River Derwent.

The River Ellen, differed from the Derwent in that it was mainly a sea trout river but nevertheless the use of a draft net within the tidal area would substantially affect stocks of migratory fish.

It was noted that the proposed new code of fishery byelaws included provisions to prohibit on conservation grounds, all netting off the mouths of the Rivers Derwent and Ellen, of which the applicants were aware.
RECOMMENDED:

(1) That the Policy and Resources Committee be recommended to approve that:

(a) the cost of a licence for the use of a draft net in the estuary of the River Derwent be £500, and that this figure be reviewed annually.

(b) the cost of a licence for the use of a draft net in the estuary of the River Ellen be £400, and that this figure be reviewed annually.

(2) That subject to the approval of this recommendation by the Policy and Resources Committee, the Director of Administration be authorised:

(a) to publish a Notice of the Authority's intention to fix these fishing licence duties in appropriate newspapers, as required by Clause 3 of Schedule 2 of the Salmon and Freshwater Fisheries Act 1975.

(b) to take all such steps as may be necessary, including representation at a Public Inquiry, in the event of objections to the proposals being received by the Minister of Agriculture, Fisheries and Food.

11. FISHING LICENCE DUTIES 1982

On 18th May 1981 (Minute No. 56) the Policy and Resources Committee approved the Committee's recommendations in respect of the new fishing licence duties for 1982. Subsequently, during the week commencing 18th May, the necessary notices of the Authority's intention to fix the new duties were published in appropriate newspapers.

The closing date for the receipt of objections was 3rd July and five objections had been received by MAFF whose decision was now awaited upon the proposals.

12. RESTRUCTURING OF ROD AND LINE LICENCE DUTIES

Further to Minute No. 41 of the last meeting, the Committee was requested to indicate basic guidelines to assist the officers in their preparation of the report to be submitted to the October meetings of the area committees and to this Committee in November, on restructuring the present rod and line licence duties. In this connection, the Committee was reminded that on 15th February 1979 (Minute No. 10) the Authority had approved the recommendation that in the event of a future restructuring of licence duties prime consideration should be given to the introduction of a single tier rod and line whole area licence duty, and was asked to decide whether this proposal was to be pursued further.
To assist the Committee in this matter, details of the rod and line licence structures operative in other comparable water authorities were made available to the Committee.

**RESOLVED:**

(1) That the report be based on the following guidelines:

(a) a four tier structure, comprising the issue of separate licences in respect of salmon; migratory trout; non-migratory trout; freshwater fish and eels.

(b) a three tier structure, comprising the issue of separate licences in respect of salmon and migratory trout; non-migratory trout; freshwater fish and eels.

(c) a three tier structure, comprising the issue of separate licences in respect of salmon; migratory trout and non-migratory trout; freshwater fish and eels.

(d) That the part season salmon licence be excluded from the structures.

(e) That the nil duty licence for juveniles aged 10-13 years inclusive be excluded from the structures.

(2) The structure be considered with the intention of taking effect on 1st January 1983.

(3) The report be submitted to the area committees at the October round of meetings and to the Regional Committee at the November meeting with a view to recommendations being made to the Policy and Resources Committee on 30th November 1981.

13. **INCOME FROM SALE OF ROD AND LINE LICENCES 1980**

The Committee received a report which summarised income received by the Authority from the sale of rod and line licences during 1980.

Although not directly comparable, due to changes in the licensing structure during 1980, when compared with those for 1970, the 1980 figures showed that overall the Authority had received increased income from this source.

14. **APPOINTMENT OF AGENCIES FOR THE SALE OF FISHING LICENCES**

In accordance with Minute No. 46 of 25th April 1977, it was reported that the following agency appointments had recently been made by the Rivers Division Manager.

1. D. Robinson and Sons, Ullswater Caravan and Camping Park, Watermillock, Ullswater.
2. Halton District Council,  
Runcorn Information Centre,  
Church Street,  
Runcorn.

3. Lake District Special Planning Board,  
Information Centre,  
Coniston.

15. FISHING OFFENCES PROCESSED 1980/81

A report was received in which were set out details of the fishing offences, and prosecutions undertaken by the Authority in connection with those offences during 1980/81. Detailed reports concerning each area committee would be submitted to the respective area committees at their October round of meetings.

Further investigations were currently taking place into the use of dogs as an aid to the bailiffing staff whilst carrying out their duties. Any further developments on these lines would be reported to future meetings of the Committee.

16. REVIEW OF FISHERY BYELAWS

On 2nd February 1981 (Minute No. 32) the Committee whilst receiving the recommendations of the area committees in respect of the draft revised code of fishery byelaws, deferred making a decision upon the proposals in view of the fact that MAFF's comments were not then known.

MAFF's comments being now to hand, they, along with the recommendations of the area committees and the views of the officers on both comments and recommendations were submitted to the Committee for their final recommendations on the proposals.

RECOMMENDED:

(1) That the proposed byelaws set out in Appendix 3 to these Minutes be approved by the Water Management Committee for formal submission to the Minister of Agriculture, Fisheries and Food for confirmation.

(2) That the Director of Administration be authorised to:

(a) In relation to byelaw 1(i) Annual close season for fishing for salmon and trout (other than with rod and line) - in the Solway Firth; and byelaw 6(i) Annual close season for char (rod and line) - in Coniston Water; and byelaw 26(c) Eels; publish a Notice in appropriate local newspapers of the Authority's intention to make application to the Minister of Agriculture, Fisheries and Food for Orders under Section 28(3) of the Salmon and Freshwater Fisheries Act 1975 to reduce the statutory minimum close seasons applicable in the case of byelaw 1 to the Solway Firth (181 days for trout and 153 days for salmon) to 171 days; and in the case of byelaw 6 to Coniston Water (153 days for char) to 89 days; and in the case of byelaw 26 to give the Authority power to require that returns of eels caught and nil returns of eel catches be made to the Authority.
(b) Subject to 2(a) above, submit the proposed Orders to MAFF for confirmation;

(c) Subject to 2(a) and (b) above, publish a Notice of the Authority's intention to make application to the Minister of Agriculture, Fisheries and Food for confirmation of the proposed byelaws in the London Gazette and appropriate local newspapers;

(d) Serve copies of the Notice on any public authorities who appear to be concerned;

(e) Take all such further steps as may be necessary for confirmation of the byelaws, including representation at a Public Inquiry, in the event of objections to the same being received by the Minister of Agriculture, Fisheries and Food.

17. REVIEW OF INLAND AND COASTAL FISHERIES IN ENGLAND AND WALES

The Government consultation paper on the review of inland and coastal fisheries in England and Wales had recently been circulated to all interested parties, which included the Authority. Comments on the proposals were sought by MAFF by 30th October 1981.

In view of the widespread interest likely to be invoked it was considered that consideration of the document be deferred and to enable the Committee to formulate a considered response to the proposals, the views of the area committees first be sought.

RESOLVED:

That:

(1) Special meetings of the area committees be convened to consider the consultation document and that subject to availability of the accommodation, the time date and venue for these meetings be as follows:—

(i) Central Area Fisheries Advisory Committee; 2.30 p.m. Monday 7th September, 1981, at the South Cumbria Area Office of Rivers Division, 'Beathwaite' Levens, Kendal.

(ii) Northern Area Fisheries Advisory Committee; 2.30 p.m. Tuesday 8th September, 1981, at Northern Division Sub-District Office, Ullswater Road, Penrith.

(iii) Southern Area Fisheries Advisory Committee; 2.30 p.m. Wednesday 9th September, 1981, at Dawson House, Great Sankey.

(2) That a Special meeting of the Regional Committee be convened at 2.15 p.m. on Monday 21st September, 1981 at Dawson House, Great Sankey to consider the comments of the area committees on the consultation document and to formulate a considered response thereto.
NORTH WEST WATER AUTHORITY

REGIONAL FISHERIES ADVISORY COMMITTEE

REGIONAL FISHERIES ADVISORY COMMITTEE 1981/82

Nominated to the Authority by

T. A. F. Barnes
T. M. Farrer
A. Jones
Major J. G. W. Skipwith
G. Mann (ex officio)*
A. Richardson (ex officio)*
W. S. Bell
H. Caunce
J. E. Gouldbourn
I. Jones
G. E. Lowe
J. E. Redhead
A. G. R. Brown
F. Bunting
J. H. Fell
R. D. Houghton
J. Johnson
Wm. McKenna
G. Wilson
J. S. Bailey (ex officio)
J. M. Croft (ex officio)
E. P. Ecroyd (ex officio)

Minister of Agriculture, Fisheries and Food
Minister of Agriculture, Fisheries and Food
Minister of Agriculture, Fisheries and Food
Secretary of State for the Environment
Secretary of State for the Environment
Cumbria County Council
Lancashire County Council
Lancashire District Councils
Greater Manchester County Council
Greater Manchester District Councils
Merseyside District Councils

Appointed as persons interested in fisheries in the area
Chairman Southern Area Fisheries Advisory Committee
Chairman Central Area Fisheries Advisory Committee
Chairman Northern Area Fisheries Advisory Committee

*NOTE Mr. Mann and Mr. Richardson are ex officio members of the Committee by virtue of their position as Chairman of the Authority and Vice Chairman of the Authority respectively.
# APPENDIX 2

**NORTH WEST WATER AUTHORITY**

**REGIONAL FISHERIES ADVISORY COMMITTEE**

**AREA FISHERIES ADVISORY COMMITTEES 1981/82**

## Northern Area

**Chairman:** E.P. Ecroyd, Low House, Armathwaite, Carlisle, Cumbria.

A.E.I. Bell, 12 Hallpath, Langholme, Dumfriesshire.
F. Bunting, 30 Dent Road, Mirehouse, Whitehaven.
E. Cave, 9 Brunton Crescent, Carlisle, Cumbria.
A.C. Findlay, Buccleugh Estates, Irvine House, Canonbie, Dumfriesshire.
A. Gleaden, 12 Meadowfield, Gosforth, Cumbria.
B. Irving, 11 Avon Close, Moreton West, Carlisle, Cumbria.
A. Marshall, West View, Becker Met, Cumbria.
J.S. Marshall, Little Cross, Appleby, Cumbria.
Wm. McKenna, 6 Spencer Street, Carlisle, Cumbria.
G.B. Sedgwick, Vacation
J. Thompson, 8 Belle Vue, Cockermouth, Cumbria.
G.N.F. Wingate, Bridge End House, Cockermouth, Cumbria.

## Central Area

**Chairman:** J.M. Croft, Orchard Farm, Whittingham Lane, Barton, Preston.

W. Bailey, 10 Mallowdale Road, Lancaster.
R. Barratt, Cowmire Hall, Crosthwaite, Kendal, Cumbria.
Dr. R.B. Broughton, 9 Victoria Road, Salford.
R.A. Challenor, Green End, Mansergh, Carnforth, Lancashire.
J.H. Fell, White Gates, Backborrow, Ulverston, Cumbria.
R. Harper, Collin Field Farm, Kendal, Cumbria.
A.L. Harris, Blunt How, 12 Eden Park, Scotforth, Lancaster.
R.D. Houghton, 13/15 Winckley Street, Preston, Lancashire.
J. Johnson, 97 Liverpool Road North, Maghull, Liverpool.
G. Jones, 1 Caernarvon Road, Preston, Lancashire.
Prof. W.E. Kershaw, Mill Farm, Hesketh Bank, Nr.Preston, Lancashire.
J.P. Lord, Spring Bank, Cow Ark, via Clitheroe.
H.B. Whittam, 29 Lyndhurst Road, Ulverston, Cumbria.
G. Wilson, 11 Guildford Avenue, Chorley, Lancashire.

## Southern Area

**Chairman:** J.S. Bailey, 22 Plover Avenue, Winsford, Cheshire.

D. Bridgewood, Horsepool Cottages, Mellor, Stockport, Cheshire.
A.G.R. Brown, 10 Dale Road, Golborne, Warrington.
F. Egerton, 19 Bowden Drive, Northwich, Cheshire.
C. Holland, 121 Northgate Road, Edgeley, Stockport.
P. Neal, 16 Kingston Gardens, Hyde, Cheshire.
R. Newton, 3 Old Park Lane, Macclesfield, Cheshire.
Dr. M. Pugh Thomas, Dept. of Biology, University of Salford, Salford.
J.A. Shanahan, 4 Sunninghill Street, Bolton, Lancashire.
2 vacancies
NORTH WEST WATER AUTHORITY

FISHERY BYELAWS

1. Annual close season for fishing for salmon and trout (other than with rod and line)

The annual close season for fishing for salmon and trout (other than with rod and line) shall be the period from and including the 1st day of September to and including the 31st day of March following except in the following parts of the Authority's area where the annual close season shall be as stated:

(i) In the Solway Firth - the period from and including the 11th day of September to and including the last day of February following;

(ii) In the River Eden not included in (i) above - the period from and including the 1st day of September to and including the last day of February following.

2. Annual close season for salmon (rod and line)

The annual close season for salmon (rod and line) shall be the period from and including the 1st day of November to and including the 31st day of January following with the following exception:

In the River Eden and all rivers, lakes and waters, tributary to or connected with the River Eden the period from and including the 15th day of October to and including the 14th day of January following.

3. Annual close season for migratory trout (rod and line)

The annual close season for fishing for migratory trout with rod and line shall be the period from and including the 1st day of October to and including the 15th day of April following.

4. Annual close season for non-migratory trout (rod and line) other than rainbow trout

The annual close season for fishing for brown (non-migratory) trout with rod and line shall be the period from and including the 1st day of October to and including the 14th day of March following.

5. Annual close season for rainbow trout

The annual close season for fishing for rainbow trout with rod and line shall be the period from and including the 1st day of October to and including the 14th day of March following except that in all lakes, reservoirs and enclosed waters there shall be no close season for rainbow trout.
6. **Annual close season for char (rod and line)**

The annual close season for fishing for char with rod and line shall be the period from and including the 1st day of October to and including the 14th day of March following except in the following waters where the annual close season shall be as stated:

(i) In Coniston Water, the period from and including the 1st day of February to and including the 30th day of April following.

(ii) In Lake Windermere, the period from and including the 1st day of October to and including the 30th day of April following. PROVIDED that it shall be lawful from and including the 15th day of March to fish for char with artificial lures from a moving boat.

7. **Annual close season for freshwater fish**

The annual close season for fishing for freshwater fish shall be the statutory period that is the period from and including the 15th day of March to and including the 15th day of June following.

8. **The weekly close time for salmon and trout (other than with rod and line)**

The weekly close time for fishing for salmon and trout (other than with rod and line) shall be the period between the hour of six on Saturday morning and the hour of six on the following Monday morning with the following exception:

In the Solway Firth the period between the hour of six on Saturday morning and the hour of twelve midnight on the following Sunday.

9. **Limitation of netting**

The use of any net (not being a fixed engine or a landing net used in conjunction with a rod and line) for taking salmon, trout, freshwater fish, or eels is prohibited except for the use of the stated types of nets in the following parts of the Authority's area:

(a) In the Solway Firth – heave or haaf nets.

(b) In the River Eden – draw, draft or seine nets.

(c) In the Cumbrian Coastal Waters excluding the Ellen Protected Area, the Derwent Protected Area, the Ehen/Calder Protected Area and the Irt/Esk Protected Area as defined – drift, hang or whammel nets.

(d) In the Duddon Estuary – draw, draft or seine nets.

(e) In the Leven Estuary – lave nets.
(f) In the Kent Estuary - lave nets.

(g)  
(i) In the Lune Estuary - heave or haaf nets.

(ii) In the Middle Lune Estuary - draw, draft or seine nets.

(iii) In the Lower Lune Estuary - drift, hang or whammel nets.

(h) In the Wyre Estuary - heave or haaf nets after 30th June, 1982.

(i) In the Ribble Estuary - drift, hang or whammel nets.

Provided that this byelaw shall not apply to:

(i) any net necessarily and solely used for the purpose of removing from a fixed engine the fish caught by that fixed engine, or

(ii) to any person using a net of any kind with the prior permission in writing of the Water Authority, and subject to any conditions contained therein.

10. Regulation of nets

(i) Drift, hang or whammel nets shall for the purpose of these byelaws be unarmoured nets without bags or pockets, consisting of a single sheet of netting measuring when wet -

(a) When used in the Ribble Estuary, not more than 140 metres in length and not more than 34 meshes deep at any point and having meshes not less than 82mm in extension from knot to knot, or 328mm round the four sides;

(b) When used in the Lower Lune Estuary, not more than 300 metres in length and not more than 44 meshes deep at any point and having meshes not less than 63mm in extension from knot to knot or 252mm round the four sides;

(c) When used in any other part of the Authority's area meshes not less than 50mm in extension from knot to knot or 200mm round the four sides and a length of not more than 300 metres;

(ii) Heave or haaf nets shall, for the purposes of these byelaws be of single netting of a mesh measuring when wet not less than 50mm in extension from knot to knot, or 200mm round the four sides and shall be so constructed as to form a bag or purse suspended from a wooden frame, consisting of a heave, beam, or pole not exceeding 5.5 metres in length having at each end an end stick or
projecting arm not exceeding 1.25 metres in length except that within the Solway Firth the mesh shall measure when wet not less than 44 mm from knot to knot or 176 mm round the four sides and the end sticks or projecting arms shall not exceed 1.9 metres;

(iii) Lave nets shall, for the purposes of these byelaws be of single netting of a mesh measuring when wet not less than 50 mm in extension from knot to knot or 200 mm round the four sides 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 2 metres, and which shall be fitted with a hand staff to the apex of the yoke;

(iv) Draw, draft or seine nets shall, for the purposes of these byelaws, be unarmoured nets without bags or pockets consisting of a single sheet or wall of netting, having meshes measuring when wet not less than 50 mm in extension from knot to knot or 200 mm round the four sides and a length of not more than 275 metres with the exceptions that when used in the Middle Lune and Duddon estuaries the nets shall have the following measurements when wet namely; a length of not more than 185 metres and a depth on the middle of the net of not more than 144 meshes;

(v) For the purposes of paragraphs (i), (ii), (iii) and (iv) of this byelaw measurements from knot to knot shall be in relation to each side of the square of the mesh;

(vi) The use of any net made wholly or partly of mono-filament material is prohibited.

11. Regulation of use of nets

Where, under the provisions of byelaw 9 the use of any of the nets therein mentioned is permitted such nets shall not be used in any manner except that prescribed by the succeeding paragraphs of this byelaw.

(i) The number of operatives allowed to work a drift, hang or whammel net at any time shall be limited to two and the number allowed to work a draw, draft or seine net at any time is limited to three.

(ii) The manner of using a drift, hang or whammel net shall be as follows, namely it shall be shot or paid out from a boat and the boat and net attached shall float or drift with the tide provided that no drift, hang or whammel net or any part thereof, shall be used within 185 metres from any part of another drift, hang or whammel net already in use;

Provided that no drift, hang or whammel net shall be worked across more than three-quarters of the water in the channel at the time of fishing;
(iii) The manner of using a heave or haaf net shall be by one person supporting or holding the net and lifting or scooping any fish that may become enclosed in the net;

(iv) The manner of using a lave net shall be by one person standing or moving in the water and supporting or holding the net and lifting or scooping any fish. No person shall use a lave net in proximity to a fixed net, designed to catch other fish, in such a way that the migratory fish are restricted in movement by such fixed net thereby facilitating their taking in the lave net;

(v) The manner of using a draw, draft or seine net shall be as follows, namely one end of the rope of the net shall be held on the shore or bank and the net shall be shot out or paid out from a boat which shall start from such shore or bank, and return thereto without pause or delay, and the net shall thereupon be drawn into and landed on such shore or bank and no net shall be shot out or paid out from any point within 90 metres from any part of the space on the shore or bank between the point of starting and the point of return of the boat during the said operation or until after expiration of 15 minutes from the time at which the net is completely drawn in and landed. No draw, draft or seine net shall be worked across more than three-quarters of the water in the channel at the time of fishing.

The hand ropes attached to the ends of the net shall not be considered part of such net.

12. Numbering of licences, nets and boats

Any number bearing label issued by the Authority in respect of a licensed net shall at all times while the net is being used for fishing be attached to the headrope of the net or, in the case of a heave or haaf net, to that part most nearly corresponding to the headrope. Except that in the case of heave or haaf nets it shall not be an offence if the label is carried on the person of the licence holder when operating the net.

The same number shall be conspicuously painted and maintained in white numerals not less than 150mm high and 20mm wide, on a black background, or in black numerals on a white background, on the outside and near the centre of the gunwale on each side of the boat from or in connection with which the net is used. Provided that this byelaw shall not apply to boats that are already required to display numbers by the Merchant Shipping (Fishing Boats Registry) Order 1927 (S.I. 1927/642).

13. Carrying of nets during annual close season

No person shall, during the annual close season for salmon, carry or permit to be carried in any boat any net capable of taking salmon, other than a landing net or a net commonly used in the area for sea fishing if carried in a boat or vessel commonly used for that purpose.
14. **Carrying of unlicensed nets**

The carrying in or attaching to a boat or vessel whilst being used in fishing for salmon or trout of any net (other than a landing net) which is not licensed or if licensed has not attached thereto the label referred to in byelaw 12, is hereby prohibited.

15. **Removal of fish**

No person may take or remove from any waters within the area of the Authority without lawful authority any fish, whether alive or dead.

16. **Baiting**

During the period from and including the 15th day of March to and including the 15th day of June in any year, (i) the use as hook bait, whilst fishing, of maggots or imitations thereof or the pupae (chrysalises) of maggots or imitations thereof and, (ii) the use of any lure or bait not on or attached to a hook, are prohibited in the River Ribble catchment upstream of the Naze at Freckleton (excepting the River Darwen and the River Douglas), and in all rivers and streams within the Authority's area north of the Ribble catchment, and in the following named lakes:

- Windermere, Coniston, Rydal Water, Grasmere, Ullswater,
- Brothers Water, Bassenthwaite, Derwentwater, Loweswater,
- Crummock Water, Buttermere, Ennerdale Water and Wastwater.

17. **Prohibition of taking undersized fish**

No person shall take from any waters within the area any fish of a kind and of a size less than such size as is hereinafter prescribed, that is to say:

- Migratory trout ..................................................... 250mm
- Brown trout and char ........................................... 200mm
- Chub and barbel ................................................ 250mm
- Grayling, tench, bream and carp .......................... 230mm
- Roach, perch, rudd, crucian carp and dace .......... 200mm
- Gudgeon and ruffe ............................................ 100mm

The size shall be ascertained by measuring from the tip of the snout to the fork or cleft of the tail.

Provided that this byelaw shall not apply to any person who:

(i) Takes any undersized fish unintentionally if he at once returns to and liberates the same in the water with as little injury as possible.

(ii) Takes any undersized fish, other than salmon or trout, keeps the same alive in a keep net and then, on the same
day as he took them, returns such fish to, and liberates them in, the same water from which he took them.

(iii) Takes any undersized fish other than salmon or trout and uses them as bait on the same day as he took them, provided that at any one time he does not have in his possession more than ten such fish alive or dead.

18. **Keep nets**

No person shall:

(i) Use a keep net for retaining any kind of fish during the annual close season for freshwater fish;

(ii) After 15th June, 1983 use a keep net:

(a) Of less than 2.0 metres in extended length;

(b) With rings less than 380mm in diameter or if rectangular less than 355mm by 255 mm;

(c) With wider spacing of rings than one ring per 300mm excluding the top ring;

(d) With a mesh size of more than 16mm measured diagonally from knot to knot when stretched and wet.

(iii) The use of keep nets commonly known as "micromesh" nets is permitted. In the case of such nets the width of the mesh measured when wet but unstretched shall not exceed 8mm and such nets shall comply with (ii)(a), (b) and (c) above.

19. **Fishing near weirs**

No person shall, without the previous consent in writing of the Authority, during the period between the 30th day of September and the first day of the salmon close season for rod and line in any year, take or attempt to take by any means, any fish within a distance of 20 metres above and 50 metres below the crest of any man-made construction which impounds water in the rivers and streams of the River Ribble catchment upstream of the Naze at Freckleton (excluding the River Darwen and the River Douglas), and in all rivers and streams north of the Ribble catchment.

Provided in respect of the under-mentioned weirs no person shall at any time take or attempt to take by any means, any fish within a distance of 20 metres above and 50 metres below the crest of the said weirs:-

- Branthwaite Weir
- Rosegill Mill Weir
- Stramongate Weir

... River Marron
... River Ellen
... River Kent
and in respect of the undermentioned weir no person shall at any
time take or attempt to take by any means, any fish within a
distance of 20 metres above and 75 metres below the crest of the
said weir.

Ennerdale Mill Weir  ..  ..  .. River Ehen

20. Limitation of use of gaff

It shall be lawful to use a gaff in connection with fishing
with rod and line for salmon and migratory trout during the
period from and including the 1st day of May in any year to and
including the 31st day of August following.

21. Worm fishing

No person shall, accepting as hereinafter provided, use in
fishing for salmon or trout a worm baited on more than a single
hook and such hook shall not exceed 40mm in length overall nor
15mm in width of gape and the weight or weights used to sink the
hook shall not in any case exceed 30g in the aggregate; provided
that a tackle of two or three hooks may be so used if tied one
above the other upon a single strand of gut or other artificial
substitute material and if each of such hooks does not exceed
15mm in length and is not more than 8mm in width of gape.

22. Size of hooks and weight of lures

No person shall use in fishing with rod and line for salmon or
trout after the 31st day of August in any year:

(i) double, treble or multiple hooks any of which exceed 8mm in
width of gape.

(ii) any lure or weight which (together or singly) exceed 30g in
weight.

The provisions of this byelaw shall not apply to persons fishing
for char in lakes Windermere and Coniston.

23. Return of foul hooked fish

All salmon and migratory trout hooked otherwise than in the mouth
shall be returned to the water as soon as practicably possible
and with as little injury as possible.

24. Prohibition of fishing in certain waters in Kendal

The use for taking salmon, trout, freshwater fish or eels of
any instrument in such part of the River Kent as lies between
Victoria Bridge and its confluence with the former Dockray Hall
mill race situated 400 metres upstream of Victoria Bridge in the
Borough of Kendal by a person fishing from the right (westerly)
bank of the said river at any time is prohibited.
This byelaw shall not apply to fly fishing with rod and line providing that no weight or weighted device is attached to or incorporated in the line, cast or hook.

25. Returns of net and rod catches

Any person to whom a licence is issued to fish for salmon or migratory trout within the Authority's area shall in the month of November each year in the case of anglers and on the last day of the months of March, April, May, June, July, August and September where appropriate in the case of netsmen, either (i) send a return to the Authority in the appropriate form provided by the Authority of any such fish he has taken within the Authority's area during the period or periods specified in such forms or (ii) if he has taken no such fish, send to the Authority a statement that he has taken no such fish during such period or periods.

26. Eels

(a) The use of any instrument (other than rod and line) for taking eels is prohibited with the exception of the following:

- Fixed traps
- Fyke nets
- Moveable traps, Putcheons or baskets
- Dip nets (for taking elvers)

(b) Any such instrument mentioned in (a) above shall at all times while such instrument is being used for fishing have attached to it the number bearing label or disc issued by the Authority when licensing such instrument.

(c) Any person to whom a licence is issued to fish for eels in the Authority's area shall in the month of January in each year either:

(1) Send a return to the Authority in the appropriate form provided by the Authority giving particulars of any eels he has taken within the Authority's area during the period specified, or

(2) If he has taken no eels send to the Authority a statement that he has taken no eels during such period.

27. Application

These byelaws shall not apply to any employee of the Authority acting in his official capacity or to any person who with the permission in writing of the Authority and acting in accordance with any conditions attached to that permission carries out work connected with the maintenance improvement and development of a fishery or for some scientific purpose.
28. Revocation of existing byelaws

All existing byelaws made by the Authority under the powers contained in the Salmon and Freshwater Fisheries Act 1975 with the exception of the River Lune Byelaws and the Skerton Weir Byelaws are hereby revoked.

29. Interpretation

(i) In these byelaws, unless the context otherwise requires, "Authority" means the North West Water Authority.

"Authority's Area" means the area of the Authority as defined in Section 2(2) of and in Schedule 1 and paragraph 4 of Schedule 2 to, the Water Act 1973.

"River Lune Byelaws" means byelaws made by the Authority regulating the Annual Close Season for salmon (rod and line) in the River Lune and the Weekly Close Time for salmon and trout (other than rod and line) in the estuary of the River Lune, and confirmed by the Minister of Agriculture, Fisheries and Food on 31st March, 1980.

"Skerton Weir Byelaws" means byelaws made by the Authority regulating fishing at Skerton Weir on the River Lune and confirmed by the Minister of Agriculture, Fisheries and Food on 15th February 1979.

"Solway Firth" for the purposes of these byelaws means those tidal waters and parts of the sea within the Authority's area between a line drawn from the centre of the Golf Hotel at Powfoot at national grid reference NY14686546 to the eastern extremity of Grune Point at national grid reference NY14395684 and:

(i) In the River Esk (Border), a line drawn across the river from national grid reference NY32456503 to national grid reference NY32456632.

(ii) In the River Eden, a line drawn across the river from national grid reference NY33656182 to national grid reference NY33656155.

"Year" means the period from and including 1st January to and including 31st December following.

(ii) For the purposes of byelaws 9, 10 and 11:

"River Eden" means that part of the River Eden between the eastern limit of the Solway Firth and the disused railway bridge at national grid reference NY383565 near Stainton in the City of Carlisle.
"Cumbrian Coastal Waters" means those tidal waters and parts of the sea to a distance of six nautical miles measured from the baselines from which the breadth of the territorial sea is measured adjoining the coast of Cumbria between the western limit of the Solway Firth and a line running true south-west from the summit of Black Combe at national grid reference SD135855.

"Ellen Protected Area" means those tidal waters and parts of the sea within a radius of 3 kms (1.6188 nautical miles) from the beacon at the seaward end of the south pier at Maryport.

"Derwent Protected Area" means those tidal waters and parts of the sea within a radius of 3 kms (1.6188 nautical miles) from the beacon on the south pier at Workington.

"Ehen/Calder Protected Area" means those tidal waters and parts of the sea within a radius of 3 kms (1.6188 nautical miles) from the centre of the railway bridge over the River Calder at national grid reference NY025027.

"Irt/Esk Protected Area" means those tidal waters and parts of the sea within a radius of 4 kms (2.1584 nautical miles) from the railway station at Ravenglass.

"Duddon Estuary" means that part of the estuary of the River Duddon seaward of a line drawn through Dunnerholme Point and Green Road Railway Station.

"Leven Estuary" means that part of the estuary of the River Leven seaward of a line drawn parallel to, and 350m below the Leven Viaduct near Ulverston.

"Kent Estuary" means that part of the estuary of the River Kent seaward of a line drawn parallel to and 350m below the Kent Viaduct at Arnside.

"Lune Estuary" means that part of the estuary of the River Lune seaward of Carlisle Bridge in the City of Lancaster.

"Middle Lune Estuary" means that part of the estuary of the River Lune which lies seaward of a line drawn true south-east from the landward end of the breakwater at Bazil Point.

"Lower Lune Estuary" means that part of the estuary of the River Lune which lies seaward of a line drawn from Cockersand Abbey lighthouse to the seaward extremity, at high water springs, of Sunderland Point.

"Wyre Estuary" means that part of the estuary of the River Wyre seaward of Shard Bridge.

"Ribble Estuary" means that part of the estuary of the River Ribble which lies seaward of a line drawn due south from the Naze at Freckleton.
1. The attached consultation paper was published by the Ministry of Agriculture, Fisheries and Food (MAFF) on 8th July 1981 and follows upon a review of Government policies towards inland and coastal fisheries in England and Wales initiated over two years ago. The review was undertaken for the reasons set out in paragraph 1 of the paper.

2. The paper sets out proposals arising from the review which are grouped under four main headings:

- II Local Fisheries Administration (page 2)
- III Salmon (page 8)
- IV Fish Farming (page 14)
- V Fish Diseases (page 20)

The basic Ministry proposals in respect of each of these sections and headings are as follows:

(a) II Local Fisheries Administration

Sea Fisheries Committees should be retained with a membership that reflects local fishing interests and should carry out local fisheries regulatory and management functions in estuaries and out to the 3 mile band. They should also have particular responsibilities for the development of the shellfisheries which MAFF regard as a valuable growth area. Fisheries responsibilities of Water Authorities would relate to the rivers and inland waters. However, it is proposed that Water Authorities and Sea Fisheries Committees should be jointly responsible for the conservation of salmon and sea trout in designated tidal waters where there are significant stocks (see paras. 12 and 13 of the paper).

(b) III Salmon

The paper contains proposals which should make an important contribution to combating illegal salmon netting. It is also proposed that the salmon drift net fishery off the Northumbrian and Yorkshire coast be retained but be subject to greater restrictions to safeguard, in particular, salmon destined for the River Tweed. The objectives for salmon policies are clearly stated in para. 18.
IV Fish Farming

It is explained in this section that the derating of fish farms (already introduced under recent legislation) combined with the measures in the Fisheries Act 1981, are expected to help this important growth industry. Whilst not advocating compulsory licensing of fish farms, MAFF are prepared to consider some form of compulsory registration if this appears justified. Included in the consultation paper under this section are proposals on the problem of fish farm effluents and on water abstraction licensing. The Water Authorities existing responsibilities for controlling fish movements would be restricted to the "public" waters for which the WA's have management responsibilities. It will be necessary to seek definition here (see later).

V Fish Diseases

This section deals with proposals relating to fish disease and particular attention is paid to preventing the importation of serious fish diseases. Proposals are also made for greater flexibility in the powers available for controlling imports and for preventing or dealing with outbreaks of serious fish diseases, and it is suggested that shellfish diseases should be brought fully into the fish disease arrangements. Compulsory slaughter of farmed fish in the event of outbreaks of VHS (Viral Haemorrhagic Septicaemia) or IHN (Infectious Haematopoietic Necrosis) is proposed. There would also be a statutory obligation on fish farmers to maintain fish movement records for use in tracing disease outbreaks.

3. To assist the Committee in their consideration of the consultation paper the comments of officers on the proposals are given below, numbered according to the paragraph number in the consultation paper. In the light of these points, the Committee is now invited to comment on the consultation paper for submission to the Regional Committee on 21st September, 1981 with a view to the consolidated comments of Area and Regional Committees being forwarded to MAFF prior to their stated deadline of 30th October, 1981.

SECTION I - INTRODUCTION

Para 3 If effective revision of fisheries legislation is to be achieved, and if such revised legislation is to be properly enforced, increases in requirements for manpower and expenditure will inevitably result.

SECTION II - LOCAL FISHERIES ADMINISTRATION

Objectives of the review : local fisheries administration

Para 5 The requirement to take account of the EEC Common Fisheries Policy and of European Community Law must leave a large question mark over any proposals which may now be made in this country.
The resolution of local problems at local level is an admirable aim. Inevitably, however, occasions will arise when the views of local interests conflict with those of Fisheries Management (e.g. over a matter such as the date of commencement of a close season, when anglers are likely to want the longest possible open season, regardless of other considerations). Some form of arbitration must be available to resolve conflicts of this kind.

Responsibilities at local level

Representation of fish farming interests on Area and possibly also Regional Fisheries Committees appears a sensible idea in view of the progressive development of this industry. It is considered however that development in the NWWA area has not reached a point where such representation is essential. The initiative in this matter should, perhaps come from the British Trout Farmers Association or the NFU, rather than from the Authority.

Sea Fisheries Committees

In the light of experience, some doubt is felt about the practical value throughout the Region of the arrangements suggested. The Authority's relationship with Lancashire and Western SFJC is an excellent one and there is often close co-operation in dealing with particular problems (e.g. the Leven/Kent Estuary Survey in 1980/81, and the use of certain SFJC Officers to give expert evidence in some Authority fishery prosecutions). Unfortunately, similar co-operation which is essential if the proposals are to be implemented has not been enjoyed with the Cumbria Sea Fisheries Committee.

In Para.10, the statement is made that: "The WAs themselves have suggested that they should be relieved of responsibilities for migratory fish outside estuary mouths". Enquiries by the Regional Fisheries Officer have failed to identify any WA to which this statement can be attributed.

The expression "Nets operated from, or adjacent to, the shore outside the estuaries" would need very precise interpretation to avoid the immediate creation of anomalies.

In relation to the proposed ban on fishing for salmon at sea outside estuaries, it would appear that the small local industries are to be suppressed, but that the very large, drift-net fishery off the Northumbrian coast, which is recognised as taking salmon destined for Scottish rivers is to be left untouched. (The later reference, in Para.21, to the effect of the "Tweed Box" appears somewhat irrelevant. If the bulk of the catches have already been made further south, all the Box can protect is the survivors). Although it is suggested that
management of designated estuaries where there are salmon should be a joint responsibility of the SFC and the adjacent WA, paragraph 12 of the paper concerning financing seems to indicate not an equal sharing of the total net costs but that expenditure (and income from commercial salmon fishing licences) should lie where it falls. The WA would give up the income it presently receives from nets and fixed engines (£10,000) but would still contribute bailiffing and legal services having been relieved of salmon management at sea. It is doubtful if salmon rods used in the estuary would provide much income to offset the costs.

The proposed joint responsibility for regulation and management of mixed fisheries stocks in estuaries could lead to practical problems unless the enforcement staff are integrated under common management and direction, or responsibilities and chains of command are clearly defined and understood against a background of a duty of co-operation between WAs and SFCs.

Para 12 It is not clear here whether the "small management groups" proposed would consist of members or officers (or both). In any case, it is arguable that with SFCs being largely county council oriented, and concerned principally with keeping the precept down, proposals from management groups might not be implemented. In the same para., it is suggested that: "..... the WA might continue to provide land-based bailiffing services while the SFC might make available their water-borne protection services " It would be necessary to overcome the reluctance of Cumbria SFC to be involved in the protection of migratory fish stocks at sea.

At the end of Para.12, there is a reference to SFCs being responsible for processing Net Limitation Orders and Byelaws. It is very important that SFCs should be required, as is suggested, to liaise with "joint groups" and, in particular, (which is not mentioned) with appropriate Authority staff who may have long experience and considerable knowledge of local requirements, and of particular hazards to stocks of migratory fish.

Fishing Licences

Para 13 There is a suggestion here that sea anglers might be required to hold a rod licence. Leaving aside the problems of enforcement (which would be likely to be considerably greater than on inland waters) such an extension of the licensing system could, it is suggested, be seen as discriminating against the rod angler because commercial net fishermen do not require a licence for species other than migratory fish. However, if the costs of managing estuaries were to be shared equally, some relief to the WA's share would be obtained from levying a rod licence duty upon sea anglers if there were satisfactory financial arrangements between the WA and the SFC. It should, however, be borne in mind that rod fishing licences for sea anglers would be costly to administer and extremely difficult to control and enforce apart from strong inherent opposition to the proposal, which is already evident, from the anglers themselves.
The proposal to discontinue the practice of submitting increases in rod licence duties for Ministerial approval is welcomed.

At present, the Authority is obliged to regulate fishing for freshwater fish of any description or eels by means of a system of licensing except so far as excused by the Minister.

It is suggested that the Authority put forward an amending proposition so that it is left to a WA to decide whether or not it wants a licensing system for regulating fishing for freshwater fish and eels without the requirement of Ministerial approval (not covered in the consultative document).

**SECTION III - SALMON**

**Objectives of the review : salmon**

Para 18 Para. 18(i) and (ii) refer to the general aim of a fair distribution of migratory fish between netsmen, rodsmen and spawning stock. Certainly the present regime, whereby the nets take four or five or more times as many fish as the rods on some rivers does not achieve this aim.

The stated objectives are sound but that in para. 18 (iii), to maximise the effectiveness of measures to prevent salmon poaching is unlikely even to approach achievement without the injection of considerably greater resources in both men and equipment than exist at present. In some areas, considerable assistance is received from the Police and this arrangement should receive every encouragement.

**Salmon management**

Para 19 The objective of allowing an adequate proportion of salmon to return to their spawning rivers would be greatly facilitated if exploitation were to be restricted to the home estuary and river, and if more flexible (and readily variable) arrangements existed for limiting the catch by nets and rods alike, in the light of actual catches. (The last sentence of Para.20 seems to suggest that this may be envisaged by MAFF).

**North east salmon drift net fishery**

Paras 21 & 22 Brief comment has already been made under the heading "Para. 12 The final suggestion at the end of Para.22 whereby the Minister can introduce emergency provisions at short notice to increase the weekly close time is an admirable one which might well be more widely applied in estuarine net fisheries also. The fact remains, however, that the continuance of a major fishery at sea which is largely dependent upon fish destined for rivers in another country appears to run counter to all sound principles of the management of migratory fish stocks.
Solway Firth salmon fishery

Para 23 MAPF's apparent readiness to discuss proposals for some form of joint management of the migratory fish stocks of the Solway Firth is warmly welcomed, in view of the initiative by Annan District Salmon Fishery Board in this direction. The matter has been discussed by the Authority's own Fisheries Committees and there will be further talks with the Annan Board. There seems to be a genuine will to develop new and better joint arrangements.

Authorised fishing methods

Para 24 The 50mm (4") stretched mesh size mentioned in the draft notice might be a very suitable mesh size for the taking of grilse. The detailed wording of the proposed ban and mode of operation of fixed fishing nets will require clarification if practical difficulties are to be avoided.

Towards the end of para. 24 it is suggested that it would be unrealistic to expect salmon netmen to use less effective fishing methods than are currently available. To do so would surely be no more unrealistic than artificially restricting the fishing time available to them? Monofilament nets, are already banned by byelaw in the North West.

Illegal salmon netting

Para 25 In the light of earlier comments it should be clear that a good working relationship already exists with Lancashire and Western SFJC but not with Cumbria SFC. In relation to combined operations by WA and SFC staff, a decision would need to be made as to who would have the overall control which would be necessary for the direction of operations.

Para 26 The paper notes the likely objection to proposals for licensing sales of salmon and the introduction of associated arrangements which place the burden of proof upon the defendant. Such an arrangement, in relation to the sale of salmon, has existed for the past 58 years in what is now S.22(4) of the Salmon & Freshwater Fisheries Act, 1975. A similar arrangement, applying even more widely, exists in the Northern Ireland Fisheries Act of 1966.

Salmon ranching

Para 27 Salmon ranching is a very fashionable concept, but its worthwhileness appears to depend to a very great degree upon salmon catching activities by third parties on the high seas and around the coasts of the British Isles. Until this is effectively controlled it is unlikely to be a viable method of ensuring the capture, near the site of release, of large numbers of salmon. Further clarification is needed about who would carry out the suggested research on ranching of non-indigenous salmon the presence of which in British waters must in any case be regarded with some suspicion.
SECTION IV - FISH FARMING

Controls over fish farming operations

Para 32 The licensing of fish farms by Government agencies is carried out in Northern Ireland apparently without any insuperable problems and it is difficult to see why such a system should not operate in England and Wales although the number of farms would be greater. Even if licensing should eventually be considered to be impracticable, some form of compulsory registration is indeed desirable to make it possible to keep track of new farms which are opened, often in remote areas.

Para 33 It is strongly recommended that fish farms should come within the water abstraction licensing arrangements operated by the WAs. The invidious distinction between farming fish for the table and farming fish for stocking should be removed.

Para 35 A great deal of thought needs to be given to steps which might be taken effectively to control the discharge of effluents, from fish farms. In this context, the NWC Directors of Scientific Services Group have been asked to comment in more detail on effluent controls for fish farming operations and already comments have been made by Mr. R. Toms, the Chief Scientific Officer of the Wessex WA, which NWWA would endorse. In summary, the three major points made by Mr. Toms are as follows:

(1) That the present control over fish farm effluents by means of the Pollution Prevention legislation, is not able properly to control pollution resulting from fish farms;

(2) Control over fish farm effluents must not be taken out of the hands of the Water Authorities; but their powers should be strengthened because the existing Pollution Prevention legislation is inadequate properly to control this type of discharge; and

(3) Water Authorities should have a much better control over chemical additives used by fish farmers.

In para. 35 it is suggested that no action be taken to restrict fish farm development until the appropriate environmental quality objective could not be met. In effect, this means that action will have been delayed too long and the damage done!

Responsibilities

Para 36 The statement that the nature of many fish farms is sophisticated and their management highly skilled, resulting in little need for comprehensive advisory work must be open to question. In any case comprehensive advisory work would seem likely to be needed by newcomers to the industry, both from the point of view of good husbandry and from the effect of fish farming activities on river systems.
Para. 37 The comment that the role of WAs in fish disease matters should relate to those waters under their direct management needs clarification. It should surely relate to all waters within the region.

Para 38 The expression "public waters" needs defining. It is not used in the 1975 Act or elsewhere. The role of WAs in disease control needs further elaboration, as do several of the suggestions in paras. 36 - 38.

Financial assistance

Para 39 Where practicable and economic, WAs should have the means of producing fish for restocking on a long term basis, and cannot rely on the vagaries of market forces, or short term changes in production.

Planning

Para 41 Reference has been made above, under comments on Para. 33, to the need for all fish farming to be on an identical legal basis, regardless of whether its intention is to produce fish for the table or fish for stocking.

SECTION V - FISH DISEASES

Para 43 Eels and "ornamental fish" are specifically excluded from the health certification procedure (but see para. 47(b) and (d) of consultation paper). Advice on the safety and acceptability of this arrangement presumably comes from the Ministry's Fish Diseases Laboratory, but it must be emphasised that "ornamental fish" include a number of species closely related to, or even identical with, those occurring in the wild. Further, it seems by no means certain that these fish, when imported, can be guaranteed to arrive in a disease-free condition. Many are used for stocking garden ponds, the overflow from which sooner or later reaches a watercourse. As it seems at least possible that these fish could carry "serious exotic diseases" (para. 44, the logic of excluding them from the health certification procedure is difficult to understand, except on the basis that inclusion would result in additional work for the Ministry. (From the remarks in Para. 47(d) it appears that the Ministry do have their own doubts about the advisability of this course of action).

Objectives of the Review: Fish Diseases

Para 44 Again, eels and "ornamental fish" are not mentioned (but see para 47(b) and (d).)

Para 45 This paragraph makes the point that it is practically impossible to exert disease control because of a very large wild fish population; vague suggestions for doing so are however made in para. 38.
Para 46
(ii) It is suggested that the words
"or from one wild fish population to another (whether through the activities of man or otherwise)" be added at the end of sub-para. (ii).

Import controls

Shellfish

Para 47
(c) A ban on emptying of water from holding tanks direct to rivers is proposed here. Thought would thus need to be given to a recommended means of disposal for such water.

Dead fish

Para 47
(e) The derogation in respect of trade with Northern Ireland is not understood in the light of the value placed on our "island status" for disease prevention, referred to in the introduction to para. 47. The same would apply to imports from the Isle of Man.

Import Licences

Para 48 A full investigation of the risks of unlicensed import of "ornamental fish" should be made before consideration is given to any relaxation of the rules. This should be done in collaboration with the Fish Diseases Laboratory. The consultation paper does not however indicate whether such investigation will take place.

Broodstock certificate

Para 50 Here it needs to be made clear who would certify the hatcheries - the WAs or MAFF. In view of the inevitable involvement of the Ministry's Fish Diseases Laboratory, it might be appropriate for them to undertake the actual certification.

Notifiable diseases

Para 51 This paragraph does not make clear who does what, or in consultation with whom, in the notification procedures. This needs to be clarified.

List A - Notifiable Diseases

Para 51 Under A(i) Furunculosis is an endemic disease throughout Britain and has been for many years. The value of its retention as a "notifiable disease" must therefore be open to question.
Under A(viii) and (ix) Erythrodermatitis of carp is not mentioned.

Under A (vii) it is difficult to understand the proposal to withdraw UDN from the notifiable disease list. The disease is still prevalent in many rivers within the NWWA region.

Para 52 It seems wholly inequitable that livestock farmers should continue to receive compensation for compulsory slaughter while fish farmers should not. If fish farming is accepted as a branch of agriculture it is suggested that this form of discrimination should cease.

Movement controls

Para 55 Clarification is needed as to whether the "persons authorised by Fisheries Ministers", referred to in this paragraph to whom records should be made available in the event of an outbreak of a serious fish disease, would include WA staff.
Consultation Paper

on the

Review of inland and coastal fisheries in England and Wales

July 1981

Ministry of Agriculture, Fisheries and Food

Welsh Office
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REVIEW OF INLAND AND COASTAL FISHERIES IN ENGLAND AND WALES

I. INTRODUCTION

1. In 1979 the Minister of Agriculture, Fisheries and Food commissioned a review of Government policies towards inland and coastal fisheries in England and Wales. The need for a comprehensive review had become increasingly apparent: the split in the regulatory responsibilities between bodies concerned with salmon and freshwater fish on the one hand and with sea fish on the other had given rise to practical enforcement difficulties; there was increasing concern over salmon stocks which were being subject to organised poaching encouraged by high market prices and more effective catching methods; the rapid growth of the fish farming sector called for some urgent policy decisions and, largely as a result of the increase in this sector, a thorough overhaul of the existing fish disease legislation which dated back to 1937 was clearly necessary.

2. The Secretary of State for Wales has more recently been associated with this review following his assumption of direct responsibilities for certain fisheries functions. This paper therefore sets out joint proposals arising from the review and comments on them would be welcomed. The proposals are grouped under four main headings:

- local fisheries administration
- salmon
- fish farming
- fish diseases

Some of the proposals would, of course, require legislation while others would not. No indication can be given at this stage as to when Parliamentary time is likely to be available for those proposals involving legislation. However, the Government have already taken action on certain urgent matters which came within the scope of the review: the derating of fish farming came into effect on 1 April while some measures have been included in the Fisheries Act 1981.

3. In view of the widespread interests involved, it is hoped that, in the main, comments will be channelled through the appropriate national representative organisations. They should reach Fisheries Departments, at the addresses given at the end of this paper, by 30 October 1981. Following the consultation process the final decisions to be taken by the Government on the review will, of course, have to reflect the current economic climate and, in particular, the need to avoid an increased demand for manpower and public expenditure.
II. LOCAL FISHERIES ADMINISTRATION

4. Current local fisheries regulatory and management responsibilities in inland and coastal waters are divided between two types of bodies, Water Authorities (WAs) and Sea Fisheries Committees (SFCs).

(i) The 10 WAs were given responsibilities for salmon and freshwater fisheries management under the Water Act 1973 and their regulatory powers are currently set out in the Salmon and Freshwater Fisheries Act 1975. Their remit for salmon and other migratory fish extends out to sea within 6 miles from baselines. The Minister of Agriculture, Fisheries and Food appoints one fisheries member to each English Authority and the Secretary of State for Wales makes a similar appointment to the Welsh Water Authority. The WAs have statutory regional fisheries advisory committees appointed by the Authorities themselves.

(ii) The 12 SFCs have been in existence for many years and were established from 1888 onwards. They have local regulatory responsibilities around the coast for non-migratory fish and shellfish out to 3 miles from baselines. Over the years close links have been forged between the Committees and the coastal county councils which fund their operations from a precept on the rates and provide 50% of the membership. Of the remaining 50% one member is appointed by each of the WAs in the SFC area concerned and the balance is appointed by the appropriate Fisheries Minister.

(iii) In English and Welsh coastal waters within UK fishery limits but outside the 3 mile band in the case of non-migratory fish and outside the 6 mile band in the case of migratory fish, fisheries responsibilities rest entirely with central Government.

Objectives of the review: local fisheries administration

5. The Government consider that the aim of local fisheries administration should be to provide a meeting point for bringing together the wide range of interests in our inland and coastal fisheries, whether they be the interests of anglers who make up the country's largest participant sport, or of commercial fishermen and fish farmers who look to the fisheries resource for their livelihood. In the rivers angling dominates, but there is a need to ensure that the fish farming sector can continue to develop without detriment to the wild fish population. At sea account has to be taken of the European Community dimension and, of course, the Common Fisheries Policy has still to be settled. Any national rules would of course have to be compatible with European Community law and would involve central Government in careful monitoring. Another development that has to be taken into account is the rapid growth of sea angling. However, the main management problem in inland and coastal fisheries is found in the estuaries and, to some extent, along the coast. This is the problem of managing the mixed fishery stocks of migratory (salmon, sea trout and eels) and of non-migratory, or sea, fish. Particular
attention has focused on salmon stocks due largely to the vulnerability of salmon as a result of its migratory life history and to the value created by the widespread interest in the resource. In considering local fisheries administration, therefore, regard clearly has to be paid to the needs of salmon conservation. At the same time such needs should not be secured at the expense of those fishing other important fish stocks. As for shellfish stocks in both the estuaries and coastal waters, there are likely to be few conflicts of interests with other fisheries, but there may be competition for water space with recreational pursuits. The local arrangements should permit the future development of shellfish as an important growth resource.

6. The objectives to be pursued in formulating the local fisheries administration for inland and coastal waters might therefore be:

(i) to ensure the adequate participation of both commercial and sport interests;

(ii) to encourage local problems to be resolved at local level and to allow management to reflect local variations in fishing practice;

(iii) to provide for the management of mixed fisheries stocks;

(iv) to provide machinery for overcoming problems associated with the development of important growth areas, such as fish farming and shellfish cultivation;

(v) to provide adequate safeguards for minority fisheries and fishing interests and for environmental interests;

(vi) to ensure the fullest and most effective use of available administrative resources.

Responsibilities at local level

7. The regulation and management of fishing in the rivers by the WAs seems satisfactory and no changes are proposed. There are close links between the WAs and the anglers through the statutory regional fisheries advisory committees. In addition the WAs have the wider responsibilities for maintaining water quality and supply which are so important for river fisheries stocks. Particular attention is now being directed to the role of these Authorities towards the developing fish farming sector and detailed proposals are made in the section on Fish Farming. However, it is suggested that the local fisheries administration should allow both for a fish farming voice on the advisory committees and for fish farmers to hear at first hand of the concerns of anglers over particular problems arising from fish farming developments which have a bearing on river systems. It seems appropriate that the advisory committees should be relatively compact bodies, bringing together the views of the different types of angling activity in the region and containing adequate fish farming
representation in order to allow the committees to provide an important sounding board for the WAs in carrying out their fisheries functions. In addition, it is suggested that wherever possible direct working relationships should be developed between representatives of fish farmers and the WA staffs concerned with resource planning and water quality.

8. So far as the coastal waters are concerned, it is proposed that the SFCs should continue to carry out local fisheries regulatory and management functions. Until this aspect of the Common Fisheries Policy of the European Community has been settled their precise responsibilities over the long term cannot be determined. But it is proposed that these responsibilities should not extend beyond the 3 mile band; outside that limit the responsibilities fall more appropriately to central Government, and any seaward extension of the SFCs' existing areas would require extra funding for additional staff and for more sophisticated vessels. Ministers may, on occasion, wish to consult with the SFCs on specific local matters, for example on questions relating to interference with commercial fishing activity. In addition, subject to the powers available for local regulation, SFCs might play a more direct role in encouraging the development of shellfish and of nursery stocks of sea fish, through the designation of small areas where fishing would be prohibited or limited. The existing links between SFCs and coastal county councils should, it is considered, be maintained and, indeed, encouraged. It is understood that the county councils themselves welcome these links and are willing to continue funding the SFCs on the current basis. In return they should continue to appoint 50% of the membership of each SFC. As for the remaining 50%, it is suggested that WA representation should be maintained but that the balance should be, and be seen to be, representative of the main local fishing interests. This might be achieved by the Ministry of Agriculture, Fisheries and Food and the Welsh Office advertising for nominations in the local press and inviting further nominations from appropriate national fishermen's organisations. Nominations would have to be accompanied by an indication of support from local fishermen and the appropriate Fisheries Minister would make appointments from those nominated in order to reflect local fisheries interests. Sea anglers would be among those eligible for nomination. The Fisheries Ministers themselves would appoint one member on each of the Committees to provide for liaison with their Departments.

9. It is hoped that the links between the WAs and SFCs will be strengthened by, say, representatives from both types of bodies meeting together on an equal footing where this is desirable to resolve points of difficulty or conflict. Under the arrangements suggested in this consultation paper, both types of bodies would exert considerable influence over the wellbeing of inland and coastal fisheries. It is therefore important that they should establish good working relationships in the interests of all concerned. Reference is made below to a specific example where joint activities would seem appropriate.
10. In the case of fisheries regulation and management in the estuaries and, for migratory fish, at sea out to 6 miles from baselines, rather more fundamental changes seem called for. The WAs themselves have suggested that they should be relieved of responsibilities for migratory fish outside estuary mouths. However, this still leaves a question mark over the estuaries where the dichotomy of regulatory responsibilities for migratory and non-migratory fish has not been satisfactory. Clearly, the main effect has been in weakening salmon protection but, perhaps as a result of this division of responsibility, some SFCs have not been active in the estuaries. In devising more satisfactory arrangements for the estuaries, it has to be borne in mind that the main fishing interests are commercial rather than sport. However, the commercial fishing of salmon in the estuaries is of considerable interest to salmon rodsmen in the rivers.

11. It is therefore proposed that in SFC areas where salmon are not found to any extent, the SFCs should take on the regulatory and management responsibilities up to the upper tidal limits or to some other locally determined boundary dividing mainly commercial from mainly sport fisheries. SFC areas where there are salmon would be designated. In these areas responsibilities for the regulation and management of those mixed fisheries stocks in the estuaries and fished by nets operated from, or adjacent to, the shore outside the estuaries should become a joint responsibility of the SFC and the adjacent WA. Apart from the special case of the salmon drift net fishery off Northumbria and Yorkshire, to which reference is made later on, the fishing for salmon at sea outside the estuaries as opposed to shore-based netting would be banned. Within the 3 mile band, this would be enforced by the SFCs under the general guidance of the Sea Fisheries Inspectorate of the Ministry of Agriculture, Fisheries and Food. Outside the 3 mile band, enforcement responsibilities would fall to the Sea Fisheries Inspectorate in conjunction with the Royal Navy. The way in which the ban operated might have to be subject to some local variation according to differences in fishing practice so as to avoid unnecessary restrictions being imposed on the fishing for other species. Comments are invited on the practical problems involved.

12. The joint responsibilities for mixed fisheries stocks in the designated areas would be undertaken as a shared function by the WAs and SFCs. Thus a small management group* might be set up in each area composed of, say, two

* Such groups might cover the Districts of the Northumberland, North Eastern, South Devon, Cornwall, North Devon and Cumbria SFCs, together with a single group covering the Sussex and Southern SFC Districts, three separate groups covering the Lancashire and Western SFC District and two further groups covering the South Wales SFC District and that part of the Severn Estuary not currently covered by an SFC District.
appointees from each parent body, possibly with an independent chairman appointed by the appropriate Fisheries Minister. This joint group would therefore have the full management responsibilities for the estuaries in the designated area, normally from estuary mouths to the upper tidal limits, and for shore-operated nets along the coast. The joint group would also be required to make regulatory proposals to the two parent groups which would exercise joint powers. Such proposals could include salmon net limitation orders and byelaws affecting mixed fisheries stocks in the estuaries or relating to nets operated from, or adjacent to, the shore. It is hoped that differences of view between the two parent bodies on regulatory matters could largely be resolved at local level. But, if any should arise for which solutions could not be found, Fisheries Ministers would intervene in much the same way as they do at present in the case of public objections to WA and SFC proposals. The two parent groups would have an obligation to provide the necessary staffing and other resources needed for management purposes. Thus the WA might continue to provide land-based bailiffing services while the SFC might make available their water-borne protection services and supply the simple administrative needs for meetings and so on. So far as prosecutions are concerned, these might be undertaken on behalf of the joint operation by the experienced WA legal staffs. As for finance, each parent body would be required to pay for their share of the services which they themselves supplied. The commercial salmon fishing licences would be administered by the SFCs on behalf of the joint operation and, in return, they would receive the income from the licence fees. However, the WA would be relieved of the cost of salmon management at sea, while their salmon rod licences would continue to apply to fishing in the estuaries. The SFC would be responsible for processing the net limitation orders and byelaws. To ensure an integrated approach to salmon management the WA and SFC would be required to liaise with the joint group on regulatory proposals within their respective areas of responsibility which could have a direct effect on salmon stocks. The group would coordinate the production of statistics on the state of salmon stocks in the area as a whole.

Fishing licences

17. Each year Fisheries Ministers are required to consider objections to WA proposals for fishing licence duties in England and Wales. Some would argue that this provides an important safeguard. However, it imposes an administrative burden on central Government which may not be fully justified. The transfer of responsibilities for commercial salmon fishing licences from WAs to the SFCs may suggest that some continuing safeguards are necessary, at least until the new arrangements have settled down. But in the case of rod licences, it is perhaps timely for the WAs to be given the sole responsibility for determining the licence duties, subject to a requirement that they advertise their proposals and consider any objections received. The views of their regional fisheries advisory
committees would, of course, have to be sought. Comments are invited on this possibility and on the desirability of widening the scope for fishing licence duty income; for example, by the SFCs issuing rod fishing licences to sea anglers.
while leaving a large safety margin of salmon available to spawn and thus secure future stocks. Such a policy should be developed so as to allow sport and commercial interests to share legitimately in a national resource and as many home produced and legally caught salmon as possible to be available to the market. The achievement of such objectives involves considerable problems but it is fundamental to this review.

18. The objectives for salmon policies for England and Wales may therefore be summarised as follows:

(i) to establish a salmon management system which maximises the numbers of exploitable salmon available, but which is sensitive to annual and seasonal variations in salmon numbers and which fully safeguards the needs for spawning salmon;

(ii) to provide, so far as is possible, for a reasonable distribution of the exploitable resource between sport and commercial interests;

(iii) to maximise the effectiveness of measures to prevent the illegal taking of salmon at sea, in the estuaries and in the rivers in the light of the available resources.

Salmon management

19. In domestic salmon management policies a choice exists as to the way in which commercial fishing for salmon is permitted in the estuaries and in home waters. The options are, broadly, between restricting the fishing for salmon entirely to within estuary mouths; or allowing some netting for salmon outside the estuaries by drift or fixed nets under strictly controlled conditions; or restricting the taking of salmon outside the estuaries to nets operated from, or adjacent to, the shore. By some, salmon netting outside the estuary mouths is considered as being indiscriminate fishing in that no check can be kept on the extent to which the stocks of homing salmon destined for particular rivers are being taken; by restricting the taking of salmon to the spawning rivers and their estuaries, it is suggested that management can exert greater control. Against this it is argued that the task of management should simply be to ensure that an adequate proportion of the homing salmon are allowed to return to their own spawning rivers so that stock levels are, at the very least, maintained year by year. In the 1960s the Bledisloe Committee in their examination of policies for England and Wales favoured the retention of traditional controlled drift netting at sea but opposed the general use of fixed nets along the coasts or in the estuaries. In contrast, the Hunter Committee supported the Scottish ban on drift netting and suggested that all salmon fishing at sea, including coastal netting, should eventually be discontinued in favour of taking the commercial catch of a river at a single point, by a trap or by a concentrated net fishery.

20. The type of netting practice adopted in different areas varies and is usually based on traditions which have
been handed on from one generation to the next. These traditions should not be lightly set aside. Indeed, in determining the way in which the commercial share of the salmon resource is taken, a degree of local flexibility is important. However, this must clearly be within parameters set not only by the interests of all who enjoy rights in the river resource, but also by the needs of a responsible approach to the potential effects on other river stocks. Paragraph 11 refers to the proposed ban on fishing for salmon at sea outside the estuaries. The arrangements set out in paragraph 12, which include the retention of the authority of Fisheries Ministers to arbitrate in the event of objections to regulatory proposals, should it is believed facilitate the taking of responsible salmon management decisions. It is suggested that those concerned with managing the mixed fishery stocks should have scope to allocate the commercial salmon take both in the estuaries and by nets operated from or adjacent to the coast.

North east salmon drift net fishery

21. The salmon drift net fishery off Northumbria and Yorkshire is a special case. The fishery has existed for at least 100 years and represents an important part of the livelihoods of a large number of local licensed fishermen and their endorsees. In recent years the use of monofilament nets has provoked complaints about catch levels. However, the Northumbrian and Yorkshire Water Authorities have enforced a strict net limitation policy and on-the-spot inspections have suggested that the regulations are generally being observed. The Directorate of Fisheries Research of the Ministry of Agriculture, Fisheries, and Food has recently completed an examination into the effects of the fishery on Scottish salmon catches. This has shown that probably more than 94% of the salmon caught in the fishery were returning to Scottish waters. On the other hand, the fishery caused only a 6.4% reduction of total catches in Scottish east coast rivers from the River Tweed to the River Ugie; in addition it has been estimated by the scientists that the removal of the fishery would result in a net loss in total GB landings of at least 30,000 salmon per year as many of the fish taken in the fishery would not subsequently be caught if allowed to pass through the area. There seems little doubt that the main effect of the fishery on Scottish stocks relates to the River Tweed. This, however, already receives some protection from the existence of a very large prohibited fishing area at sea, the so-called "Tweed Box", which spans the coast on both sides of the Border.

22. On the factual evidence currently available and in view of the long traditions of the fishery, it is considered that the fishery should neither be closed nor phased out. However, it is proposed that it be restricted to within 3 miles rather than 6 miles from baselines; that the responsible management authorities should be required to maintain and enforce to the satisfaction of the Minister of Agriculture, Fisheries and Food tight limits for drift netting and, to the fullest extent possible, create opportunities for coastal fixed engines to replace existing drift net licences; and, that the Minister should have powers, to be used when considered necessary, to
override local regulation by introducing at short notice emergency provisions for increasing the weekly close times in order to protect stocks destined for the Tweed, where the effect could be quite significant, or for local rivers.

**Solway Firth salmon fishery**

23. Views are sought on the desirability of introducing joint salmon management arrangements for the Solway Firth which would extend to both sides of the Border. In the light of these consultations there will be discussions between the Ministry of Agriculture, Fisheries and Food and the Department of Agriculture and Fisheries for Scotland on appropriate structures to be applied for managing salmon stocks in the Solway Firth.

**Authorised fishing methods**

24. In order to strengthen the protection of salmon it is proposed that in the designated SFC migratory fish areas (see paragraph 11), the use of nets considered to be capable of taking salmon should be proscribed unless specifically licensed for that purpose. To achieve this, it should be possible to specify the type of instruments to be proscribed, by reference to mesh size and method of use, without inhibiting to any extent legitimate fishing for sea fish. As a basis for discussion it is suggested that the ban might take the following form:

"No person shall, within [definition of area] and [during period from ( ) to ( )] use a drift net having in any of its parts a mesh size greater than [50mm], measured with a parallel sided gauge 2mm in thickness, without a licence entitling such a person to fish for salmon. In addition, no person shall employ fixed fishing nets, the vertical height of which exceeds 4 metres from footrope to headrope and which are set in such a way that the footrope is not as close as possible to the seabed."

It would be possible to make any licensed fishing for salmon subject to a ban on the use of monofilament netting or of any other specified type of material. However, it could be argued that it would be unrealistic to expect licensed salmon fishermen to use less effective fishing methods than are currently available. Instead, control over licensed gear could be imposed, subject to objection procedures, under local fisheries byelaws. Decisions on whether, say, monofilament nets should be banned for the taking of salmon would depend on the evidence that such fishing methods damage the fish.

**Illegal salmon netting**

25. Some of the proposals contained in this consultation paper are designed specifically to help combat the menace
of illegal salmon netting. In particular, the linking together at working level of the WAs and SFCs in managing the mixed fisheries stocks should enable combined operations to be mounted using land based and water borne staffs from the two types of bodies. A more coordinated approach should also be possible in the regulation of the mixed fisheries stocks at local level so that the evasion of measures for combating illegal netting is made more difficult. In addition, improved regulatory authority and enforcement in the estuaries and the proscribing of certain types of sea fishing nets capable of taking salmon should assist the successful prosecution of offenders. But above all it is hoped that a new cooperative spirit will be engendered at local level in which purposeful cooperation between the WAs and SFCs in combating illegal salmon netting will be seen as a means of protecting the interests of rodsmen and of assisting the development of the licensed commercial salmon fisheries.

26. There is, however, one other vulnerable area in the fight against illegal salmon netting for which no satisfactory control arrangements have yet been devised: the sale of salmon after landing. In the past, two broad approaches have been postulated. One involves the licensing of all those dealing in salmon, while the other is concerned with making it illegal to possess dead salmon or parts of salmon for sale unless it can be proved that they have been legally caught. In the past, the former has come up against the problem of the cost of the administration and inspection of arrangements covering the large number of retail outlets for salmon, currently estimated at 3,000. The second approach was the subject of a Private Member’s Bill in 1977. However, this would have introduced arrangements which were contrary to judicial practice in requiring those accused of possessing salmon to prove their innocence. To overcome this difficulty, possibilities have been explored for providing proof that salmon had been caught legally; for example, by the tagging of salmon destined for sale at special salmon landing centres which would not interfere with existing wholesale and retail channels. While this had the added attraction of making possible the production of greatly improved salmon catching statistics, it would have involved the creation of a network of landing centres which might be difficult to justify in the present economic climate. Other possibilities considered were less ambitious but, in general, provided only moderate protection which, it was thought, would readily be circumvented. Despite these problems, it seems appropriate that the consultation process should be used to examine any suggestions which offer the possibility of overcoming the difficulties so far encountered and which, at the same time, are likely to be effective, enforceable, administratively practical and self-financing.

Salmon ranching

27. A consultation document covering salmon policies should not ignore salmon ranching. In recent years this has been given prominence in some other countries. Ranching can involve both the development of our native Atlantic salmon and the establishment of stocks of other
non-indigenous salmon. Some non-indigenous species are potential competitors with Atlantic salmon and therefore would not be acceptable. It would seem appropriate that the ranching of non-indigenous salmon should be subject to control and appropriate research and that traditional salmon interests should be fully consulted before any decisions are taken on the release of such salmon for ranching purposes. There are existing safeguards over the release of native salmon into inland waters.
IV. FISH FARMING

28. The term fish farming, or fish cultivation, covers a wide spectrum from the production of rainbow trout in inland fish farms and the production of eels using waste heat from power stations, to the production of salmon in sea cages and oyster cultivation on rafts anchored to the seabed. In England and Wales a particularly significant development in recent years has been the increase in the farming of rainbow trout which has been accompanied by a major switch from the production of fish for restocking for sporting purposes to table production. As for the future, this trade has now reached a crossroads at which the only way forward lies in successful product promotion and in keen, aggressive marketing. Indeed, a market orientated approach is essential in other fish farming sectors too, such as in shellfish cultivation which holds out the promise of substantial expansion with good export prospects.

Objectives of the review: Fish Farming

29. The Government wish to see the orderly development of an economically viable fish farming sector which is able to stand on its own feet, which is not hindered by unnecessary constraints, but which is subject to such controls as may be needed to safeguard the interests of other users of the common resource offered by river systems and coastal waters. With these aims in mind, the main objectives of fish farming policies would be as follows:

(i) to facilitate and encourage the development of an economically viable fish farming sector as possible;

(ii) to remove unnecessary statutory or administrative restrictions which may impede such development;

(iii) to encourage fish farmers to develop a market orientated approach, with particular regard to export outlets;

(iv) to provide such safeguards as may be necessary in order to protect the interests of other water users and of fish farmers themselves, in so far as they may be affected by the growth of the fish farming sector in general and by specific fish farming operations in particular.

The separate section on fish diseases later in this paper is, of course, of particular relevance to item (iv).

Government proposals already introduced

30. It was decided by the Government to take opportunities as they arose to introduce certain urgent measures arising from the review in advance of this consultation paper. These included the derating of fish farms and shellfish cultivation, which came into effect on 1 April 1981, measures in the Fisheries Act 1981 to extend property rights to shellfish grown on structures above the seabed, to provide an enabling power to exempt fish farming from a number of conservation measures which have as their objective the
protection of wild fish stocks and, to enable Fisheries Ministers to provide national grant aid when needed so that fish farmers could benefit from European Community grants.

Controls over fish farming operations

31. Arguments have been put forward by representatives of both fish farmers and other interests in favour of the licensing of fish farms by central Government. This is advocated as a vehicle for exerting control over fish farming operations and over the development of new fish farms. It is also seen by some as a means of streamlining the existing regulatory requirements currently imposed on those wishing to establish new fish farms; thus a single licence application would replace the need to seek regulatory authority from various bodies, such as local authorities (eg planning) and WAs (eg discharge consents). However, this latter concept would impose on central Government an unacceptable administrative burden in acting as a central clearing house for all the regulatory bodies concerned.

32. As to the use of a licensing system as a means of control, this would involve establishing licensing criteria and the taking of decisions on whether those criteria had been met. This would represent a major additional role for central Government which could only be justified if there were a clear cut case that it was needed in the public interest. However, while there may be a case for requiring information on the location of fish farms, particularly for disease control purposes, it has been concluded that other needs do not merit central control. Moreover, the application of licensing criteria could impose on central Government a responsibility for taking what might be largely subjective decisions on the suitability of new entrants to the fish farming sector. A licensing system is not therefore favoured. It is, however, suggested that the consultation process should concentrate on the justification for the more modest possibility of the compulsory registration of fish farms if the information necessary for disease control and other purposes cannot be obtained from alternative sources.

33. In the review, the need for controls over fish farming operations has been examined particularly in relation to the abstraction of water by, and discharges from, inland fish farms linked to river systems. As for water abstraction, fish farms generally return all the water to the river and it has therefore been argued that they should continue to fall outside the water abstraction licensing arrangements. However, a number of other users also return all abstracted water to the stream and the
Government's view is that to maintain control of river flows, and proper management of water resources, water authorities need to operate the licensing system. This argument applies with particular force where the quantity of water abstracted is considerable, as is the case with fish farms. In the circumstances, it is considered that fish farms should come within the water abstraction licensing arrangements operated by the WAs although the fact that most of the water is returned to the system should be reflected in the level of charges. So far as inland fish farms are concerned, water abstraction licensing might take the place of compulsory fish farm registration as a source of information on fish farm location, provided that arrangements can be agreed for the supply of that information by the WAs to central Government.

34. The discharge of water by fish farms back into the river systems can, of course, be a source of pollution. For example, pollution by chemicals used in production operations or by organic or biological pollution from food or faecal matter. But the presence of fish-borne or water-borne diseases carried by the discharges and even the escape of farmed fish can also represent a form of pollution. Such pollution can to varying degrees affect wild fish, farmed fish further downstream, or occasionally upstream, and water quality. Fish farmers have themselves underlined the importance to well managed fish farms of adequate protection from pollution by poorly managed fish farms, while angling interests as well as the Water Authorities are concerned about the possible effects on the wild fish population. As in all types of river pollution, the problem grows with the increase in the number and size of units discharging into the receiving waters. In the case of fish farming pollution, concern has been expressed that the situation could get out of hand if there is no check on the density of fish farms linked to specific stretches of river.

35. The general UK approach to the protection of the aquatic environment from pollution is to establish standards or maximum levels against environmental quality objectives (EQOs) in respect of specific pollutants in particular receiving waters. This is linked to the authorisation of specific emission (discharge) standards for individual applicants. It is considered that it would be logical to apply this approach to the problems of fish farm pollution and fish farm density. Thus, the basis for applying emission standards for fish farms might be worked out at national level by the Departments concerned in technical discussions with the WAs and the angling and fish farming interests. These discussions could, for example, cover the minimum requirements for settlement tanks, filtration systems and so forth to be used before water is discharged back into the river systems and also for the erection of barriers for preventing the escape of fish from farms to the river system when water levels are high. These requirements would have to be reviewed from time to time in the light of technical developments. It is to be hoped that cooperation between the WAs and the fish farming sector would avoid the need for costly inspection services on the grounds that appropriate controls would be in the industry's interests.
When applied to particular stretches of river, the minimum requirements established at national level would be considered in relation to the achievement of EQOs for specific pollutants set according to the dispersant qualities of the receiving waters. In the early stages, the national requirements might be adequate for achieving the local EQOs. But, as the scale of fish farming increased along sections of the river, more stringent emission standards might have to be applied to new entrants and to proposed increases in the operations of existing fish farms in order to achieve EQOs. If the appropriate EQO could not be met, a virtual ban on any further development of fish farms along that stretch of river would in effect be imposed. One advantage of such a system is that it would take account of the local conditions; for example, the dispersing properties of a fast compared with a slower flowing river. Before the EQO approach could take in disease "pollution", further technical advances are likely to be necessary on matters such as the possibility of filtration and other treatment of water returned to the river. It is proposed that appropriate discussions with interested bodies should be held on the practicality of this approach to the problems of discharge consents and fish farm density and on the availability of appeal procedures.

Responsibilities

36. In the review, questions have been raised about the application of central Government and WA responsibilities towards fish farming. So far as central Government is concerned, fish farming is regarded as a separate industry for which questions relating, say, to the provision of grant aid or of advisory services have to be considered on their individual merits. The Government have, for example, allocated substantial R and D resources to fish farming during the industry's formative stage. However, there seems little need for comprehensive advisory work and, indeed, the sophisticated nature of many fish farms has resulted in their management being highly skilled. The main source of central Government advice in England and Wales has therefore been as a spin-off from research activities and from the disease control services, both of which are operated by the Directorate of Fisheries Research of the Ministry of Agriculture, Fisheries and Food. There seems no need to change these arrangements.

37. Looking to the future, the role of the Fisheries Departments in relation to fish diseases is likely to be particularly important for the fish farming industry. This is considered more fully in the final section of this paper. So far as responsibilities for the application of fish disease policies are concerned, there has on occasion been uncertainty about the role of WAs under their fisheries functions. However, as with the application of measures to deal with livestock diseases, there is a clear need for central direction. It is therefore important that Fisheries Departments should have the central responsibility and overriding authority for the application of fish disease policies and that the role of the WAs on fish disease matters should relate to those waters under their direct management.
38. So far as the existing controls exercised by WAs under Section 30 of the Salmon and Freshwater Fisheries Act 1975 are concerned, it is proposed that these should be limited to the movement of fish into public waters and into any waters discharging directly into public waters. However, the movement of fish into fish farms, including those discharging into public waters but which come within the scope of the Authorities' discharge control powers, would be exempt. It follows that while fish disease responsibilities in respect of fish farms would fall to central Government, the WAs would exercise controls over fish farm discharges as proposed in paragraph 35. Notwithstanding the proposed changes in responsibilities, it is clear that the fisheries staffs of the WAs can make a particularly useful contribution to disease control at local level in conjunction with the Ministry of Agriculture, Fisheries and Food.

Financial assistance

39. The Government already provides considerable financial assistance to the fish farming industry. Substantial public funds have been allocated to the commissioning of research and development carried out by the Fisheries Departments themselves and by other bodies. The derating of fish farms in effect represents a major financial contribution to the industry from public funds. In addition, subject to the rules of each scheme, grant aid is available to fish farmers under the Agriculture and Horticulture Development Scheme, the Agricultural and Horticultural Co-operation Scheme and the EC Marketing and Processing Scheme. In assistance areas fish farmers may receive financial aid from the Department of Industry and there is also regional aid from bodies such as the Council for Small Industries in Rural Areas and the Welsh Development Agency.

40. During the passage of the Fisheries Bill which led up to the Fisheries Act 1981 the Government had proposed powers for the back-up grants required in connection with schemes administered by the EC Commission for granting financial assistance to fish farmers. However, during the passage of the Bill through Parliament, these powers were widened to provide the Government with considerable scope for the grant aiding of fish farms. These changes were accepted by the Government but without commitment to the early introduction of new schemes. In the present economic climate considerable justification is clearly necessary before further financial assistance to the fish farming industry can be contemplated. Moreover, it has to be borne in mind that new funding is unlikely to be forthcoming except from offsetting savings found in existing agricultural or fisheries expenditure or from funds already earmarked for such purposes. Furthermore, it is important that grant aid should not encourage the influx of new entrants to the industry who are ill-prepared for the complexities of profitable fish farm management. In seeking views on the priorities for financial assistance to fish farming, the Government is concerned with using limited public funds where they can provide the most effective help rather than in applying schemes which have been developed primarily for the agricultural sector.
Planning

41. In England and Wales, so far as planning requirements are concerned, fish farming for food is currently subject to similar treatment to that accorded to livestock enterprises. It is important that fish farmers should have regard to environmental considerations as well as to efficient management in designing their sites. The Government's view is that the planning arrangements need to be considered as closely related to the arrangements proposed earlier in the paper for bringing all fish farms within the scope of water abstraction licensing. The planning arrangements for fish farms are the subject of a recommendation in the Seventh Report of the Royal Commission on Environmental Pollution. The Government is considering this recommendation.

Competition by Water Authorities

42. Concern has been expressed from time to time over the possibility of unfair competition in the production and sale of farmed fish by Water Authorities, subsidised by their income from water rates. While it is clearly unacceptable for public bodies to use public funds to compete unfairly in this way with the private sector, no evidence has been found that such a practice has been pursued to any significant extent by the Authorities in the production of farmed fish. The fisheries management responsibilities of WAs include the restocking of waters under their control and, if they are able to achieve greater efficiency, or lower costs without subsidisation, or produce better quality stock by supplying their needs from their own hatcheries, they should be allowed to do so. Moreover, there will sometimes be a need for WAs to sell any surplus stock produced by their hatcheries, but the production of fish for sale in competition with the private sector should not be an objective. In making their plans, WAs should evaluate objectively the alternative possibilities of purchasing fish for restocking from the private sector or of seeking tenders for the management of the fisheries under their control from outside their own organisations. If they decide to adopt either of these possibilities, however, it is important that the ability of their fisheries departments to undertake their wider fisheries responsibilities should not be impaired.
V. FISH DISEASES

43. The main statutory basis in Great Britain for fish disease policies is the Diseases of Fish Act 1937. So far as shellfish are concerned, the Sea Fisheries (Shellfish) Act 1967 contains some provisions relevant to disease prevention. The 1937 Act bans all imports of live salmonids and imposes import licensing for all live freshwater fish, other than eels, and for salmonid and freshwater fish eggs. Provision is made for strict health certification for all fish covered by the Act except for ornamental species. Under the Sea Fisheries (Shellfish) Act 1967 measures are introduced by Order. One such Order, the Molluscan Shellfish (Control of Deposit) Order 1974, is already in existence and prohibits the "deposit", except under licence, of any molluscan shellfish, or parts of such shellfish, in tidal waters or inland waters discharging into tidal waters, or on land adjacent to such waters. A similar Order relating to lobsters and an Order providing for the control of importations of lobsters into designated areas are currently coming into operation.

Objectives of the review: Fish Diseases

44. Since the existing powers available for disease control were first introduced the problems of disease control have changed considerably. The main change arises from the expansion of the fish farming industry. This has not only increased the risk of the spread of fish disease but the industry itself requires high standards of fish health for profitability. There is now a greatly increased movement of fish from area to area, due partly to fish farming developments but also to the wider management practice of restocking sporting fisheries. In addition, changing patterns of international trade have added to the danger of British stocks being infected by serious exotic diseases hitherto unknown in this country. The risk of importing disease also applies to shellfish and, in view of the growing importance of that sector, there is a need to bring the approach to shellfish diseases more into line with that applying to fish disease.

45. Fish disease policies have to take account of the existence of a very large wild fish population over which it is practically impossible to exert disease control. Moreover, it is difficult to effect the complete isolation of fish farms linked into river systems from that wild fish population. One of the main disease risks is through the movement of diseased fish, or of fish acting as disease agents, into fish farms or into waters where they can come into contact with wild fish. Responsibility for promoting fish health therefore rests heavily on those involved in fish farm management and in the restocking of rivers. So far as shellfish are concerned, those handling imported shellfish in particular have a crucial responsibility in avoiding the introduction and spread of disease. It follows that the task of tackling fish and shellfish disease involves both a personal commitment by those concerned and the adequacy of nationally coordinated fish disease policies in closing possible channels of infection.
46. It is suggested that the main aims of fish disease policies should be:

(i) to prevent the introduction from overseas of serious diseases of fish and shellfish;

(ii) to prevent the spread of serious fish diseases from one fish farm to another or between fish farms and the wild fish population;

(iii) to reduce the risk of the spread of serious shellfish diseases amongst the native shellfish population;

(iv) to provide appropriate facilities and arrangements to give effect to these objectives, taking account of expenditure constraints and the importance of making the fullest use of existing resources.

Import controls

47. Import controls obviously provide a most important safeguard against the introduction of fish disease. Our island status has given us a degree of protection against certain more serious fish and shellfish diseases. However, this protection carries with it the danger that our own stocks are unlikely to have immunity against serious exotic diseases which, if introduced, could therefore spread rapidly. So far as shellfish are concerned, fears have been expressed that the absence of tight import controls could lead to the loss of important export orders. In some areas tight import controls already exist, for example, in the ban on the importation of salmonids and in the strict health certification applying to live freshwater fish and to salmonid and freshwater fish eggs. The review of import controls has therefore concentrated on possible weaknesses in other areas. These are described below:

(a) Farmed marine fish

Under present fish disease legislation there is no power to control imports of fish destined for marine fish farms. Although such authority may rarely be needed, it is proposed that Fisheries Ministers should have enabling powers to control imports by Order when this is considered necessary for disease prevention reasons.

(b) Eels

Eels are presently excluded from the safeguards provided by the Diseases of Fish Act 1937. Import controls might be difficult to operate but it is proposed that consideration should be given as to whether farmed eels and eels imported for the purpose of farming, should be brought within the provisions of the Act.
(c) **Shellfish**

Reference has already been made in paragraph 43 to the introduction of new Orders under the Sea Fisheries (Shellfish) Act 1967 to extend to lobsters the control of deposits and to provide for the control of importations of lobsters into designated areas. While these measures provide additional protection, certain gaps still remain. For example, the control of importation Order for lobsters could not prevent live lobsters from being imported for food purposes, say, through an airport which under the Act could not be included in a designated area; in practice, the chance of such lobsters infecting British shellfish stocks is not great but, nevertheless, the absence of adequate control powers could weaken the confidence of overseas buyers in British shellfish. Powers are also needed so that controls may be applied to the importation of crayfish, a freshwater crustacean now being imported in increasing quantities. It is therefore proposed that Fisheries Ministers should have enabling powers which might, for example, limit by Order imports of any named live shellfish, whether imported for deposit or for food, to those countries of origin which are regarded as being free from specific "notifiable" diseases of shellfish. Another proposal relates to live shellfish which are often kept in holding tanks in restaurants and at fishmongers. Some of these are imported and can be infected with exotic diseases. It is therefore proposed that, in addition to the controls over the deposit of live or dead shellfish or parts of shellfish into rivers or tidal waters, to which reference has already been made, there should be a ban on the emptying of water from shellfish holding tanks or containers directly into rivers and tidal waters.

(d) **Cold water ornamental fish**

Some concern has been expressed about the possibility of serious fish diseases being introduced through the importation of cold water ornamental fish which could, it is suggested, infect farmed or wild fish. Powers exist under the 1937 Act to introduce health certification as an import licensing requirement. However, the administrative burden involved in giving effect to such an arrangement would be considerable, while the risk of imported cold water ornamental fish infecting native stocks of wild or farmed fish is probably not great. The Government are not convinced that health certification should be introduced although they are prepared to keep the matter under review.

(e) **Dead fish**

In addition to the fish disease hazard presented by imports of live fish, disease could also be introduced by certain species and forms of dead fish, for example, by ungutted trout. It is therefore
proposed that Fisheries Ministers should be able to prohibit by statutory order the importation, or bringing in, of named species and forms of dead fish if this were necessary in order to protect native stocks from the introduction of serious exotic disease. At the present time it is suggested that such powers should only be considered in respect of the import into Great Britain of ungutted salmonids such as trout. There would, however, be a special derogation in respect of trade with Northern Ireland.

Import licences

48. The vast majority of fish import licences issued relate to tropical ornamental fish. At present, individual annual import licences are issued to each importer. However, from a fish health point of view this is not considered necessary. It is therefore proposed to introduce new simplified arrangements for the importation of defined classes of tropical ornamental fish, either generally or from named countries of origin. The new arrangements would provide for the re-introduction at short notice of the full licensing procedures if this were considered necessary on disease grounds. These arrangements should reduce paperwork for the businesses involved in this trade.

49. The current maximum charge for import licences is limited by the 1937 Act to 25p. It is proposed that the necessary authority should be sought so that the charges can be kept in line with the cost of administering the arrangements.

Broodstock certification

50. The Directorate of Fisheries Research of the Ministry of Agriculture, Fisheries and Food is currently engaged on a small pilot broodstock certification project in cooperation with a number of hatcheries. The certification of hatcheries, based on freedom from notifiable diseases, holds out the possibility of promoting exports and of reducing dependence on the need to import broodstock. Any broodstock certification scheme that might emerge from the research project is therefore likely to be commercially attractive, even after allowing for the full economic costs of such a scheme in the selling price of the certified broodstock.

Notifiable diseases

51. Under the definition of "infected waters" in the 1937 Act diseases of salmon and freshwater fish may be specified as notifiable. Once a disease has been included in the list, any confirmed or suspected outbreaks must be notified to the appropriate Department. At present, the powers available to Fisheries Ministers for dealing with confirmed or suspected outbreaks of notifiable diseases are restricted to containment through the introduction of movement controls. Moreover, these powers give Fisheries
Ministers little discretion in the way in which individual outbreaks are tackled. It is proposed that more flexible arrangements should be introduced which would enable Ministers to add diseases to, or remove them from, the list by Order. In addition, it is proposed that certain shellfish diseases should be brought within the scope of the notification procedures and that the arrangements should also allow for the inclusion of shellfish pests should this ever be considered necessary. In line with this more flexible approach, it is the intention that "notifiable" status should involve no more than what it says: a requirement on those discovering or suspecting an outbreak in fish or shellfish stocks for which they exercise responsibilities to notify the appropriate Fisheries Department. The existing list of notifiable diseases under the 1937 Act and the changes now proposed are shown in the following table:

<table>
<thead>
<tr>
<th>NOTIFIABLE DISEASE</th>
<th>PROPOSAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. SALMON AND FRESHWATER FISH</strong></td>
<td></td>
</tr>
<tr>
<td>(i) Furunculosis</td>
<td>Retain</td>
</tr>
<tr>
<td>(ii) Columnaris</td>
<td>Withdraw</td>
</tr>
<tr>
<td>(iii) Infectious Pancreatic Necrosis (IPN)</td>
<td>Retain</td>
</tr>
<tr>
<td>(iv) Viral Haemorrhagic Septicaemia (VHS)</td>
<td>Retain</td>
</tr>
<tr>
<td>(v) Myxosoma (Lentospora) Cerebralis (Whirling disease)</td>
<td>Retain</td>
</tr>
<tr>
<td>(vi) Infectious Haematopoetic Necrosis (IHN)</td>
<td>Retain</td>
</tr>
<tr>
<td>(vii) Ulcerative Dermal Necrosis (UDN)</td>
<td>Withdraw</td>
</tr>
<tr>
<td>(viii) Infectious Dropsy of Cyprinids (IDC or IAD)</td>
<td>Replace by more specific disease (ix) below</td>
</tr>
<tr>
<td>(ix) Spring Viraemia of Carp (SVC)</td>
<td>Retain</td>
</tr>
<tr>
<td>(x) Bacterial Kidney Disease (BKD)</td>
<td>Retain</td>
</tr>
<tr>
<td><strong>B. SHELLFISH</strong></td>
<td></td>
</tr>
<tr>
<td>(xi) Gaffkaemia</td>
<td>Make notifiable</td>
</tr>
<tr>
<td>(xii) Aber Disease</td>
<td>Make notifiable</td>
</tr>
<tr>
<td>(xiii) Parasite X (Bonamia)</td>
<td>Make notifiable</td>
</tr>
</tbody>
</table>

52. It is proposed that powers available to Fisheries Ministers should be widened in the case of certain particularly virulent notifiable diseases to include compulsory slaughter. Such powers would be restricted to outbreaks in fish farms and their application to specific diseases could be introduced or withdrawn by Order. Only
two diseases, VHS and IHN, neither of which is currently known in this country, are suggested as possible candidates. The risk of an outbreak of a disease subject to compulsory slaughter powers is likely to be remote and it seems reasonable to expect individual fish farmers to seek the necessary cover under their normal insurance arrangements. In addition, there would be enabling powers for Fisheries Ministers to specify a "fallow" period following slaughter, an appropriate programme of cleansing and disinfection and controls over the disposal of the carcases. For those notifiable diseases not subject to compulsory slaughter provisions, it is proposed that enabling powers should be introduced whereby Fisheries Ministers could require compulsory treatment, a specified programme of cleansing and disinfection and conditions for the disposal of the fish. In view of the growth of the fish farming industry, there seems to be an overwhelming case for the introduction of compulsory slaughter (without compensation) and treatment in the common good of the industry as a whole and in order to safeguard the wild fish population.

Movement controls

53. Two types of movement controls are currently available to Fisheries Ministers, "Infected Area Orders" (IAOs) and "16 Day Notices". The latter have to be imposed by Ministry of Agriculture, Fisheries and Food Inspectors whenever they consider that there are reasonable grounds for suspecting infection by a notifiable disease. They are intended as a temporary measure to allow time for diagnosis and consideration of the need to introduce IAOs. However, 16 days can often be inadequate for the diagnosis of some diseases and it is therefore proposed that they should be extended to 30 days. In special circumstances, such as in the event of major disease outbreaks, it is considered that Fisheries Ministers should have discretionary powers to authorise a second 30 day standstill period. In addition, it is considered that there could occasionally be special circumstances in which it would not be appropriate to impose 30 Day Notices following the notification of a listed disease. For example, a point could be reached following the spread of a disease to the wild population at which such Notices would no longer serve any practical purpose and could not conceivably lead to the introduction of IAOs. However, it is recognised that such discretion should only be used by Fisheries Ministers after the most careful consideration of all the relevant facts. So far as IAOs are concerned, difficulties in the firm diagnosis of certain diseases within a 30 or 60 day period suggest that the authority to apply IAOs should be widened to give Fisheries Ministers powers to introduce them on the basis that there were reasonable grounds for suspecting that the waters in question were infected. This is considered desirable in order to provide adequate safeguards both for the fish farming industry as a whole and for the wild fish population.

54. It is further proposed that the enabling powers available to Fisheries Ministers for the control of fish movements within Great Britain should be extended to all types of live shellfish, farmed marine fish and dead fish and shellfish for use when considered necessary in order to
prevent the spread of notifiable diseases. The powers
to control the movement of dead fish and shellfish would
have to be based on the need to prevent the spread of a
notifiable disease to fish farms and to coastal waters
and river systems, for example through discarded carcases
or guttings. In operating such extended powers it is
recognised that there would be a clear obligation to
avoid unnecessary restrictions being imposed on the food
trade in fish and shellfish.

55. In the event of an outbreak of a serious fish disease,
effective control measures would be highly dependent on an
ability to trace stock movements. It is therefore proposed
that all fish farmers in England and Wales should be
required to maintain records of the movement from or into
their farms of live fish and fish eggs and that such
records should be made available for inspection by persons
authorised by Fisheries Ministers. It is a matter for
consultation as to whether it would be appropriate to
extend such a requirement to shellfish producers.

COMMENTS ON THIS CONSULTATION PAPER SHOULD BE ADDRESSED
BY 30 OCTOBER 1981 TO:

Fisheries Division IA
Room 368
Ministry of Agriculture, Fisheries and Food
Great Westminster House
Horseferry Road
London SW1P 2AE

Those comments relating to Welsh interests should be
addressed to:

Welsh Office Agriculture Department
Division 2
Welsh Office
New Crown Buildings
Cathays Park
Cardiff CF1 3NQ
NORTH WEST WATER AUTHORITY
CENTRAL AREA
FISHERIES ADVISORY COMMITTEE
7TH SEPTEMBER, 1981
A NATIONAL SALMON POLICY

1. The attached paper and covering letter were received from the Director of the Salmon & Trout Association in mid-July, and a response was made by the Regional Fisheries Officer, dealing with a variety of points, the principal ones being:

   (i) A query as to whether a unilateral ban on drift netting in U.K. waters would achieve much, against the background of widespread Irish drift netting which is understood to be continuing virtually unchecked, despite new "severe restrictions" which the Irish Government claims to have imposed.

   (ii) The practical problems of ensuring full (and accurate) catch returns by rodsmen, particularly in view of the large number of licences issued.

   (iii) The proven effectiveness in Ireland of the strict control, under legislation, of the sale of salmon in reducing the scale of poaching, despite the extra work which is involved.

   (iv) The desirability of returning to the pre-1972 Fisheries Act position, where sale of rod-caught salmon was restricted to the same period as that for net-caught fish.

2. This is an important paper which says, in effect, to the Government Departments which are the principal addressees: "Why do you not get together and agree a uniform policy for salmon conservation for the whole of the United Kingdom before it is too late to be worthwhile?" It is recommended that the Authority should give its full support to this proposition.
THE ATLANTIC SALMON TRUST AND THE SALMON & TROUT ASSOCIATION

TO: THE FISHERIES SECRETARY, MINISTRY OF AGRICULTURE, FISHERIES AND FOOD;
THE FISHERIES SECRETARY, DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND;
THE FISHERIES SECRETARY, DEPARTMENT OF AGRICULTURE (FISHERIES DIVISION), NORTHERN IRELAND.

The Atlantic Salmon Trust and The Salmon & Trout Association have long been seriously concerned at the many threats facing Atlantic Salmon and are deeply disturbed by present indications of decline in the general well-being of the country's salmon fisheries.

The Trust and the Association are united in the view that amongst the main obstacles to more effective measures for the proper conservation of Atlantic Salmon and for the efficient management of salmon fisheries, whether commercial or by rod and line, are the anomalies that exist in present United Kingdom salmon legislation. It is believed that no really effective progress, other than "tinkering" with the subject, whether in the national or international fields, will be made until a "National Salmon Policy" is evolved and the necessary legislation progressed to implement this policy.

It is appreciated that the Government have in mind the revision of present legislation on salmon fisheries.

As a step towards this the attached Paper has been accepted by the two organisations, who recommend:-

( i) The use of drift nets should be prohibited throughout all the fisheries of the United Kingdom and existing licences should be phased out as quickly as it is reasonably humanitarian and practical to do so.

(ii) The use of monofilament nets for taking salmon should be prohibited throughout the United Kingdom.

(iii) The sale of salmon should be regulated throughout the United Kingdom, either by the institution of a system requiring the licensing of salmon dealers (on the pattern already in force for game dealers) or by the institution of a system of tagging.

13th July, 1981
The possession of a rod licence and the submission of an annual catch return should be made mandatory throughout the United Kingdom for all persons who fish for salmon.

It is requested that a meeting be convened to discuss this important matter, to which all organisations to whom this letter is being copied should be invited.

Yours faithfully,

for THE ATLANTIC SALMON TRUST LTD., for THE SALMON & TROUT ASSOCIATION,

G.D.F. Hadoke, Director.

H. de W. Waller, Director.

c.c. Scottish Salmon Angling Federation;
Association of Scottish District Salmon Fishery Boards;
National Anglers' Council;
Anglers' Co-operative Association;
National Federation of Anglers;
National Water Council;
All Regional Water Authorities;
Fisheries Organization Society Ltd;
British Field Sports Society;
Institute of Fisheries Management;
Salmon Net Fishing Association of Scotland;
White Fish Authority;
Northumberland Fishermen's Federation.
A NATIONAL SALMON POLICY

INTRODUCTION
Legislation to manage and conserve salmon in the United Kingdom is both extensive and, in part, comprehensive. Unfortunately the public have not been provided with many 'Consolidation' Acts so that the legislation in the three areas of jurisdiction - Northern Ireland, Scotland, and England and Wales - remains in a somewhat disjointed form. In addition it would appear to the outsider that each of the three areas mentioned had proclaimed different policies for the conservation of salmon, even though the species invariably requires the same kind and extent of protection, whether it originates in Northern Ireland, Scotland, England or Wales. The purpose of this paper is to highlight these differences and then to place on record what should be the basic policies to be applied to our salmon management plans. It is appreciated that a policy designed to co-ordinate policies in each of the three regions of the United Kingdom cannot be achieved quickly, but it cannot be denied that the Departments concerned should be required to accept that their long-term aim is to revise legislation in the manner suggested below. It cannot be stressed too often that the lack of a common British salmon policy detracts from the efforts made by the United Kingdom Government to influence the E.E.C. in negotiations concerning the protection of salmon on the high seas and the control of the salmon fishing effort in both the Faroes and Greenland areas.

DRIFT NETTING

The most publicised difference in regional salmon policies is the attitude and legislation relating to drift netting. As is well known, this form of netting for salmon was prohibited in Scottish waters following recommendations made by Lord Hunter's Committee on Scottish Salmon and Trout Fisheries in 1965. Briefly, the Committee felt that any fishing which took place outside estuary boundaries was inconsistent with the principles of proper salmon management. What the Committee, no doubt, had in mind was that drift netting which takes place normally within 12 miles of the shoreline often occurs in areas where salmon returning to their rivers of origin mix before making their entrance into their 'home' estuary. Thus, although it is possible to calculate a total drift net catch by any number of boats, it is not possible to relate that catch - except as a result of extensive research - to individual river systems. For the efficient management of the salmon resource of any river system the Manager will wish to know the size of the catch by each section of the fishery and, if possible, the number of fish escaping to spawn. Examples of the effect which drift netting can have on river systems not adjacent to the area where the fishing takes place are the Northumbrian and Yorkshire fisheries which, it is understood, have been found by investigation to exploit Scottish salmon to as much as 90% of the total catch made by these nets. Another

References

(1)
well-known effect of drift netting occurs in the Republic of Ireland, where the whole balance of exploitation of the salmon resource has been upset since the 1960's, when the inshore trawlers were encouraged to fish for salmon. The Report of the Inland Fisheries Commission of the Republic shows dramatically how drift net licences increased from 363 in 1962 to 1,048 in 1974, and how the total catch by this method increased in the same period from 2,864,000 lbs. to 4,392,000 lbs. More importantly, the same Report indicates graphically that during the period when the drift net catch increased there was a steady decline in the catch by the estuary draft nets, and in spite of an increase in the issue of licences for angling the total catch by rods fell from 416,000 lbs. in 1965 to 79,961 lbs. It seems quite clear that not only have the drift netting operations completely upset the former balance of exploitation, they accounted for 80% of the entire salmon catch in 1977, but that both angling and therefore spawning stocks are declining to dangerously low levels. Dr. Piggins of The Salmon Research Trust in the Republic has shown that from 1975 - 1978 the overall survival of spawning stock to adult runs, as recorded by him in Co. Mayo, was inadequate to maintain a self-replenishing stock due to 'exploitation at sea'. Only severe restrictions imposed on all fishing engines rectified this condition in 1979.

That drift netting is a damaging form of exploitation which is both wasteful and harmful to the salmon resource has been clearly established by the I.C.E.S. Working Group on North Atlantic Salmon. Scientists have shown that during drift netting operations off Greenland salmon can be lost through predation or by dropping out of the net when the latter is being hauled in. In addition, salmon which escape the drift nets by breaking through them become severely damaged and are likely to die before reaching their home rivers. The numbers of fish lost to the fishermen and unaccountable are difficult to quantify, but scientists have made estimates in their reports to I.C.E.S. suggesting that a figure approaching 25% of the total Greenlandic catch of salmon is appropriate. It has been reported from Norway, where a large drift net fishery has been allowed to develop, that 80 - 85% of salmon caught in the rivers were badly damaged by drift nets. Perhaps more importantly from an economic point of view, it has been reported that gill nets made of Ulstron (multi-filament) caused rupture of the blood vessels in the muscles. This factor could jeopardise the successful smoking of salmon caught by this method, as the breaking of the blood vessels would cause 'staining' of the smoked sides.

There is thus ample evidence to show that drift netting is not a satisfactory form of salmon fishing and it should be phased out in Northern Ireland, England and Wales. This phasing out may take time but it is essential that preliminary steps are taken towards this end, such as:-

(1) not re-issuing any licences which become 'dead';

(2) restricting the size of boats operating drift nets so that no trawlers are permitted to fish for salmon;

(3) considering the replacement of drift nets by fixed engines in estuaries as recommended by Dr. P.F. Elson in his report on the River Foyle Salmon Fisheries.
USE OF MONOFILAMENT NETS FOR SALMON FISHING

In 1971 the then Association of River Authorities appointed a Working Party to investigate, among other things, the effects of the trapping and netting of salmon on the well-being of the salmon fisheries. The Working Party's Report "Taking Stock" discussed the use of various materials in the making of nets and noted that the elasticity of monofilament allows the knots in a net to give under strain. As a result, although a fish may evade capture by passing through the net or dropping out of it, it will be severely damaged in doing so. It is a fact that the elasticity of monofilament nets and the resulting damage which is caused to salmon escaping from such nets formed the basis of the South West Water Authority's Bye-law prohibiting the use of monofilament nets for salmon fishing. The National Water Council's Bulletin No. 5 of 4th February, 1977, quoted the Authority as having made the Bye-law:-

"to try to avoid a situation which has arisen in other parts of the country where fish escaping from nets made of such material (monofilament) have suffered enough damage to expose themselves to dermal diseases".

In 1977 the North West Water Authority made a similar Bye-law for its area, and in its submission reference was made to Mr. Champion's investigation into sea netting in the Northumbrian Water Authority's area and its effects on salmon stocks. The results of the investigation were not conclusive, although it states that monofilament nets did allow enmeshed fish to escape and that they damaged the fish in the process. The North West Water Authority remarked at the time that the fishermen were losing interest in monofilament nets because of their observations that considerable numbers of fish were lost while the nets were being hauled in.

There is, however, ample evidence that not only does the elasticity of monofilament nets cause damage to fish temporarily held by those nets, but that these nets are much more effective than nets made of braided twine.

In Northern Ireland (and also in the Republic of Ireland) monofilament nets are prohibited for the capture of salmon. However, The Fisheries Conservancy Board in Northern Ireland appreciated that it was not sufficient to merely ban the use of monofilament materials for use in salmon nets, as changes in the various make-up of the synthetic twines were made by the manufacturers frequently. The main one which affected such a prohibition of monofilament twines was the introduction of multi-strand loosely braided twines which were found to be more flexible than a single strand monofilament net, but although a net made up with such material is as invisible in the water as the single strand monofilament net it was found to have a low mesh breaking strain.

The Fisheries Conservancy Board, having considered the matter in great depth, decided on a Bye-law, which is quoted below and which appears to meet the situation most adequately:-


.............

2. The following definitions shall be inserted in Bye-law 65 of the 1969 Bye-laws at the appropriate places in alphabetical order:-
"braided" in relation to a net-making material means the interlacing of three or more multi-filament yarns, so as to form a net-making material;

"multi-filament yarn" means a yarn constructed from a group of continuous filaments, each filament of which has a diameter not greater than .0019685 inches;

"twisted and plied" in relation to a net-making material means the forming of a net-making material by wrapping a number of multi-filament yarns round each other in such a way that there are not less than 92 turns per yard in the material.

3. For Bye-law 25 of the 1969 Bye-laws there shall be substituted the following Bye-law:-

"25. A person shall not use, for the purpose of taking or with intent to take salmon or freshwater fish, any net made from synthetic fibres (except a landing net used solely as an auxiliary to lawful angling with rod and line), which contains any material not constructed of either two or more multi-filament yarns twisted and plied together or three or more multi-filament yarns braided together."

To sum up, the use of monofilament nets has been prohibited in Northern Ireland, The South West Water Authority's area and The North West Water Authority's area by local Bye-laws. In each case the local fishery authorities were required to justify their proposed Bye-laws and in each case the Central Government accepted the reasons put forward. It seems clear, therefore, that the Central Government has accepted the need for prohibiting the use of monofilament nets in three different areas of the United Kingdom and by implication has agreed that this type of net is more likely to damage salmon, some of which may escape capture but die later from dermal disease, than nets made from braided multi-filament yarns. It should be added that the Government's acceptance of The North West Water Authority's Bye-laws came after the results of the inconclusive Northumbrian Water Authority's investigation into drift netting. There would thus appear to be no reason why the prohibition on the use of monofilament twine in salmon nets should not be applied generally throughout the United Kingdom.

It should be noted that a letter dated 30th June, 1980, from The Minister of State, Mr. Alick Buchanan-Smith, in reply to a submission by The Salmon & Trout Association, said that they had "no evidence that would justify banning the use of nylon filament nets". What is required is not a general prohibition on nylon nets, but one on the use of monofilament yarns in salmon nets.

THE LICENSING OF SALMON SALES

The 1961 Report of the Special Committee on Salmon and Freshwater Fisheries, headed by The Rt. Hon. Viscount Bledisloe, contained a whole chapter which dealt with the "sale of fish". The Committee stated categorically that its members:-

"took the view that, as in Scotland and Northern Ireland, what a man can catch legally he should legally be able to sell", 

(10)
Although other salmon countries - notably Canada - prohibit the sale of salmon caught by anglers, it is recommended that in the United Kingdom the view held by the Bledisloe Committee should be accepted as policy.

However, the Committee went further and recommended:--

"that salmon and trout, except tinned fish, should be dealt in only by those who hold a licence to deal in game as provided in the Game Act of 1831; that those persons should keep a record of purchases and sales open to inspection by properly authorised persons; but that this restriction should not apply to fish bought by the owner or occupier of a private fishery from the person lawfully taking them in that fishery".

In similar vein the Special Committee on Scottish Salmon and Trout Fisheries, headed by Lord Hunter, recommended in 1965 that a licensing system for the sale of salmon should be introduced, as its members were satisfied that such a system would "make it dangerous for dealers to accept poached fish in any quantity and would stop many of the outlets now available for poached fish".

The 1974 Report to The River Authorities Association, referred to above, also recommended that:--

" .......... salmon and sea trout should be sold only through licensed dealers who should be limited in number and appointed by each Regional Authority after consultation with the appropriate organisation involved".

More importantly, in Northern Ireland (and in the Republic of Ireland) legislation has existed for many years which purports to control the sale and purchase of salmon throughout the Province. The relevant legislation is contained in the Fisheries Act (N.I.) 1966, and it is perhaps relevant to highlight some of the special features of the scheme. Under the Act:--

(a) No one may buy, sell, or have in his possession; any salmon or trout unlawfully captured; the onus is on the defendant to prove that any fish found in his possession and the subject of a prosecution, was lawfully captured.

(b) Other than a fisherman selling fish lawfully captured by him, or the holder of a fish culture licence (for fish farms, hatcheries, etc.) no one shall sell, offer for sale, or have in his possession, any salmon or trout unless he is the holder of a valid salmon dealer's licence

(c) Holders of salmon dealers' licences are required to keep registers in which daily records of purchases of salmon from each individual fisherman (netsman or angler) are recorded. Only the number of the fish and their total weight in respect of each fisherman's catch is recorded; the values of the purchases are not entered. The register is kept in duplicate so that the fishery authority can have a complete record of the purchases each season. The record also indicates how the fish in question were disposed of.
(d) Hotels and catering establishments are not required to keep registers but they must be prepared to indicate from where any salmon found in their possession was obtained, i.e. from a licensed dealer or licensed fisherman - if from the latter each fish must be accompanied by a certificate from the fisherman stating when the fish was captured and the number of the appropriate fishing licence.

(e) The issue of licences to dealers is not restricted.

(f) Registers kept by dealers must be completed in respect of each day's transactions on the same day.

(g) Registers are open for inspection by authorised persons during normal office hours.

(h) The holder of a salmon dealer's licence is required to keep all consignment notes, invoices, etc., for the purpose of verifying to an authorised person any entry in his register.

This legislation has been accepted as being the most appropriate legislation of its kind. While it cannot be claimed to have prevented illegal salmon fishing in Northern Ireland, there is no doubt that it makes it much more difficult for a poacher to dispose of his fish. One spin-off from the legislation is the provision of excellent statistics of catch, particularly from the commercial sector.

Perhaps the most important feature of the Northern Ireland legislation is that little additional expenditure is required for its implementation. Revenue can be obtained from the sale of both the dealers' licences and registers while no extra staff should be required by the "Authorities" for the inspection of dealers' premises, since this is a permanent feature of their work - or should be. A requirement that copies of the entries in each register should be posted to the "Authority" at the end of each week would also cut down the number of visits required.

In view of the recommendations made by the Hunter and Bledisloe Committees and by the Special Committee appointed by The River Authorities Association, there seems no valid reason why legislation on the lines of the Northern Ireland Act should not be adopted for the rest of the United Kingdom.

What is considered appropriate for one region in respect of salmon conservation should surely be appropriate for all other areas where salmon are captured and sold?

(ROD) LICENCES AND CATCH RETURNS

It seems extraordinary that, when salmon management techniques have improved so much in the last 25 years, there is not generally throughout the United Kingdom a requirement that every licensed fisherman should compile a record of his catch each season. The areas in question are, of course, Scotland and Northern Ireland (other than the Foyle area). The position in Scotland is further complicated by the fact that anglers are not even required to hold a rod licence. It is surely time to implement the strong recommendation made by Lord Hunter's Report on Scottish Salmon and Trout Fisheries in 1965 to the effect that:-
"we recommend strongly that licences should be introduced for these purposes" (as a means of identification and control, to raise revenue and to obtain statistics of anglers and their catches).

In the field of modern salmon management there is no valid reason why Scottish anglers should be excluded from the general requirement to be licensed and to make a statutory return of their catch. The position in Northern Ireland is even more absurd because although an angler must be licensed to hold a rod, he is not required to make a return of catch unless he fishes in that part of the Province covered by the Foyle area. This area, managed by a special Commission, requires all anglers to be licensed and to submit catch returns at the close of each season.

In respect of Scotland it seems difficult to understand why it has not been accepted that the introduction of a licensing system would not only raise more money, but that this money could be utilised in increased protection and conservation and help make the now generally weak District Salmon Fishery Boards more effective.

CONCLUSIONS

This paper has highlighted the different approaches to a number of main issues concerning the protection and conservation of salmon which exist in the various regions of the United Kingdom. There is an urgent need for the Government and the Fishery Authorities to agree on a common British salmon policy.

***************

July, 1981.
NORTH WEST WATER AUTHORITY

CENTRAL AREA
FISHERIES ADVISORY COMMITTEE

7TH SEPTEMBER, 1981

COMMERCIAL EEL TRAPPING ON WINDERMERE LAKE

1. An application has been received from a professional eel trapper in Windermere for Authority consent to fish for eels with fyke nets in Lake Windermere from 1st April, 1982.

2. Under the provisions of S.21 (1)(a) of the Salmon & Freshwater Fisheries Act 1975, the use in any waters frequented by salmon or migratory trout of any nets or other devices for taking eels is illegal before 25th June in any year. S. 21(2)(b), however, provides an excusal for the use of such nets and other devices before 25th June, provided that their use is authorised by a water authority with the consent of the Minister. This latter sub-section also permits a WA to stipulate the places and times where nets etc may be used, and to impose conditions in consenting to the use of nets etc before 25th June.

3. Salmon and migratory trout - and particularly their smolts - do "frequent" Lake Windermere, but virtually nothing is known about the routes taken by smolts when migrating through the lake. There is also the problem of spring-spawning char to consider, as these fish are believed to spawn inshore in certain areas.

4. The officers suggest that the Committee should recommend that the applicant be authorised to net eels on Lake Windermere on and from 1st April 1982 for an initial period of two years, subject to the following conditions:

   (i) He must keep Area Fisheries Officer (North) informed of the areas where and the times when he is setting nets.

   (ii) He must allow a member of the Fisheries Department's staff to accompany him at any time when he is setting and/or attending his nets.

   (iii) Any fish, other than eels, taken in his nets are to be returned to the water as quickly as possible and with as little injury as possible.

The applicant has been informed, in an interim reply, that conditions of the kind outlined above may be imposed in any consent which may be granted.

5. From surveillance of the applicant's activities, useful information on the movements of smolts and char may be forthcoming; even negative information will be valuable.