

**Northumberland Inshore Fisheries and Conservation Authority**

**Marine and Coastal Access Act 2009**

**TRAWLING**

The Authority for the Northumberland Inshore Fisheries and Conservation District in exercise of its powers under section 155 and 156 of the Marine and Coastal Access Act 2009 makes the following Byelaw for that District.

Interpretation

1. In this Byelaw:

- (a) ‘the 1983 baselines’ means the baselines for the measurement of the breadth of the territorial sea of the United Kingdom as they existed at 25<sup>th</sup> January 1983 in accordance with the Territorial Waters Order in Council 1964;
- (b) ‘the Authority’ means the Northumberland Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the Northumberland Inshore Fisheries and Conservation Order 2010 (SI 2010 No. 2197);
- (c) ‘cod-end’ means the end of a towed net where the catch collects;
- (d) ‘the District’ means the Northumberland Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the Northumberland Inshore Fisheries and Conservation Order 2010 (SI 2010 No. 2197);
- (e) ‘exemption’ means written authorisation by the Authority for a person, in respect of a relevant fishing vessel to fish within the specified area, using specified gear, subject to permit conditions;
- (f) ‘Inner Area’ means the part of the District to the landward side of an imaginary line drawn three nautical miles seaward from the 1983 baseline;
- (g) ‘otter boards’ mean a pair of boards or trawl doors which are towed through the water at an angle and keep open an attached net;
- (h) ‘Outer Area’ means the part of the District to the seaward side of an imaginary line drawn three nautical miles seaward from the 1983 baseline;
- (i) ‘overall length’ means the overall length of a vessel as shown in the vessel’s registration documents;
- (j) ‘permit’ means a permit issued in accordance with paragraphs 11 to 14 by the Authority;

- (k) 'purse seine net' means a net used to encircle fish where the bottom of the net is drawn closed by a line;
- (l) 'relevant fishing vessel' means a fishing boat registered in accordance with Part II of the Merchant Shipping Act 1995 and the regulations made under that Act, and holding a fishing licence issued by an appropriate national authority at the time of the application for a permit;
- (m) 'Scottish or Danish seine netting' means using long lengths of seine rope to herd fish into the path of the net as the gear is hauled;
- (n) 'sea fish' means fish that habitually live in the sea but does not include:
  - (i) salmon, trout, eels, lampreys, smelt and shad;
  - (ii) any other fish of a kind which migrates from fresh to saltwater or from salt to fresh water in order to spawn;
  - (ii) any freshwater fish;

where "eels", "freshwater fish", "salmon", "smelt" and "trout" have the same meanings as in Salmon and Freshwater Fisheries Act 1975 (c.51);
- (o) 'specified area' means the areas defined in Schedule 1 (being the Coquet to St Mary's Marine Conservation Zone (MCZ));
- (p) 'specified gear' means a single trawl fitted with a single cod-end and one pair of otter boards rigged for fine ground fishing using either:
  - a. grass rope with lead rings;
  - b. light single chain ground gear, with a chain link diameter of less than or equal to 10mm; or,
  - c. rubber leg ground gear with rubber discs less than 70mm in diameter;
- (q) 'WGS84' means the World Geodetic System.

### Prohibitions

2. Subject to paragraphs 3 to 7, a person must not fish for sea fish using a trawl or other net towed by a vessel.
3. Paragraph 2 does not apply where:
  - (a) the vessel is less than 12 metres in overall length; and
  - (b) the use is within the Inner Area, or the Outer Area; and
  - (c) the use is in accordance with a permit and any conditions attached to that permit.

4. Paragraph 2 does not apply where:
  - (a) the vessel is less than 18.3 metres in overall length; and
  - (b) the use is within the Outer Area; and
  - (c) the use is in accordance with a permit and any conditions attached to that permit.
5. Paragraph 2 does not apply to a person using a Scottish or Danish seine net.
6. Paragraph 2 does not apply to a person fishing within the specified area if they hold an exemption.
7. A person must not fish for sea fish using more than a single trawl fitted with a single cod-end and one pair of otter boards.
8. A person must not fish for sea fish using a trawl or other type of towed net towed simultaneously by more than one vessel.
9. A person must not fish for sea fish using a purse seine net, or other similar net.
10. A relevant fishing vessel transiting or steaming through the specified areas, except a vessel holding an exemption, must have all mobile gear inboard, lashed and stowed.

#### Permits

11. A person may only apply for a permit in respect of a relevant fishing vessel for which the person is the owner.
12. An application for a permit shall be made using the forms available from the Authority's office and website.
13. A permit is valid from the date specified on the permit to the 31<sup>st</sup> December of that year.
14. A permit:
  - (a) is issued by the Authority to a named person ("the permit holder") in respect of a named relevant fishing vessel ("the named vessel");
  - (b) is not transferable:
    - (i) from the permit holder to another person; or
    - (ii) from the relevant fishing vessel named in the permit to another vessel.
  - (c) must be surrendered to the Authority immediately if no longer required.

## Exemption

15. The Authority may, in respect of a specified vessel which is of less than 12m in overall length, on application in writing by the holder of a permit issue an exemption for the use of specified gear in the specified area. The Authority will publish details on how to apply for an exemption on the Authority's website.
16. An exemption granted by the Authority is not transferable between vessels and can only be used by a person named in the exemption and in conjunction with the vessel named in the exemption.
17. An exemption holder must send to the Authority by the last day of every calendar month (for the preceding month) on the appropriate form supplied by the Authority accurate information regarding:
  - (a) the effort;
  - (b) the catch;
  - (c) the area fished; and
  - (d) any other information which the Authority may require.
18. Subject to paragraph 19 an exemption issued under paragraph 15 will remain valid from the date specified on the exemption to the 31st December of that year.
19. An exemption issued under paragraph 15 may be revoked by the Authority for any reason it considers is reasonably necessary in accordance with its statutory fisheries management duties.

## Permit Conditions

20. A permit holder must send to the Authority by the last day of every calendar month (for the preceding month) on the appropriate form supplied by the Authority accurate information regarding:
  - (a) the effort;
  - (b) the catch;
  - (c) the area fished; and
  - (d) any other information which the Authority may require.
21. A fee of £50 is payable for each permit prior to use.
22. A permit holder must display their permit card issued by the Authority on the named vessel when using that vessel to engage in trawling within the Authority's district.
23. The Authority may:

- (a) attach conditions to a permit;
- (b) vary or remove conditions attached to a permit; or
- (c) vary or increase the cost of the permit;

in accordance with the review procedure in paragraphs 25 and 26.

24. Contravention of a permit condition constitutes a contravention of this byelaw.

#### Review Procedure

25. The Authority will review the permit conditions no less than once every three years as follows:

- (a) The Authority will consult in writing with permit holders and such other stakeholders, organisations and persons as appear to the Authority to be representative of the interests likely to be substantially affected by the proposed future management options.
- (b) The Authority will make a decision whether to attach, vary or remove any permit conditions based on the consultation responses obtained in accordance with sub-paragraph 25 (a) and the information listed in paragraph 20.
- (c) Following a decision being made by the Authority, permit holders will be notified in writing and permits will be amended as necessary at no cost to the permit holder.

26. The information includes any one or more of the following:

- (a) data collected from permit holders;
- (b) scientific and survey data gathered by the Authority or provided to the Authority by such other bodies, organisations, or persons as the Authority shall think fit;
- (c) advice provided by CEFAS or such other bodies, organisations, or persons as the Authority shall think fit;
- (d) an Impact Assessment of any proposed changes;
- (e) advice given by Natural England or such other bodies, organisations, or persons as the Authority shall think fit;
- (f) information from any other relevant source.

#### Scientific Exemption

27. This byelaw does not apply to any person performing an act which would otherwise constitute an offence against this byelaw, if that act was carried out in accordance with

a written permission issued by the Authority permitting that act for scientific, stocking or breeding purposes.

### Revocation

28. The byelaw with the title:

‘Trawling’;

which was made by the Northumberland Inshore Fisheries and Conservation Authority and was in force immediately before the making of this byelaw are revoked.

### *Explanatory note*

(This is not part of the byelaw)

This Byelaw prohibits trawling within the District, unless using a single trawl. Dependent on vessel size, a vessel can be permitted to fish in either the outer or inner areas.

The byelaw also outlines the requirements for obtaining a permit, the conditions of a permit and a procedure by which additional permit conditions may be attached to a permit or varied or removed by the Authority.

This byelaw prohibits the use of mobile fishing gear within the Coquet to St Mary’s, Marine Conservation Zone (MCZ), except within the specified area and using specified gear in accordance with an exemption from the Authority.

## Schedule 1

### Definition of the specified area being the Coquet to St Mary's Marine Conservation Zone (MCZ)

The 'Coquet to St Mary's Marine Conservation Zone (MCZ)' means the sea area enclosed by a line drawn between the following points (Figure 1).

The landward boundary between points J and K, P and Q, R and S, T and U and V and A, follows Ordnance Survey Master Map Mean High Water and is therefore liable to change. The seaward boundary between points B and C and H and I follow the 3nm limit, as defined by the UK Hydrographic Office Law of the Sea Unit.

Point A	55° 23.39'N	001°36.27'W to
Point B	55° 23.37'N	001°28.98'W to
Point C	55° 16.48'N	001°28.2'W to
Point D	55°16.36'N	001°30.32'W to
Point E	55° 5.42'N	001°26.27'W to
Point F	55° 5.73'N	001°23.65'W to
Point G	55° 5.36'N	001°23.46'W to
Point H	55° 5.11'N	001°21.73'W to
Point I	55° 2.98'N	001°20.47'W to
Point J	55° 2.65'N	001°26.37'W to
Point K	55° 6.64'N	001°29.90'W to
Point L	55° 6.64'N	001°29.63'W to
Point M	55° 6.50'N	001°29.53'W to
Point N	55° 6.00'N	001°28.10'W to
Point O	55° 6.97'N	001°28.08'W to
Point P	55° 8.27'N	001°30.61'W to
Point Q	55° 9.48'N	001°31.48'W to

Point R	$55^{\circ} 9.76'N$	$001^{\circ}31.50'W$ to
Point S	$55^{\circ} 20.33'N$	$001^{\circ}34.24'W$ to
Point T	$55^{\circ} 20.38'N$	$001^{\circ}34.22'W$ to
Point U	$55^{\circ} 23.06'N$	$001^{\circ}36.82'W$ to
Point V	$55^{\circ} 23.15'N$	$001^{\circ}36.85'W$ .

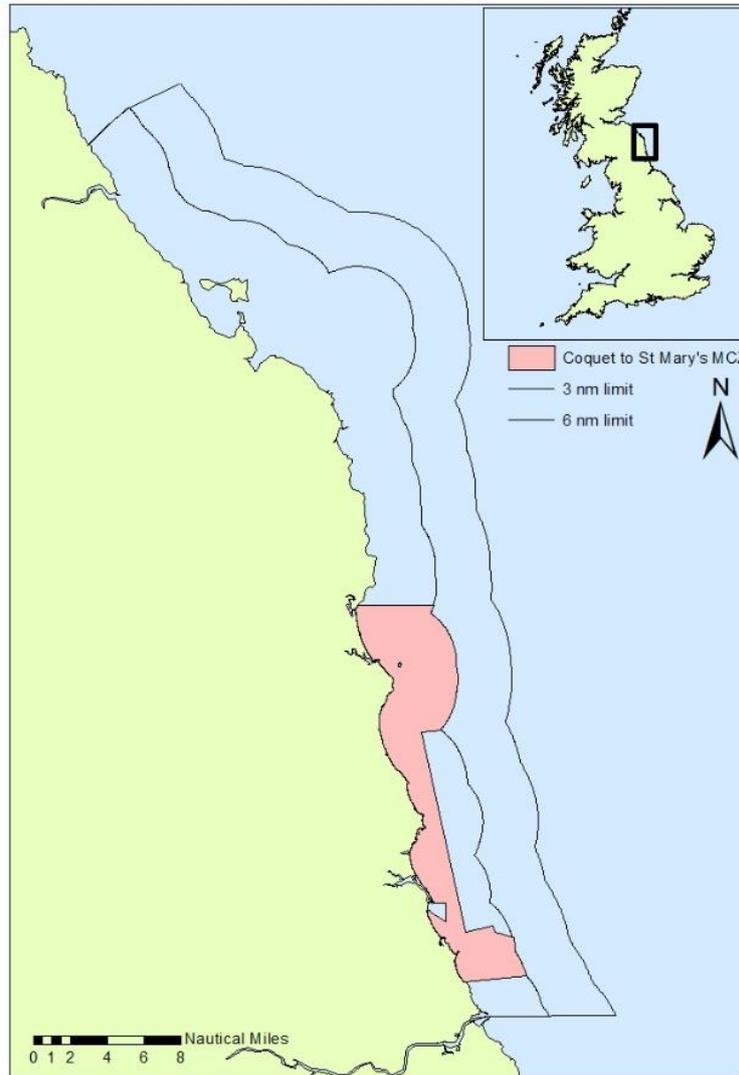


Figure 1: Coquet to St Mary's MCZ, as outlined by the above points, in relation to the NIFCA District.

I hereby certify that the above byelaw was made by NIFCA at their meeting on the  
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Michael H. Hardy

Chief Executive Officer

Northumberland Inshore Fisheries and Conservation Authority

8 Ennerdale Road, Blyth, Northumberland, NE24 4RT

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power  
conferred by section 155(4) of the Marine and Coastal Access Act 2009 confirms the  
Trawling Byelaw made by Northumberland Inshore Fisheries and Conservation Authority on  
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A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food  
and Rural Affairs

Date