

LIMITS OF THE DISTRICT

The Northumberland Sea Fisheries District was originally created under and by virtue of an order of the Board of Trade, dated the 20th March 1890, made in pursuance of the Sea Fisheries Regulation Act 1888. By virtue of the Northumberland Sea Fisheries District (Variation) Order 1980 as amended by the Sea Fisheries Districts (Variation) Order 1993, the District now comprises so much of the sea within the national waters of the United Kingdom adjacent to England, and so much of the sea within six nautical miles from the baselines from which the breadth of the territorial sea of the United Kingdom adjacent to England is measured, with the adjoining coast, as lies within the following limits, namely, on the north a line drawn true east from the seaward extremity of the northern boundary of the County of Northumberland and, on the south, a line drawn true east from the lighthouse at the seaward extremity of the South Pier at the southern side of the entrance to the River Tyne (being the northern boundary of the North-Eastern Sea Fisheries District).

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

- A line drawn across the River Tweed, in a south-westerly direction on a bearing of 225° true from the lighthouse at the seaward extremity of Berwick Breakwater to the opposite shore in the vicinity of Spittal Point;
- A line drawn across the River Coquet at Amble from the seaward extremity of the south breakwater to the seaward extremity of the north breakwater;
- A line drawn across the River Tyne, from the seaward extremity of the North Pier at Tynemouth to the seaward extremity of the South Pier at South Shields;
- A line drawn across every such river, stream or estuary not hereinbefore specified, such line being in continuation of the general line of the coast at low water.

In respect of such of the rivers, streams and estuaries hereinbefore referred to as flow into or join the sea within that part of the sea fisheries district hereby created which lies between Howick Burn Mouth and the southern limit of the said district, the Environment Agency has the powers of a local fisheries committee above the lines beyond which the sea fisheries district does not extend.

NOTE:

The district thus extends to 6 nautical miles seaward from the baselines from which the United Kingdom Territorial Waters are measured and save as mentioned above includes the water on the landward side of those baselines. The baselines in question were those established by the Territorial Waters Order in Council 1964 as amended by the Territorial Waters (Amendment) Order in Council 1979. Save in the case of bays, the distance of 6 nautical miles is measured from low water mark along the whole extent of the coast within the district as well as of independent islands and banks.

BYELAWS

1. Revocation of Existing Byelaws

All byelaws previously in force in the Northumberland Sea Fisheries District are hereby revoked and the following byelaws are substituted therefor; provided that nothing in such revocation shall affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any byelaws so revoked.

2. Application and Saving for Scientific Purposes

All byelaws shall apply to the whole area of the Northumberland Sea Fisheries District unless otherwise specified except:

- (a) in the cases to which the provisions of Section 6 of the Sea Fisheries Regulation Act 1966 apply; and
- (b) to any person *bona fide* fishing for sea fish for scientific or for stocking or breeding purposes, under the written authority in that behalf of the Committee, signed by their Clerk, or the Minister of Agriculture Fisheries and Food, and in accordance with the conditions contained in that authority.

For the purposes of these byelaws "the baselines" means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A, as amended by the Territorial Waters (Amendment) Order in Council (1979 II p.2866).

3. Trawling and Size of Vessels

Trawling is prohibited save in the following circumstances:

- (1) In that part of the district within three miles from baselines this byelaw shall not apply to a vessel whose overall length does not exceed 11.59 metres (or 12.81 metres in the case of a vessel which was given an authority as hereinafter mentioned between the 9th April 1992 and 9th June 1992) and which has been granted the written authority in that behalf of the Committee signed by the Clerk and in accordance with any conditions in that authority.
- (2) In that part of the district between three and six miles from baselines this byelaw shall not apply to a vessel whose overall length does not exceed 24 metres. Provided that a vessel whose overall length does not exceed 26 metres may fish in such part of the district if it fished there within the twenty four months preceding this byelaw coming into force and so long as it remains in the same ownership as on the date of the byelaw coming into force.
- (3) In any proceedings taken against the owner of a vessel in respect of an offence under this byelaw committed by the skipper it shall be a good

defence for the owner to prove that he exercised all due diligence to prevent the commission of the offence.

- (4) In this byelaw the following expressions shall have the meanings ascribed thereto:

“Overall length” means the overall length as shown in the vessel’s registration documents.

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

“Trawling” means any form of trawling including but without prejudice to the generality of the foregoing otter trawling, pair trawling and beam trawling.

4. Fixed Engines

For the purpose of section 6 of the Salmon and Freshwater Fisheries Act 1975 the placing and use of any fixed engines is hereby authorised within the district of the Northumberland Sea Fisheries Committee excluding such part as lies within the River Tweed as defined in the Tweed Fisheries (Amendment) Act 1859 as amended by byelaws, providing that, in relation to any fixed engine other than a trap for taking lobsters and crabs, the following conditions are complied with:

- (1) Subject as mentioned below at no time shall a fixed engine be placed or suspended unattended for taking salmon or trout.
- (2) During the period 26th March to 31st October inclusive, no fixed engine other than a ‘T’ net authorised by the Environment Agency’s Salmon Net Byelaws confirmed (save as to Byelaws 16 and 19) on 21st February 1995 and (as to Byelaws 16 and 19) on 8th June 1995, shall:
 - (a) be placed or used in a depth of water less than 7 metres unless the position of any such fixed engine is on a rise in the sea bed separated from the shore by water deeper than 7 metres at any state of the tide;
 - (b) be placed or used so that the headline is less than 4 metres below the surface of the water at any state of the tide;
 - (c) be placed to the west of a line drawn:
 - (i) between the seaward end of the south pier at South Shields and Marsden Point; and
 - (ii) between Hauxley Point and Coquet Island Light House, thence on a bearing 355° to a point 3 nautical miles and 622 metres distant and thence due north-west to Seaton Point.

- (3) During the period 1st November to 25th March inclusive no fixed engine shall be placed within the following areas (known locally as the Tyne Playground, Wansbeck Playground and Coquet Playground) unless the headline shall be at least 4 metres below the water at any state of the tide:

(a) Tyne Playground

Those tidal waters and parts of the sea within that part of the Northumberland Sea Fisheries Committee's district as lies within an area bounded as follows:

- (i) on the north by a line one nautical mile in length drawn due east from Marconi Point, Cullercoats;
- (ii) on the south by a line one nautical mile in length drawn due east from Souter Point; and
- (iii) on the east by a straight line joining the eastern extremities of the northern and southern boundary lines.

(b) Wansbeck Playground

Those tidal waters and parts of the sea at Newbiggin by the Sea west of a straight line drawn between the south eastern beacon, being one of the four beacons used by ships for identifying the measured nautical mile offshore of Newbiggin by the Sea, and the easternmost of the four chimneys at Blyth Power Station, Cambois.

(c) Coquet Playground

Those tidal waters and parts of the sea within an area bounded as follows:

- (i) on the north by a line drawn due west to the high water mark on the shore from a position Coquet Lighthouse bearing 355° distance 3 nautical miles and 622 metres;
- (ii) on the south by a line drawn due west to the high water mark on the shore from a position Coquet Lighthouse bearing 160° distance 1 nautical mile and 1024 metres; and
- (iii) on the east by a straight line joining the eastern extremities of the said northern and southern boundary lines.

5. Purse Seine Net

No person shall within the district of the Northumberland Sea Fisheries Committee use in fishing for sea fish any purse seine net or ring net or other similar net which is used for taking fish by encircling them.

6. Protection of 'V' Notched Lobsters

- (1) No person shall fish or take any 'V' notched or mutilated lobster of the species *Homarus gammarus*.
- (2) Any lobster so marked shall be returned immediately to the sea, in a position as near as possible to that part of the sea from which it was taken.
- (3) "'V'" notch means an indentation or cut in the shape of the letter 'V' made in any one or more of the flaps of the tail fan of the lobster.
- (4) "Mutilated lobster" means any lobster which has any of the flaps of the tail fan missing, or is mutilated in such a manner that it could hide or obliterate a 'V' notch, or has been marked with any other shape of notch.
- (5) "Flap" means any part of the five flaps of the tail fan of the lobster.

Explanatory Note.

This note is not part of the byelaw.

The intention of this byelaw is to protect lobsters of either sex which have been marked with a 'V' notch or similar shaped mark, by this mark being cut into the tail fan. This is done in order that the biomass of sexually mature lobsters can be increased, therefore it may be necessary to 'notch' animals from either sex.

7. Berried (Egg Bearing) or Soft Shelled Crab (*Cancer pagurus*) or Lobster (*Homarus gammarus*)

No person shall remove from any fishery any edible crab (*Cancer pagurus*) which is soft-shelled or berried (egg-bearing) or lobster (*Homarus gammarus*) which is soft-shelled.

8. Parts of Shellfish

Subject to the provisions of the Crab Claws (Prohibition of Landing) Order 1986 no person shall remove from any fishery any edible crab (*Cancer pagurus*) or part thereof, or velvet crab (*Necora puber*) or part thereof, or lobster (*Homarus gammarus*) or part thereof, which cannot be measured to ensure compliance with the Undersized Crabs Order 1986, the Undersized Velvet Crabs Order 1989, or the Undersized Lobsters Order 1993.

9. **Prohibition on Use of Edible Crab (*Cancer pagurus*) for Bait**

- (1) No person shall use any edible crab (*Cancer pagurus*) for bait and Section 17(2) of the Sea Fisheries (Shellfish) Act 1967, which affords a defence to a person charged with an offence under Section 17(1) of that Act, shall not apply within the district.
- (2) Nothing in this byelaw shall prohibit the use of cooked crab offal as bait.

10. **Redepositing of Shellfish**

Any person who takes any shellfish, the removal of which from a fishery is prohibited by any of the byelaws, or the possession or sale of which is prohibited by, or in pursuance of, any Act of Parliament or Statutory Instrument, shall return such shellfish to the sea immediately, as nearly as possible in the place from which they were taken.

11. **Marking of Fishing Gear and Keep Boxes**

- (1) The site of all pots, traps, keep pots and boxes, nets or long or set lines shall be clearly identified by a marker buoy or dahn fixed to both ends of the fishing gear. The marker buoys or dahns shall be clearly visible on the surface of the water. Strings of pots or traps consisting of five pots or traps per string or less shall require only one end of the string to be buoyed.
- (2) Each marker buoy or dahn shall have clearly displayed upon it:
 - (a) the identification of the boat that set the gear, or
 - (b) the owner of the gear if set from an unregistered fishing vessel, or
 - (c) in the case where the gear has been set and does not fall into the two preceding categories the identification may be either:
 - (i) the port letters and number of any fishing vessel registered in accordance with the Merchant Shipping Act 1995; or
 - (ii) the owner's name and contact telephone number in the case of any unregistered fishing vessels or of gear not set from a boat.

12. **Dredges**

- (1) No person shall use in fishing any dredge except one with a mouth which does not exceed 75 cm width overall.
- (2) The total number of dredges used by any vessel shall not exceed 10 at any one time.

13. **Permit to Fish for and Sell Lobsters, Crabs, Velvet Crabs, Whelks and Prawns**

- (1) No person shall fish for or take any of the following shellfish, namely Prawns (*Nephrops norvegicus*), Lobsters (*Homarus gammarus*), Crabs (*Cancer pagurus*), Velvet Crabs (*Liocarcinus (= Necora) puber*), or Whelks (*Buccinum undatum*) within any part of the Northumberland Sea Fisheries District, except under a permit issued by the Chief Executive to the Committee and in accordance with the following conditions:
 - (a) the permit shall be valid until the 31st December in the year of issue of the permit;
 - (b) the permit shall not be transferable and must be surrendered to the Committee immediately if no longer required by the owner or owners to whom it was issued for the vessel named on the permit;
 - (c) applications for a permit to fish under this byelaw shall be made using the printed forms available from the Committee;
 - (d) A permit will be issued on demand, only to the owner of any fishing boat which does not exceed 12 metres overall length and which, at the time the application is made and throughout the duration of the permit, is registered in accordance with Part II of the Merchant Shipping Act 1995, and the regulations made thereunder (or any statutory modifications or re-enactment thereof), or in the Channel Islands or the Isle of Man, and which holds a current fishing licence issued by the appropriate UK fisheries department at the time the application is made.
- (2) Any boat used in accordance with this byelaw shall clearly display the number issued with the permit.
- (3) The permit to fish shall be invalid if any of the above conditions are not met.
- (4) (a) This byelaw shall not apply
 - (i) to any vessel which takes the shellfish specified above while trawling or seine netting; or
 - (ii) to any vessel or person (subject to the conditions specified in paragraph (b) below), using five pots or fewer or a bottom set gill or entangling net of 100 metres or less.
- (b) The exemption provided by paragraph (a)(ii) shall only have effect if:

- (i) of the shellfish specified above, no more than one lobster, five crabs, twenty whelks or five prawns is taken by that vessel or person in any one day; and
- (ii) any of the specified shellfish which have been taken are not kept, stored or retained in a keep pot or other similar device at sea or on board for landing (or by the person) on any day other than the day of capture.

14. Multi-rigging, Pair Trawling and Pair Seining

- (1) In this byelaw:

“Net” means a trawl, seine or similar towed net;

“Beam Trawl” means a net or nets designed to be towed along the seabed and which have their mouth extended by a beam, bar or other rigid device; and

“Single Trawl” means a single net towed by a two warp rig in which the net has a single bosom groundrope (the bosom being the central portion of the trawl between the lower wings) where the groundrope is attached to the towing rig at each wing-end only and does not have any further attachment, including bridles, wires or ropes connecting it to the said towing rig;

- (2) No person shall use any type of trawl including a beam trawl or any other type of towed net (but not including a seine net) in the district of the Northumberland Sea Fisheries Committee other than a single trawl fitted with a single codend and utilising one pair of otter boards.
- (3) It is prohibited to use more than one vessel for simultaneously working any type of trawl including a beam trawl or a seine or other type of towed net.