

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MARINE AND COASTAL ACCESS ACT 2009¹

FISHING FOR COCKLES (AMENDMENT) BYELAW

The Southern Inshore Fisheries and Conservation Authority, in exercise of the powers conferred by sections 155(1) of the Marine and Coastal Access Act 2009 makes the following byelaw for that District.

INTERPRETATION

- (1) In this byelaw:
- a) “the Authority” means the Southern Inshore Fisheries and Conservation Authority as defined in Article 4 of the Southern Inshore Fisheries and Conservation Order 2010²;
 - b) “the District” means the Southern Inshore Fisheries and Conservation District as defined in Article 3 of the Southern Inshore Fisheries and Conservation Order 2010²;
 - c) “dredge” means a dredge, scoop or similar device that is designed for, or capable of taking any shellfish;
 - d) “Poole Harbour” means that part of the District in Poole Harbour as lies below Mean High Water Springs and to the west of and within an imaginary line between Point 1 (50° 40.809’N 001° 57.000’W) and Point 2 (50° 40.980’N 001° 56.926’W).

PROHIBITION

- (3) A person must not fish for or take from a fishery a cockle between the 1st February and the 30th April inclusive.
- (4) A person must not take from a fishery a cockle which will pass through a gauge having a square opening measuring 23.8mm along each side.

EXCEPTIONS

- (5) Paragraph (3) does not apply to a person fishing for or taking cockles using a dredge from a vessel within Poole Harbour.

DISPENSATIONS

- (6) Paragraphs (3) and (4) do not apply to any person who has obtained a written dispensation issued by the Authority in accordance with paragraph (7) and the authorisation is valid in accordance with paragraph (8).

¹ 2009 c.23

² S.I. 2010/2198

- (7) The Authority may issue a written dispensation for scientific, educational, stocking or breeding purposes.
- (8) A dispensation issued under paragraph (7) will only be valid if:
 - a) The act being undertaken complies with the terms of the dispensation; and
 - b) The dispensation is carried on the person and produced for inspection when requested by an Inshore Fisheries and Conservation Officer of the Authority or any other person authorised by the Authority to make such a request.

REVIEW

- (9) The Authority (or a sub-committee thereof authorised by the Authority to do so) will review the suitability of the byelaw in accordance with any changes in best available evidence, to include any statutory advice provided by Natural England or other such bodies, organisations or persons as the Authority deem fit.

AMENDMENT

- (10) The byelaw with the title ‘Fishing for Cockles’ made by the Authority, in exercise of its powers under section 155(1) of the Marine and Coastal Access Act 2009, confirmed on 23rd June 2015, and in force immediately before the making of this byelaw is amended.

I hereby certify that the above byelaw was made by Southern Inshore Fisheries and Conservation Authority at their meeting on 19th September 2024.



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Pia Bateman
 Chief Executive Officer
 Southern Inshore Fisheries and Conservation Authority

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power conferred by section 155(3) of the Marine and Coastal Access Act 2009 confirms the Shore Gathering Byelaw made by the Southern Inshore Fisheries and Conservation Authority on 19th September 2024.

(TBC)

.....
 A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food and Rural Affairs

Date:

EXPLANATORY NOTE

(not part of byelaw)

The purpose of this byelaw is to manage fishing for cockles within the Southern IFCA District. The byelaw imposes a closed season for fishing for or taking cockles, except within Poole Harbour if a vessel is being used. The byelaw also sets a minimum conservation reference size for cockles that can be taken from a fishery within the Southern IFCA District.

This byelaw is an amendment to the "Fishing for Cockles Byelaw" made by the Authority, in exercise of its powers under section 155(1) of the Marine and Coastal Access Act 2009, confirmed on 23rd June 2015, and in force immediately before the making of this byelaw. The following amendments were made to the "Fishing for Cockles Byelaw" text:

- a) Removal of paragraph (3);*
- b) Removal of reference within paragraph (5) to paragraph (3);*
- c) Inclusion of 'Dispensations' provision to include revision of text under paragraph (6);*
- d) Inclusion of 'Review' provision;*
- e) Renumbering of all paragraphs as required based on (a) to (d).*