



NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MARINE AND COASTAL ACCESS ACT 2009 (c.23)

Cockle Management Byelaw XXIV

The Authority for the North Eastern Inshore Fisheries and Conservation District in exercise of its powers under sections 155 and 156 of the Marine and Coastal Access Act 2009 makes the following byelaw for that District.

1. Interpretation

In this byelaw-

- (a) 'The Authority' means the North Eastern Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the North Eastern Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2193).
- (b) "The Clerk' means the Clerk to the Authority.
- (c) The District' means the North Eastern Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the North Eastern Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2193).
- (d) 'Fish for' means fish for, take, land, transport or store.

2. Permits

- (a) No person shall fish for any cockle unless that person holds a valid permit issued by the Authority subject to the requirements set out in paragraphs 3, 4 and 5.
- (b) The Authority will determine the number of permits (if any) to be issued for the exploitation of cockle stocks taking into consideration the area concerned and the available exploitable stock. The number of permits available will be set before 1 July each year. A permit will be valid for one year from 1 September.

- (c) Permits will be issued to applicants provided that the application form in the form specified by the Authority has been accurately completed and received. Permits are not transferable and can only be relied upon by the person named in the permit and whose photograph is attached to the permit.
- (d) The Authority retains the right to refuse to issue a permit until such time as any applicant makes available any outstanding information required for the issue of that permit, or outstanding information from a previous year required by paragraph 5 of this byelaw.
- (e) A permit holder shall, by no later than the 5th day of each month, make a return in the form specified by the Authority, of the date upon which and the location from which any cockles were taken in the previous calendar month, together with quantities (in kilograms) of all cockles taken, or if appropriate, a statement that the person had taken no cockles. Failure to supply the return by the due date will render the permit invalid until the return is supplied.

3. Closed Season

- (a) No person shall remove any cockle between the 1st of May and the 31st August inclusive.

4. Fishing Methods

- (a) No person shall use for the purpose of taking cockles any instrument other than a rake or other like instrument with a head width not exceeding 305 mm and having spaces of not less than 20 mm between the teeth.

5. Minimum Size

- (a) No person shall remove from the fishery any cockle which will pass through a gauge having a square aperture of 20 mm measured over each side of the square, except in accordance with the prior written authority of the Clerk.

6. Catch Limits

- (a) No person shall remove from the fishery more than 500 kilograms of cockles in any twenty- four-hour period, except in accordance with the prior written authority of the Clerk.

7. Fishery Closures

(a) If, after consultation with the permit holders, the Authority considers it necessary for the purposes of:

- (i) ensuring recovery of depleted stocks,
- (ii) ensuring the protection and development of mainly immature or undersized or transplanted cockles,
- (iii) protection of the fishery, fishery management and control of exploitation, or
- (iv) wider environmental protection and conservation

it shall close for a specified period any cockle bed or part of a bed.

(b) No person shall, without the prior written authority of the Clerk fish for any cockle from a bed or part of a bed that has been closed under this byelaw.

(c) Where any bed or part of a bed is closed under this byelaw, the Authority will, where it is practicable to do so, cause notices to be displayed in the vicinity clearly identifying the area which has been closed. In addition, notice of the closure will be published in a newspaper circulating in the area in which the cockle bed is situated and published on the website for the Authority.

(d) The provisions contained within paragraphs a, b and c are only applicable within the following specified areas of the Authority's District:

- (i) The Humber Estuary upstream of a line drawn between Spurn Head Light House, position Lat 53° 34.49'N Long 000° 06.65'E and Haile Sand Fort, position Lat 53° 32.09'N Long 000° 01.82'E
- (ii) The boundaries of Hartlepool Borough Council, Stockton-On-Tees Borough Council and Redcar and Cleveland Borough Council.

8. General Provisions

(a) The byelaw with the title 'Humber Estuary Cockle Fishery Byelaw' made by the Committee for the North Eastern Sea Fisheries District in exercise of its power under section 5 of the Sea Fisheries Regulation Act 1966 in force immediately before the making of this byelaw is revoked.

(b) The emergency byelaw with the title 'Tees Mouth and Cleveland Emergency Byelaw Regulation' made and confirmed by North Eastern Inshore Fisheries and Conservation Authority in exercise of its powers under Section 157 of the

Marine and Coastal Access Act 2009 in force immediately before the making of this byelaw is also revoked.

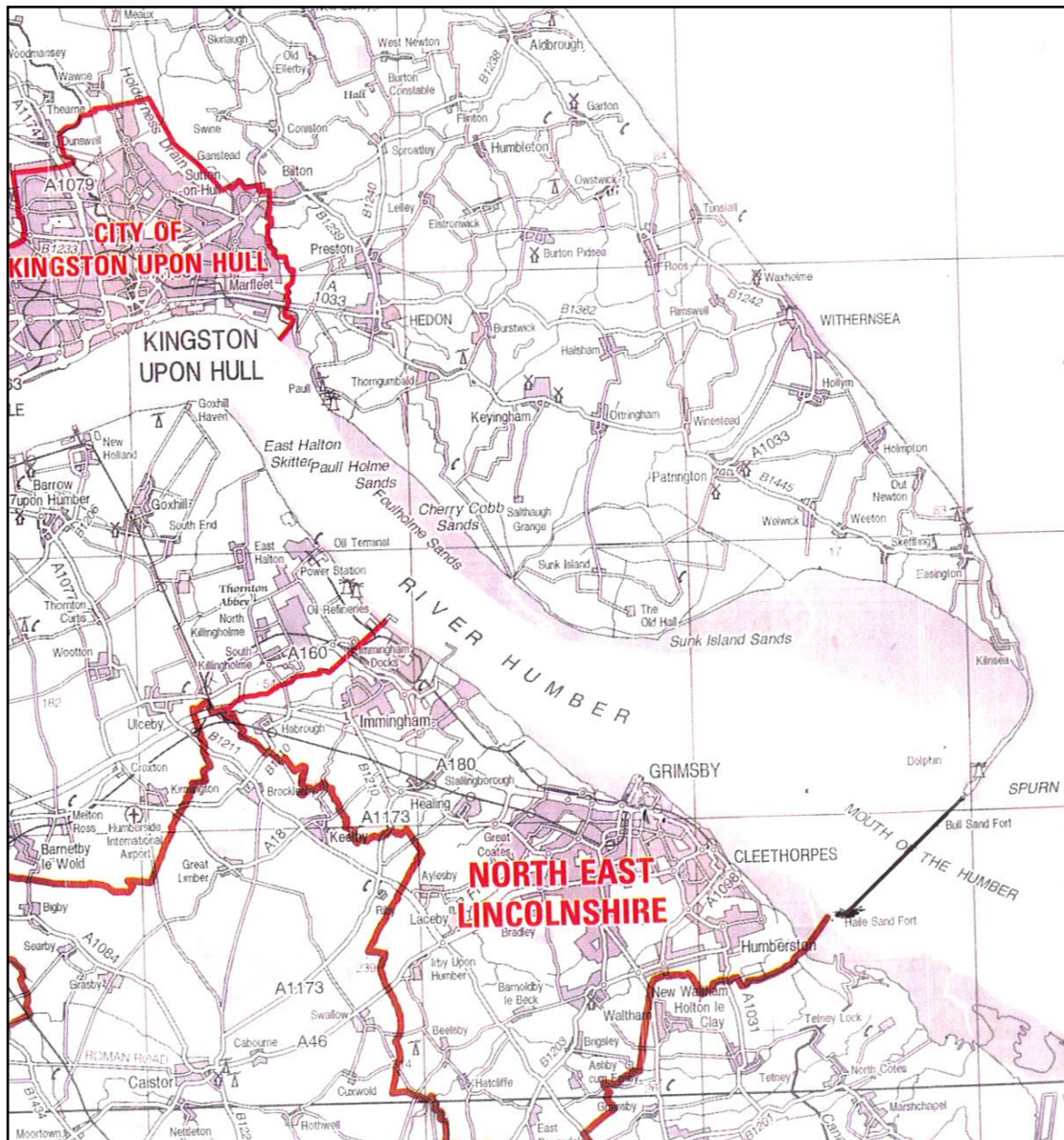
Explanatory note

(This note is not part of the byelaw)

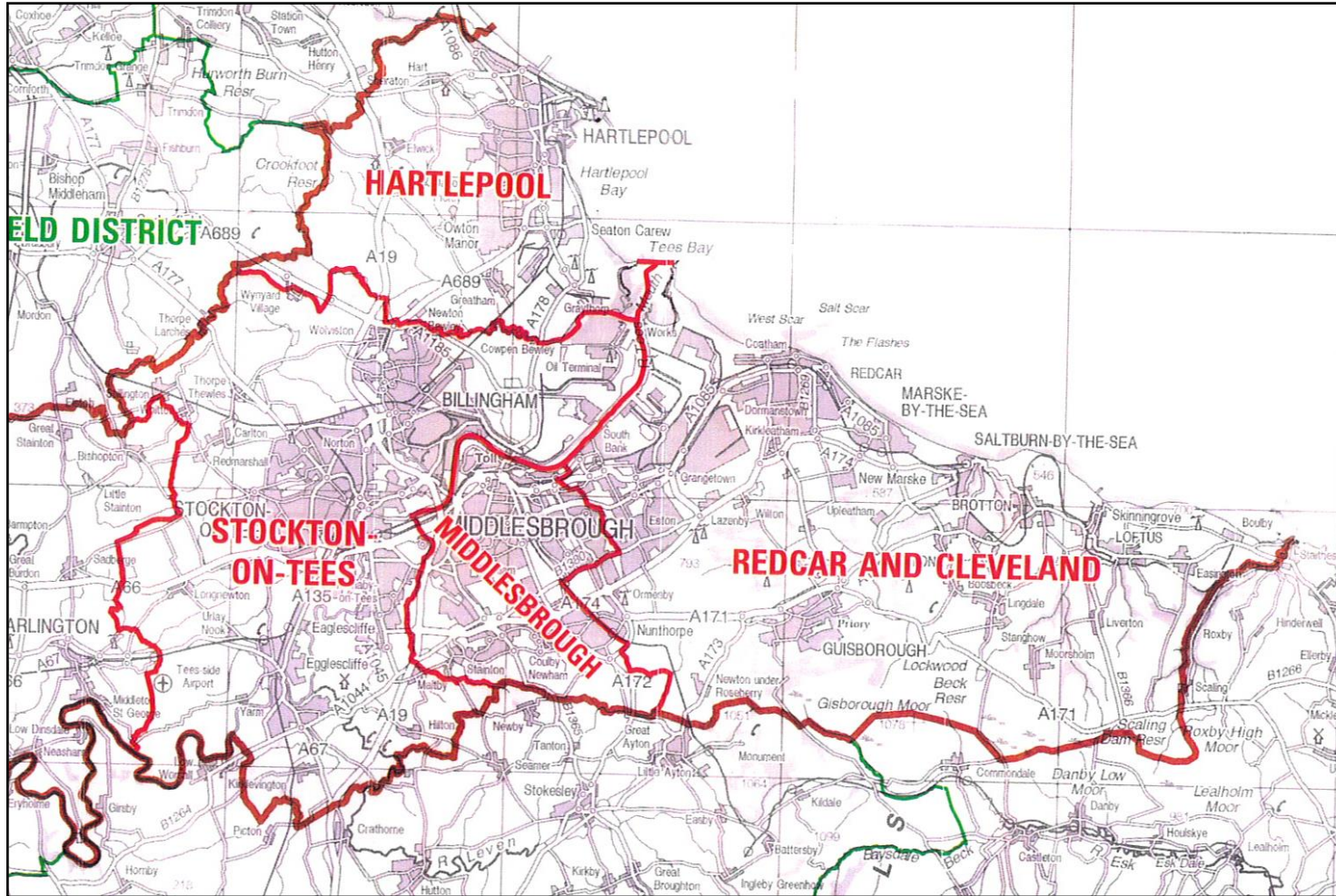
The intention of this byelaw is to support the sustainable exploitation of cockle stocks throughout the District of North Eastern Inshore Fisheries and Conservation Authority.

This byelaw prohibits fishing for, taking, landing, transporting or storing cockles without a valid permit issued by North Eastern Inshore Fisheries and Conservation Authority. It also imposes other restrictions on those carrying out these activities including provisions to close cockle beds within two specified areas of the District detailed within paragraphs 13(a) and 13(b) of the byelaw. These include the Humber Estuary and the boundaries of Hartlepool Borough Council, Stockton-On-Tees Borough Council and Redcar and Cleveland Borough Council. These specified areas are detailed on the associated maps attached to this explanatory note.

Map 1 – Humber Estuary



Map 2 – Hartlepool Borough Council, Stockton-On-Tees Borough Council and Redcar and Cleveland Borough Council



The North Eastern Inshore Fisheries and Conservation Authority and the North Eastern Inshore Fisheries and Conservation District are defined in articles 2, 3 and 4 of the North Eastern Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2193).