

A Guide to



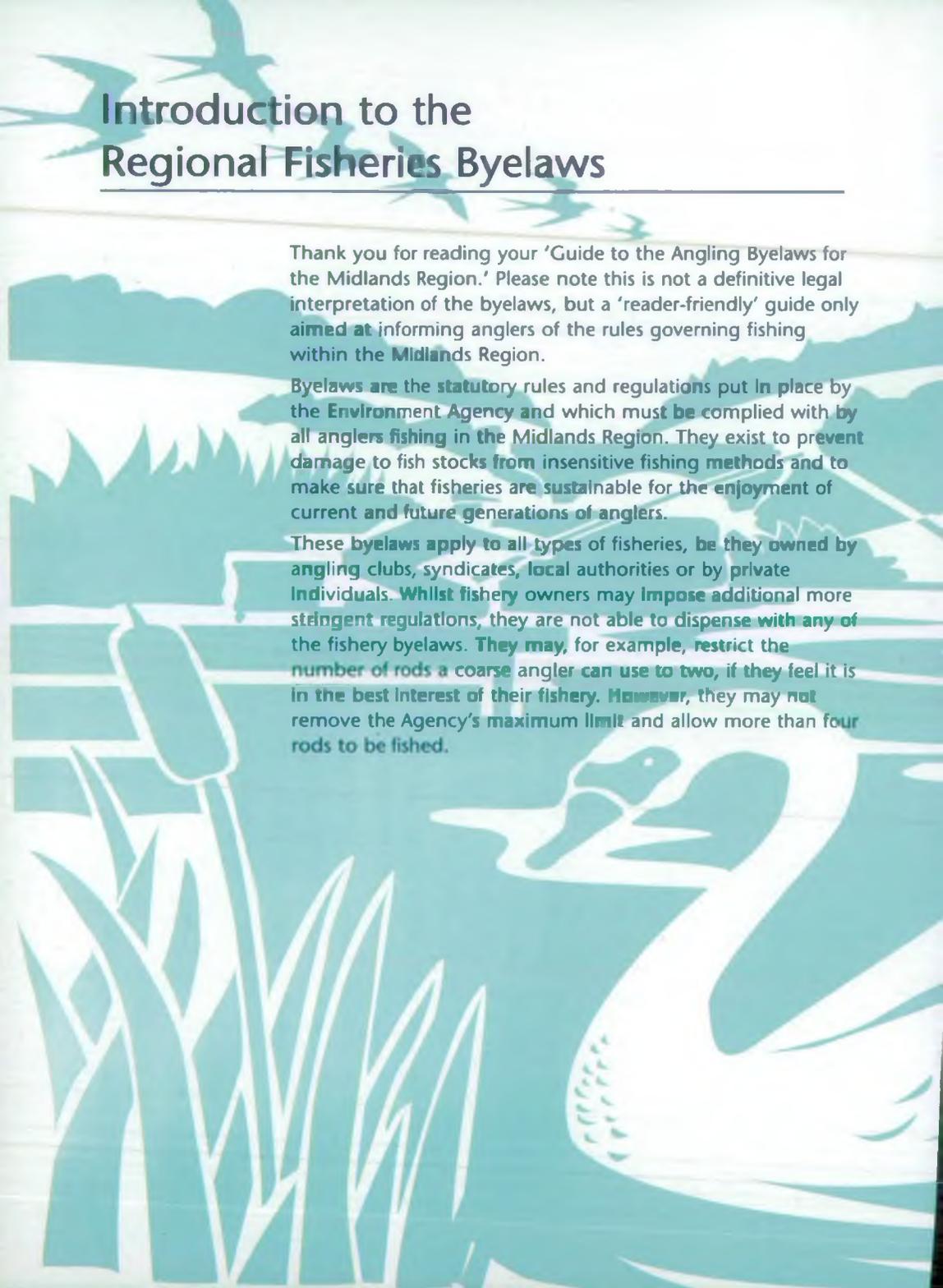
ENVIRONMENT
AGENCY

Rod Fishing

Byelaws

Midlands Region
September 2001



The background of the page is a stylized teal illustration of a pond scene. In the foreground, there are tall reeds on the left and a large swan swimming on the right. In the background, there are silhouettes of birds flying in the sky and a distant shoreline with trees.

Introduction to the Regional Fisheries Byelaws

Thank you for reading your 'Guide to the Angling Byelaws for the Midlands Region.' Please note this is not a definitive legal interpretation of the byelaws, but a 'reader-friendly' guide only aimed at informing anglers of the rules governing fishing within the Midlands Region.

Byelaws are the statutory rules and regulations put in place by the Environment Agency and which must be complied with by all anglers fishing in the Midlands Region. They exist to prevent damage to fish stocks from insensitive fishing methods and to make sure that fisheries are sustainable for the enjoyment of current and future generations of anglers.

These byelaws apply to all types of fisheries, be they owned by angling clubs, syndicates, local authorities or by private individuals. Whilst fishery owners may impose additional more stringent regulations, they are not able to dispense with any of the fishery byelaws. They may, for example, restrict the number of rods a coarse angler can use to two, if they feel it is in the best interest of their fishery. However, they may not remove the Agency's maximum limit and allow more than four rods to be fished.

Fortunately, the vast majority of anglers and fishery owners are responsible and law abiding. With over 250 000 anglers fishing in the Midlands Region, it was only necessary to prosecute a relatively low number of offences last year. This is very commendable and is mainly due to awareness and understanding of the byelaws by anglers. However, there is no room for complacency - the Agency takes a dim view of byelaw offences and will always take action against offending anglers.

This booklet is designed to make the current byelaws as clear as possible. Out of necessity, legal English can be complicated, so where necessary, the booklet contains explanatory notes to clarify various meanings and definitions. The byelaw numbers in brackets refer to corresponding numbers in the legal byelaws. There are also a number of byelaws which have been introduced recently and which apply throughout England and Wales. These 'national' byelaws are marked as such.

Please note that the close season for coarse fishing on canals in Wales has now been dispensed with to bring consistency with the position on canals in England.

Please make sure you read the byelaws in full before you go fishing. If you have any questions on Interpretation whatsoever, please contact your local Agency office for clarification. It is far better, for everyone, for any confusion to be sorted out in advance, rather than in court.

On a final note, please be aware that byelaws do change from time to time. Some changes are currently being considered and are likely to be implemented later in the year 2002. This is to make sure that the byelaws continue to provide fish and fisheries the best possible protection. Whenever changes are made, the Agency makes every effort to bring them to the attention of as many fishermen as possible. If you are not sure of the current situation - please ask.

Good fishing.

ENVIRONMENT AGENCY



085107

Guide to the Fisheries Byelaws for the Midlands Region

1. APPLICATION

(Byelaw 1)

Unless otherwise stated, these byelaws apply to the whole of the Midlands Region of the Environment Agency.

2. INTERPRETATION

(Byelaw 2)

In this guide the following terms have the following meanings:

- 'The Midlands Region' means the combined areas of the natural catchments of the River Severn and River Trent and of all the watercourses draining or flowing, directly or indirectly, into them
- The abbreviation 'NGR' means Ordnance Survey National Grid Reference.
- All references to a river includes all tributaries and sub-tributaries and all mill leats, streams and channels.
- The terms used in these byelaws shall have the meanings ascribed to them in the Salmon and Freshwater Fisheries Act 1975 or the Water Act 1989.

3. CLOSE SEASONS

and Close Times

Salmon *(Byelaw 3.a)*

The annual close season for fishing for salmon with rod and line shall be the period from and including the 8th day of October to and including the 31st day of January following.

NB. A close season exists for salmon in all waters in England and Wales, although the dates may vary from region to region.

Any person who removes any live or dead salmon taken by rod and line from any waters or banks without the previous written authority of the Agency before the 16th day of June in any calendar year shall be guilty of an offence. This byelaw shall not apply to any person who lawfully takes a salmon and returns it immediately to the water with the least possible injury. *(National Salmon Byelaw 5; applies throughout England and Wales).*

Any person who fishes for, takes or attempts to take any salmon with rod and line by any means other than an artificial fly or artificial lure before the 16th day of June in any calendar year shall be guilty of an offence. *(National Salmon Byelaw 6; applies throughout England and Wales).*

This means salmon fishing in the Midlands Region is permitted between

1st February and 8th October, but between 1st February and 15th June inclusive only fly and artificial lure can be used and all salmon caught must be returned alive to the water.

Migratory Trout (Byelaw 3.b)

The annual close season for fishing for migratory trout with rod and line shall be the period from and including the 8th day of October to and including the 17th day of March following.

NB. A close season exists for sea trout in all waters in England and Wales, although the dates may vary from region to region.

Trout (excluding migratory trout and rainbow trout) (Byelaw 3.c)

The close season for fishing for trout (excluding migratory trout and rainbow trout) with rod and line shall be the period from and including the 8th day of October to and including the 17th day of March following in all waters of the Midlands Region.

NB. A close season exists for brown trout in all waters in England and Wales, although the dates may vary from region to region.

Rainbow Trout (Byelaw 3.d)

- i) The close season for fishing for rainbow trout with rod and line shall be the period from the 8th day of October to the 17th day of March following (both dates included) in all rivers, streams, drains and canals of the Midlands Region.

NB. A close season exists for rainbow trout in all waters, apart from reservoirs, lakes and ponds, in England and Wales, although the dates may vary from region to region.

- ii) The annual close season for fishing for rainbow trout in all reservoirs, lakes and ponds shall be dispensed with, regardless of whether fish can or cannot normally swim from or to other waters.

NB. This is a national byelaw - the statutory close season has been dispensed with from reservoirs, lakes and pools in all regions.

Eels (Byelaw 3.e)

During the period from and including the 15th day of March to and including the 15th day of June following, fishing by rod and line for eels is authorised on those waters where the statutory close season for freshwater fish has been dispensed with.

This means you may fish with rod and line for eels in stillwaters (except those which are Sites of Special Scientific Interest) throughout the year.

It shall be lawful to fish for eels with a rod and line during the annual close season for freshwater fish in the Midlands Region,

provided that the hook used shall have a gape of not less than 12.7 mm (0.5 inches).

This means you may only fish for eels in rivers, streams and drains in the region during the freshwater fish close season if the hook used has a gape of 0.5 inch (12.7 mm) or over - see also 6. Lures and Baits. There are no statutory tackle or bait restrictions when fishing for eels in stillwaters.

Freshwater (Coarse) Fish (Byelaw 3.f)

The annual close season for fishing for freshwater fish -

- in rivers, streams and drains
- in all waters in the Specified Sites of Special Scientific Interest (SSSI) (*see opposite*);

Shall be the period from and including the 15th day of March to and including the 15th day of June following. On all other waters there shall be no statutory close season for freshwater fish.

NB. The coarse fish close season in rivers, streams and drains is a national byelaw.

A national Environment Agency byelaw removing the coarse fish close season on canals in England and Wales has now been approved. This byelaw dispenses with the statutory close season for coarse fish close season on any canal that:

- ~ has an artificial channel (cut);
- ~ has artificially maintained water levels with negligible flow over the majority of its length (other than that derived from water resources and navigation);
- ~ has a towpath over the majority of its length;
- ~ has a length in excess of 250 metres and
- ~ is not designated a Site of Special Scientific Interest (SSSI)

This means that for canals in the Midlands Region there is no longer a close season for coarse fish subject to the above criteria. A list of the canal SSSI's that remain closed appear in the list opposite. To check local arrangements please contact your nearest Environment Agency office.

Please Note: This brings the position in England and Wales into line.

For your table showing the close season: for salmon, trout, freshwater fish and eels, please see the back page.

Specified Sites of Special Scientific Interest (SSSIs) (in the Midlands Region) which have a coarse fish close season

DERBYSHIRE

Carver's Rock (SK 330 227)
Hilton Gravel Pits (SK 249 315)
Ogston Reservoir (SK 376 602)
Morley Brick Pits (SK 389 418)
Cromford Canal (SK 299 569, SK 351 520)

GLOUCESTERSHIRE

Frampton Pools (SO 753 073)
Soudley Ponds (SO 662 112)

HEREFORD & WORCESTERSHIRE

Ashmoor Common (SO 852 467)
Bittell Reservoirs (SP 018 750) - excluding Lower Bittell Reservoirs
Grimley Brick Pits (SO 840 605)
Hewell Park Lake (SP 010 690)
Upton Warren Pools (SO 935 672) - excluding The Sailing Lake
(SO 913 672)
Brampton Bryan Park (SO 360 716)
Berrington Pool (SO 509 630)
Flintsham and Titley Pools (SO 318 589, SO 325 595)
Moccas Park (SO 341 425)
Hurcott and Podmore Pools (SO 854 779) - excluding Hurcott Pool

LEICESTERSHIRE

Blackbrook Reservoir (SK 458 174)
Barrow Gravel Pits (SK 568 166)
Buddon Woods & Swithland Reservoir (SK 560 145)
Cave's Inn Pits (SP 538 795)
Frisby Marsh (SK 686 174)
Groby Pool & Woods (SK 521 083)
Grantham Canal (SK 747 317, SK 790 359)
Ashby Canal (SK 346 099, SK 387 043)

NOTTINGHAMSHIRE

Clumber Park (SK 622 744, SK 643 773)
Holme Pit (SK 536 345)
Thoresby Lake (SK 630 703)
Welbeck Lake (SK 580 729)
Attenborough Gravel Pits (SK 522 341)
Misson Line Bank (SK 715 961)
Chesterfield Canal (SK 722 821, SK 762 944)
Kinoulton Marsh & Canal (Grantham Canal)
(SK 677 306, SK 690 305)

SHROPSHIRE

Berrington Pool (SJ 525 072)
Bomere, Shomere & Betton Pools (SJ 504 078)
Brown Moss (SJ 562 395)
Cole Mere (SJ 433 332)
Fenemere (SJ 445 228)
Marton Pool, Chirbury (SJ 296 027)
Shelve Pool (SO 335 979)
Sweat Mere and Crose Mere (SJ 434 304)
White Mere (SJ 414 330)
Morton Pool & Pasture (SJ 301 239)
Prees Branch Canal (Shropshire Union Canal, Llangollen Branch) (SJ 496 341, SJ 497 332)
Montgomery Canal: Aston Locks to Keepers Bridge (Shropshire Union Canal) (SJ 328 257, SJ 351 287)
Newport Canal (Shropshire Union Canal) (SJ 734 192, SJ 752 200)

STAFFORDSHIRE

Aqualate Mere (SJ 770 205)
Chasewater Heaths (SK 039 080) including Wyrely & Essington Canal, Anglesey Branch (SK 042 073, SK 046 071)
Cop Mere (SJ 802 297)
Doxey & Tillington (SJ 906 245)
Maer Pool (SJ 789 384)
Cannock Extension Canal (SK 019 044, SK 020 069)

WARWICKSHIRE

Alvecote Pools (SK 249 050)
Brandon Marsh (SP 385 755)
Coleshill and Bannerly Pools (SP 200 860)
Combe Pool (SP 392 794)
Middleton Pool (SP 190 983)
Stockton Railway Cutting and Quarry (SP 440 650, SO 444 643) excluding The Big Quarry Pool
Ufton Fields (SP 383 615)
Ensors Pool (SP 348 903)

WEST MIDLANDS

Edgbaston Pool (SP 054 841)
Sutton Park (SP 098 974)
Swan Pool and the Swag (SK 040 019)
Fens Pools (SO 920 886)

POWYS

Montgomery Canal (Guilsfield Arm) (SJ 252 148, SJ 243 137)
Montgomery Canal (SO 169 967, SO 173 970) and (SJ 254 203, SJ 223 060)

4. TROUT AND GRAYLING SIZE LIMITS

(Byelaw 4)

The following size limits are in force. The size of the fish is measured from the tip of the nose or snout to the fork or cleft of the tail.

Trout (Except Rainbow Trout) and Grayling

- i) The waters of the River Severn (including its tributaries) above or upstream of its confluence with the Afon Clywedog (NGR SN 954 847); the waters of the River Vyrnwy (including its tributaries) above or upstream of Dolanog Weir (NGR SJ 067 127); the waters of the River Banwy (including its tributaries) above or upstream of its confluence with the Afon Gam (NGR SJ 017 103); the waters of the River Tanat (including its tributaries) above or upstream of its confluence with the River Rhaeadr (NGR SJ 130 247).

Size limit: **15 centimetres**

- ii) All other waters Size limit: **20 centimetres**

Rainbow Trout

The waters of the Rivers Derwent and Amber, including their tributaries, which are above or upstream of their confluence at Ambergate, Derbyshire, (NGR SK 346 515), excluding the stretch of the River Wye from Blackwell Mill near Buxton to Cressbrook Mill (NGR SK 173 727) above or upstream of Ashford-in-the-Water and excluding any reservoir or lake formed by the construction of a dam across the valley of those rivers or across one of their tributaries.

Size limit: **20 centimetres**

This byelaw shall not apply in the case of any person who takes any immature (undersized) fish unintentionally if it is at once returned to the water with as little delay or injury as possible.

- i) It shall be lawful to use a rod and line and landing net or tailer used as auxiliaries to angling with rod and line for taking salmon, migratory trout, non-migratory trout, freshwater fish or eels.
- ii) No person shall fish with more than one rod and line at the same time when fishing for salmon and trout in all rivers, streams, drains and canals.

No person shall fish with more than two rods and lines at the same time when fishing for salmon and trout in all reservoirs, lakes and ponds.

5. PERMITTED METHODS OF FISHING

(Byelaws 5 and 10)

No person shall fish with more than four rods and lines at the same time when fishing for coarse fish or eels.

NB. The use of three or four rods requires possession of two rod licences.

When fishing with more than one rod and line at the same time, the aggregate number shall not exceed four.

When fishing with multiple rods and lines, rods shall be placed such that the distance between the butts of the end rods does not exceed three metres.

NB. This is a national byelaw.

iii) Any person who leaves a rod and line with its bait or hook in the water unattended or so that the person shall be unable at any time to take or exercise sufficient control over said rod and line shall be guilty of an offence.

NB This is a new national byelaw.

iv) No person shall use any form of line otherwise than in connection with a rod.

ie. handlines are illegal.

v) No person shall take or attempt to take or kill any salmon, trout, freshwater fish or eels by any of the following methods, that is to say, by tickling or groping the fish or by removing the water from any river, lake or pond by ladling, baling, draining or pumping.

6. LURES AND BAITS

(Byelaw 11)

No person shall -

i) in fishing with rod and line for salmon in the Severn area use any float in conjunction with any lure or bait.

ii) in fishing with rod and line for trout or any fish other than freshwater fish during the annual close season for freshwater fish, use any float or bait (which term includes ground bait) other than artificial or natural fly (which term excludes bloodworms, jokers and other midge larvae), spinners, minnows, worms, prawns or shrimps.

NB. "any fish other than freshwater fish" excludes salmon for the purpose of this byelaw (see section 3).

This only applies to those waters which have a close season, ie. rivers, streams, drains and canals. There are no statutory bait restrictions on stillwaters. So, if you wish to fish for eels on rivers during the coarse fish close season, you may do so providing that you use the above baits, do not use a float and use a hook with a gape of at least 0.5 inch (12.7cms).

Any person who in fishing for salmon, trout, fresh water fish or eels, uses as bait crayfish of any species whether alive or dead, or parts thereof, shall be guilty of an offence.

NB. This is a new national byelaw banning crayfish as bait

**7. KEEP NETS,
KEEPSACKS AND
LANDING NETS**
(Byelaw 12)

No person shall -

i) use a keep net (for retaining any kind of fish) during the annual close season for freshwater fish in waters to which such a close season applies.

You can, therefore, use a keepnet for retaining coarse fish in stillwaters during the close season on rivers and canals. However, many fishery owners impose their own rules and regulations - please check before you use a keepnet.

ii) at any time use a keep net for retaining salmon, trout, the parr or fry thereof.

iii) Any person shall be guilty of an offence if he uses:-

(a) a landing net with any knotted meshes or meshes of metallic material; or

(b) a keepnet -

- with any knotted meshes or meshes of metallic material; or
- having any holes in the mesh larger than 25 mm internal circumference; or
- of less than 2.0 metres in length; or
- with supporting rings or frames greater than 40 cm apart (excluding the distance from the top frame to the first supporting ring or frame) or less than 120 cm in circumference.

(c) a keepsack -

- not constructed of a soft, dark coloured, non-abrasive, water permeable fabric; or
- having dimensions of less than 120 cm by 90 cm if rectangular; or
- 150 cm by 30 cm by 40 cm if used with a frame or designed with the intention that a frame be used.

NB. This is a national byelaw.

(iv) Any person shall be guilty of an offence if he retains more than one fish in a single keepsack at any time.

NB. This is a national byelaw.

8. STOCKING

(Byelaw 13)

No person shall introduce or have in his possession intending to introduce, any live or dead fish or any spawn thereof or natural food of fish (other than bait) from any source into any waters within the Midlands Region or transfer any fish (including fish for use as live bait) or spawn thereof or natural food of fish from one water to another within the Midlands Region without the previous consent in writing of and subject to such conditions as may be imposed by the Environment Agency.

This does not include the use of seafish as bait or preserved dead baits.

9. MIGRATORY SALMONID CATCH RETURNS

(Byelaw 14)

Any person to whom a licence is issued by the Agency to fish by rod and line for salmon or migratory trout shall not later than the 1st day of January in the following year, make a return on a form provided by the Agency giving particulars of dates, the locations and the time spent fishing and the number and weight of any salmon or migratory trout caught (except in relation to small sea trout (500g or less) where only the number caught need be returned) including those returned alive giving details of whether they were caught on fly, spinner or bait, or a statement that no salmon or migratory trout were caught by the licence holder.

NB. This is a national byelaw.

10. FISHING NEAR DAMS

(Byelaw 16)

No person shall take or attempt to take fish by rod and line within a distance above or upstream of the crests or below or downstream of the toe of the weirs on the rivers as stated below:-

- 15 metres above and 45 metres below Shrewsbury Weir (NGR SJ 501 131) on the River Severn.
- 15 metres above and 25 metres below Penarth Weir (NGR SO 139 927) on the River Severn, Powick Weir (NGR SO 832 524) on the River Teme and Carreghofa Weir (NGR SJ 254 219) on the River Tanat.
- 5 metres above and 15 metres below Tewkesbury Weir (NGR SO 882 328), Maisemore Weir (NGR SO 818 217) and Llanthony Weir (NGR SO 822 182) on the River Severn.

**11. PROHIBITION
OF USE OF CERTAIN
LEAD WEIGHTS**

(Byelaw 17)

- 15 metres above and 35 metres below Diglis Weir (NGR SO 847 535) on the River Severn.
- i) Subject to ii) below, no person shall use for taking salmon, trout, freshwater fish or eels in any waters within the Agency's area any fishing line to which is attached, directly or indirectly, any lead in the form of a lead weight.
- ii) This does not prohibit the use of a lead weight of 0.06 grams or less, or of more than 28.35 grams.

For the purposes of this Byelaw:-

- "lead" includes any alloy or compound of lead;
- "lead weight" means split shot or any other thing suitable for weighting fishing lines which is neither incorporated and fully enclosed in the core of a fishing line nor incorporated in the construction of a swim-feeder, a self-cocking float or a fishing lure;
- "fishing lure" means any device, including a fishing fly, which is designed to attract fish and which incorporates a fishing hook.

NB. This is a national byelaw.

**12. PROHIBITION
OF GAFF**

The use of the gaff is prohibited at all times when fishing for salmon, trout, freshwater fish and freshwater eels.

NB. This is a national byelaw.

**13. USE OF LIVE
FISH FOR BAIT**

Any person who takes fish for use as live bait shall be guilty of an offence unless the fish are retained at and used only in the water from which they were taken. This byelaw shall not apply to any fish introduced as live bait under and in accordance with a consent issued under Section 30 of the Salmon and Freshwater Fisheries Act 1975

NB. This is a new national byelaw making it an offence to use livebaits at any water other than that which they were taken from.

**14. RETURN OF
FOUL HOOKED
FISH**

It shall be an offence to fail to return immediately all salmon, migratory trout, or trout, hooked other than in the mouth or throat, to any river, stream, drain or canal.

NB. This is a new national byelaw to protect stocks of salmonids.

Salmon, trout, freshwater fish and eel close seasons. Midlands Region

Species	Type of water	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Salmon	All waters	Jan 31	Feb 1	Catch and release method restrictions			Jun 15	Jun 16			Oct 7	Oct 8	
Sea Trout	All waters			Mar 17	Mar 18						Oct 7	Oct 8	
Brown Trout	All waters			Mar 17	Mar 18						Oct 7	Oct 8	
Rainbow Trout	Rivers, streams and drains			Mar 17	Mar 18						Oct 7	Oct 8	
Rainbow Trout	Lakes, reservoirs, and pools	No close season - National byelaw											
Eels	Stillwaters	No close season - National byelaw											
Eels	Rivers, streams and drains	Hook and bait restrictions											
Coarse Fish <i>(specified stillwaters & canals)</i>	Rivers, streams and drains		Mar 14	Mar 15			Jun 15	Jun 16					
Coarse Fish <i>(excluding specified SSSIs)</i>	Canals (England)	No close season - National byelaw											
Coarse Fish <i>(excluding specified SSSIs)</i>	Canals (Wales)	No close season - National byelaw											
Coarse Fish	Stillwaters, excl. specified SSSIs	No close season - National byelaw											
Coarse Fish	Specified stillwater SSSIs		Mar 14	Mar 15			Jun 15	Jun 16					

Key

Open season

Close season

Open season subject to restrictions

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— Area Administrative Boundaries

— Regional Boundary

• Area Office

▲ Regional Headquarters



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ENVIRONMENT AGENCY
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ENVIRONMENT AGENCY
FLOODLINE

0845 988 1188

ENVIRONMENT AGENCY
EMERGENCY HOTLINE

0800 80 70 60



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