

## **Byelaw 3 Authorisation for Removal of Undersize Mussels**

**All Current NWIFCA Byelaw 3 Permit Holders**

**9<sup>th</sup> December 2013**

**Authorisation Number: ??? Issue Date: 09/12/13 Expiry Date: 31/01/14**

All current Byelaw 3 permit holders are hereby authorised, under Byelaw 3 Section 6 (Minimum Sizes) to remove undersized mussels (for use as seed) in the area and manner defined at paragraphs 2 and 3 below, and are responsible for complying with the conditions given below at paragraph 4.

### **1. Period of Authorisation**

This authorisation is valid for the period from Monday 9<sup>th</sup> December 2013 to 31<sup>st</sup> January 2014 inclusive.

### **2. Definition of Area**

That area in the northern part of Morecambe Bay in which Seasalter (Walney) Ltd. have oyster frames, **restricted to the area of the seafloor** around the existing physical structures of the oyster frames.

Land on which operations are to be carried out:  
All co-ordinates provided by Seasalter (Walney) Ltd.

<b>Existing trestle operation/ old lease area ("area 1"):</b>				<b>Lat</b>	<b>Long</b>
Beck Inner – SD 26600 65675				54.08174	-3.12345
Beck Outer – SD 27100 64975				54.07552	-3.11564
Hall Inner – SD 26125 65325				54.07853	-3.13062
Hall Outer – SD 26600 64600				54.07208	-3.12318
<b>New lease area (not to be cleared):</b>					
A – SD 26000 66550				54.08952	-3.13283
B – SD 25000 65550				54.08039	-3.14787
C – SD 25000 65000				54.07544	-3.14773
D – SD 25575 64000				54.06654	-3.1387



Fig. 1. Location of oyster trestle areas. Original trestle area and newer lease area shown as black outlines. "Area 1" as specified above is indicated by a "1" and bordered by Beck Inner, Beck Outer, Hall Inner and Hall Outer. The access route is shown in red and runs between Beck Inner and the slipway at the beck (Roosebeck) on the landward side. All boundaries drawn based on co-ordinates provided by Seasalter (Walney) Ltd. Courtesy of Natural England

### 3. Details of proposed operations:

#### Clearance of seed mussel from the seabed around oyster trestles on Roosebeck sands (trestle area shown on map above).

- Using hand gathering and quad bikes to remove seed mussel **from the seabed** between and around the oyster trestles to enable access for and the operation of Seasalter oyster cultivation activities.
- Seed mussel is to be removed from the site or re-deposited on areas of existing seed mussel/skear in the local area.
- Clearance of seed mussels is restricted to Seasalter's area of existing trestle operations. This is indicated as area 1 on Figure 1 above, bordered by the co-ordinates: Beck Inner, Beck Outer, Hall Inner and Hall Outer.
- No clearance is to take place within the new lease area.
- **No clearance of seed mussel from the trestle structures is permitted.** These are not classified as a public fishery resource and removal of such, or removal or interference with oysters on the trestles, will be classed as theft or criminal damage.
- All access to be via the existing access route (indicated as a red line on Figure 1 below).

### 4. Conditions of Authorisation

- (a) It is valid for the periods and areas given above only.
- (b) That the mussels shall only be gathered by hand or with a rake.

- (c) The authorisation is only valid for current Byelaw 3 permit holders. It does not allow any other person to take or remove undersized mussels.
- (d) ***Any person found or suspected of removing mussels from the trestle structures, or of interfering or removing any oysters, shall have their right to this authorisation removed and possible police action taken against them. Any gross infringement of this condition will result in the revocation of this authorisation and closure of this fishery.***
- (e) Any fishing taking place under this authorisation shall be carried out in accordance with the Authority's Code of Conduct for Intertidal Shellfisheries.
- (f) The Authority retains the right for any Officer of the Authority to stop, inspect and if deemed necessary, stop working any person engaged in any operation under this authorisation and to accompany any person when working.
- (g) That all other byelaws of the Authority are obeyed, any breach of any byelaw or other requirement of the Authority, within the District of North Western Inshore Fisheries and Conservation Authority, will automatically result in suspension of this authorisation, pending consideration by the Authority.
- (h) This authorisation is not open to any amendment. Any changes authorised by the Authority will result in the issuing of a new authorisation and the cancellation of any previous authorisation.
- (i) This authorisation is not transferable.
- (j) This authorisation does not exonerate the holder from other sea fisheries legislation, nor does it prejudice any other consents the holder may need to obtain.
- (k) This authorisation may be revoked by the Authority at any time and any breach of the terms or conditions of this authorisation shall make it null and void.

It is the authorisation holder's responsibility to prevent damage to third party property. The Authority will accept no responsibility for any gear or other property damaged by any authorisation holder.

By order of the Authority

Dr. STEPHEN ATKINS  
Chief Executive