

North Western Inshore Fisheries and Conservation Authority

MARINE AND COASTAL ACCESS ACT 2009 (c.23)

BYELAW 2 - NORTH WIRRAL FORESHORE BIVALVE MOLLUSCS

The North Western Inshore Fisheries and Conservation Authority in exercise of its powers under section 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 North Western Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the North Western Inshore Fisheries and Conservation Order 2010 (SI 2010/2200);
 - (b) “bivalve” means any species of mollusc belonging to the class Bivalvia;
 - (c) “the District” means the North Western Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the North Western Inshore Fisheries and Conservation Order 2010;
 - (d) “fishery” means any area of sea, seabed, exposed estuary, seashore, or other marine environment in any part of the District;
 - (e) “fish for” includes all activities related to fishing by hand of bivalves including harvesting, taking, moving and transporting; and
 - (f) “the Specified Area” means the area defined in the Schedule.
2. Co-ordinates used in this byelaw are measured from WGS 84 datum. WGS 84 means the World Geodetic System as revised in 1984 and 2004.

Commencement

3. This byelaw comes into force on the date on which it is confirmed by the Secretary of State.

Prohibitions

4. A person must not fish for any bivalve from within the Specified Area.
5. A person must not have in their possession any article for use in the course of or in connection with fishing for bivalve within the Specified Area.

Exceptions

6. This byelaw does not apply to a person fishing for cockles or mussels under a permit issued pursuant to the Authority “Byelaw 3 Cockle and mussel hand fishing permit 2019”.
7. This byelaw does not apply to a person fishing under a permit issued pursuant to the Authority “Restrictions on the use of a dredge byelaw 2017”.

8. This byelaw does not apply to any person performing an act that would otherwise constitute an offence against this byelaw if that act was carried out in accordance with a written permission issued by the Authority for scientific, stocking or breeding purposes.

Review

9. The Authority must review this byelaw no less than once every three years.

I hereby certify that the above byelaw was made by the Authority at its meeting on 10 December 2020.



..... Date 31 January 2022

Dr Stephen Atkins; Chief Executive Officer; North Western Inshore Fisheries and Conservation Authority; 1 Preston Street, Carnforth, Lancashire, LA5 9BY.

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power conferred by section 155(4) of the Marine and Coastal Access Act 2009 confirms the North Western Inshore Fisheries and Conservation Authority Byelaw 2 - North Wirral Foreshore Bivalve Molluscs made by the Authority on 10 December 2020.



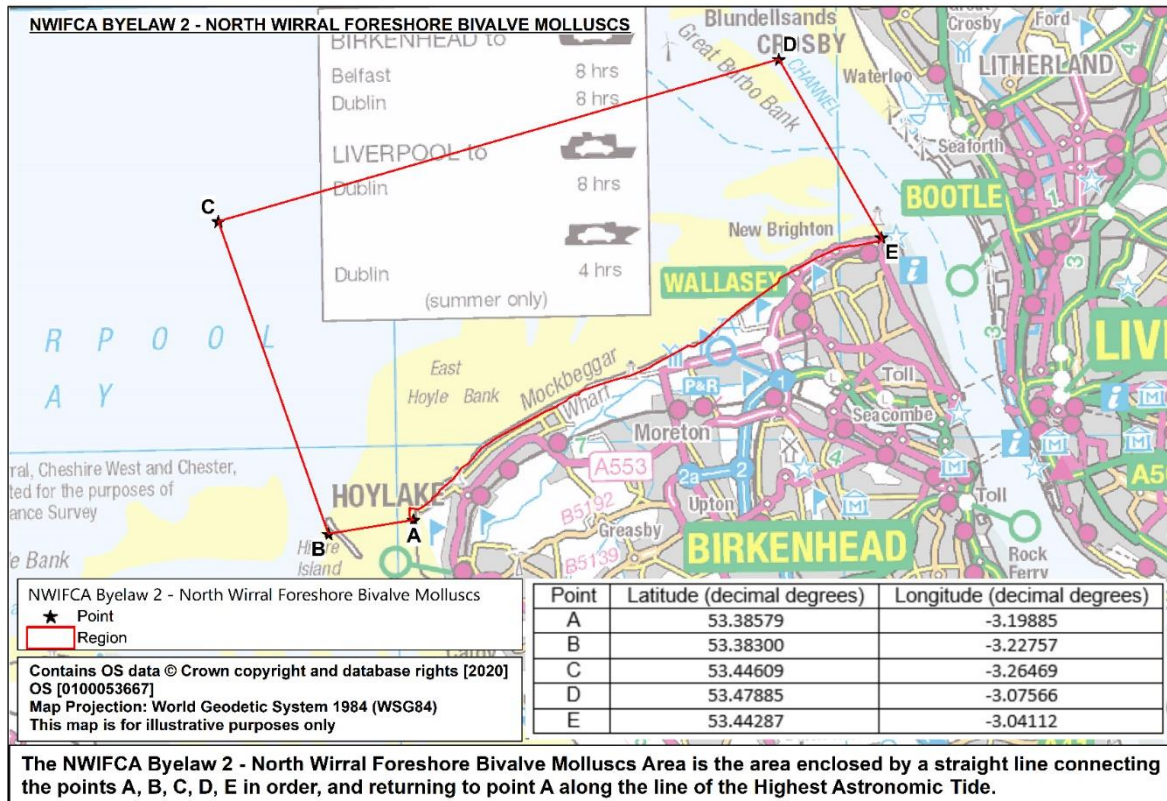
Colin Faulkner
Deputy Director
External Fisheries Negotiations & Trade Policy

Date 6 June 2022

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

Schedule

The Specified Area



Explanatory Note

(This note does not form part of the byelaw)

This byelaw prohibits any person from fishing for any species of bivalve from the Specified Area.

There are exemptions for persons fishing for cockles or mussels under the regulations of two separate byelaws, or for a person with a written permission from the Authority removing bivalves for scientific, management, stocking or breeding purposes.