



SEA FISHERIES REGULATION ACT 1966

ENVIRONMENT ACT 1995

BYELAWS FOR THE REGULATION OF COCKLE HARVESTING IN CORNISH ESTUARIES

The Environment Agency (the "Agency") in exercise of its powers under Sections 5 and 18 of the Sea Fisheries Regulation Act 1966 and the Environment Act 1995 and all other powers enabling it in that behalf makes the following byelaws:

Byelaw 1 Application of Byelaws

These byelaws shall apply to the following areas ("the areas") where the Agency has the powers of a local fisheries committee by virtue of the Cornwall Sea Fisheries District (Variation) Order 1980 and shall extend above a line drawn at or near the mouth of every river or stream flowing into the sea or into any estuary, or of any estuary as follows up to the recognised tidal limit thereof:-

A line drawn across the river Camel, from the westernmost extremity of Trebetherick Point to the seaward extremity of Stepper point;

A line drawn across the Helford River, on a bearing of 195 true from Mawnan Shear to a point on the opposite shore;

A line drawn across the River Fal (Carrick Roads), from the southernmost extremity of Pendennis Point to the lighthouse at St. Anthony Head;

A line drawn across the River Fowey, from the southernmost extremity of St. Catherine`s Point to the highest point of the Punch Cross Rocks, thence to the nearest point on the mainland;

A line drawn across the Looe River, from the seaward extremity of Nailzee Point to the seaward extremity of Outer Pier at Looe;

A line drawn across every river, stream or estuary not hereinbefore specified, such line being in continuation of the general line of low water.

Byelaw 2 Minimum Size of Cockles

a) No person shall remove from the estuaries as defined in Byelaw 1 above, any cockle that will pass through a space of 20 millimetres width.

- b) Any person who removes cockles contrary to the provisions of these byelaws shall re-deposit them as near as possible to the place from where they were taken.
- c) A cockle is deemed to be removed as soon as it is placed in any container, bag, trailer, vehicle or vessel.

Byelaw 3 Temporary Closure of Cockle Beds

- (a) The Agency will from time to time monitor shellfish beds in the areas and shall carry out appropriate scientific assessments of stocks.
- (b) The Agency may, for the purpose of fishery management and control of exploitation and after consultation with persons or bodies who appear to them to represent those cockle fishermen who traditionally fish the area, close for a specific period any bed or part of a bed in the areas.
- (c) Details of such closure will be set out in notices displayed in the vicinity or published in a newspaper circulated in the area, clearly indicating the bed or part thereof where cockles may not be removed or disturbed and the period of time during which the closure will be in force.
- (d) No bed or part of a bed may remain closed under this Byelaw at any one time for a period in excess of one year without a review by the Agency.
- (e) No person shall, without the written authority of the Agency, remove, take or disturb any cockle from a bed or part of a bed which has been closed under this byelaw.

Byelaw 4 Acceptable Methods of Harvesting

No person shall fish for cockles except by hand or with a non-mechanical hand tool.

Byelaw 5 Exemptions

The provisions of these byelaws shall not apply to any person who, with written permission of the Agency, uses any instrument or mode of fishing or vehicle or vessel to take cockles of any size and in any place and at any time prohibited by these byelaws;

- (a) for scientific purposes; or
- (b) for the purpose of preservation, improvement or the development of the fishery.