



CONSULTATION DOCUMENT
SUPPLEMENTARY CONSULTATION

PROPOSED FOYLE AREA AND CARLINGFORD
AREA (ANGLING) REGULATIONS 2015



Supplementary Consultation on:

PROPOSED FOYLE AREA AND CARLINGFORD AREA (ANGLING) REGULATIONS 2015

CONSULTATION DOCUMENT

INTRODUCTION

This Consultation relates to the proposed Foyle Area and Carlingford Area (Angling) Regulations 2015 and it is an auxiliary consultation circulated by the Loughs Agency on these proposed regulatory changes.

These Regulations are made under section 13 of the Foyle Fisheries Act 1952 and the Foyle Fisheries Act (Northern Ireland) 1952.

The consultation document is available on the Loughs Agency website at www.loughs-agency.org

PURPOSE

This consultation is in response to a number of issues which have arisen out of the previous consultation which was brought forward by the Loughs Agency on the proposed Foyle Area and Carlingford Area (Angling) Regulations 2015. The Agency has chosen to re-consult on these issues in order to achieve full transparency and allow all stakeholders the opportunity to be informed of Loughs Agency regulatory intentions.

The change to the Regulations proposed which the Loughs Agency is re-consulting upon is the following:

1. On any one day during the period beginning on 1st March and ending on 31st October in any calendar year (both dates inclusive), a person shall not retain any more than 4 brown trout or sea trout of 40cm or less in length (or a combination of both) caught through angling;
2. On any one day during the period beginning on 1st June and ending on 31st October in any calendar year (both dates inclusive), a person shall not retain any more than 2 salmon or sea trout over 40cm in length (or a combination of both) caught through angling;
3. In any calendar year, more than 10 salmon or sea trout over 40cm in length (or a combination of both).



BACKGROUND

Section 13(1) of the Foyle Fisheries Act 1952 and the Foyle Fisheries Act (Northern Ireland) 1952 provide the legislative background to this proposed amendment. Section 13 of the 1952 Acts (as amended) allows the Loughs Agency to:

- make such regulations as appear to the Commission to be expedient for the management, conservation, protection and improvement of the fisheries of the Foyle Area and the Carlingford Area; and
- make regulations as to the times and seasons for the taking of fish or any kind of fish or for any mode of taking fish or any kind of fish and the conditions subject to which fish or any kind of fish may be taken.

The Foyle Area and Carlingford Area (Angling) Regulations 2015 were originally proposed to do a number of things. These were:

- Consolidate the Regulations which formed the Foyle Area and Carlingford Area (Angling) Regulations 2001 and the subsequent amendments made in the years following it.
- Outline the standard for the construction and use of a landing net, keep net or keep sack is appropriate.
- Make it an offence for a person to take by rod and line and retain more than 3 fish (being either salmon, or sea trout over 40cm in length, or a combination of both) in any calendar year.
- Limit these three fish to 1 spring / 2 summer fish, or any other variation as may emerge during the consultation.

Once the public consultation process on these proposed changes was complete, the Loughs Agency completed a review of the responses and analysed them to gauge the reaction of stakeholders to the proposals. Whilst the majority of respondents were in favour of reducing the maximum number of fish which could be caught from the current number of 25, a large number of respondents felt that the Agency's proposal of 3 fish was too low.

After taking on board the input from stakeholders the Loughs Agency choose to reduce the size of the reduction in the maximum number of fish which could be caught. However the Agency remains committed to its conservation and protection goals which it has endeavoured to further in recent years.



Therefore a compromise number of a maximum of 10 fish for the year was reached.

In response to this, the Agency also deemed it necessary to have the time in which these fish could be caught divided into 2 seasons, one for the spring and the other season lasting for the summer season (and part of autumn). This represents a slight change to what was originally consulted upon, but reflects more closely the current state of the Regulations.

The Loughs Agency values the input of all stakeholders and strives to consider all opinions when formulating new regulatory measures. The alterations made to the proposed Foyle Area and Carlingford Area (Angling) Regulations 2015 reflect this which also striving to pursue to Agency's conservation and protection goals. The Loughs Agency holds the management, conservation, protection, improvement and development of the inland fisheries of the Foyle and Carlingford areas as vital in fulfilling its aims and objectives as set out in the North/South Co-operation (Implementation Bodies) (NI) Order 1999, the British-Irish Agreement Act 1999, the Foyle Fisheries Act (NI) 1952 (as amended) and the Foyle Fisheries Act 1952 (as amended).

OVERVIEW OF THE PROPOSED FOYLE AREA REGULATORY AMENDMENT

A number of small changes have been made to the proposed Foyle Area and Carlingford Area (Angling) Regulations 2015 since they have been previously consulted upon. The changes have been made (in response to the feedback from the previous consultation) on the section regarding the prohibition on retention of species of fish and restrictions on number and size of fish that may be retained.

The Regulations which have been altered slightly in concurrence with stakeholder wishes now state that a person shall not retain any of the following fish taken by angling –

- in any calendar year, more than 10 salmon or sea trout over 40cm in length (or a combination of both);
- on any one day during the period beginning on 1st March and ending on 31st May in any calendar year (both dates inclusive), more than 1 salmon or sea trout over 40cm in length;
- on any one day during the period beginning on 1st March and ending on 31st October in any calendar year (both dates inclusive), more than



4 brown trout or sea trout of 40cm or less in length (or a combination of both);

- on any one day during the period beginning on 1st June and ending on 31st October in any calendar year (both dates inclusive), more than 2 salmon or sea trout over 40cm in length (or a combination of both);

DETAILS OF CONSULTATION PROCESS

1. Responses to this Consultation Document should be received no later than 20th October 2015.
2. Responses and any comments about this Consultation should be either:
 - sent to Foyle Area and Carlingford Area (Angling) Regulations 2015 Supplementary Consultation, Loughs Agency, 22 Victoria Road, Prehen, Londonderry, BT47 2AB, (Fax Number (028) 71342720); or
 - emailed to laura.mccready@loughs-agency.org
3. Hard copies of this Consultation Document can be obtained from Loughs Agency at the above address or by telephoning Laura McCready on (028) 71342100.
4. The Consultation Document is also available on the Loughs Agency website at www.loughs-agency.org
5. Copies of this document in an alternative format can be made available on request in large print, disk, Braille and audiocassette. It may also be made available in other languages on request.

FREEDOM OF INFORMATION

Loughs Agency will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Agency can only refuse to disclose information in exceptional circumstances. A full copy of the Freedom of information Code of Practice is available for download or viewing at www.loughs-agency.org



EQUALITY IMPACT AND HUMAN RIGHTS IMPLICATIONS

The policy has been screened for section 75 groupings and there are no equality issues for any of the section 75 groups.

The Loughs Agency is of the view that the proposed legislation is compatible with the Human Rights Act 1998.

REGULATORY IMPACT ASSESSMENT

A partial regulatory impact assessment is attached at Annex A of the original consultation. The Agency would welcome comments on the draft assessment.

ENQUIRIES AND FURTHER COPIES

For enquiries and further copies please contact the address below:

Loughs Agency
22 Victoria Road
Londonderry
Northern Ireland
BT47 2AB

The consultation document is also available on the on the Loughs Agency website at www.loughs-agency.org

John McCartney
Director of Conservation and Protection.