

**THE NATURAL RESOURCES BODY FOR WALES**  
**SALMON AND FRESHWATER FISHERIES ACT 1975**

**THE NATURAL RESOURCES BODY FOR WALES (LIMITATION OF NET FISHING LICENCES) ORDER 2017**

The Natural Resources Body for Wales, in exercise of the powers vested in it by section 26(1) of the Salmon and Freshwater Fisheries Act 1975 makes the following Order:

**Title, Commencement and application**

- 1 This Order -
- (a) is called the Natural Resources Body for Wales (Limitation of Net Fishing Licences) Order 2017;
  - (b) comes into force on the date it is confirmed by the Welsh Ministers, and;
  - (c) applies to those areas in the Appropriate Agencys Area described in Column (1) of the Schedule.

**Interpretation**

- 2 In this Order—

“Natural Resources Wales” means the Natural Resources Body for Wales;

“The Appropriate Agencys Area” means the area in relation to which Natural Resources Wales carries out its functions relating to fisheries by virtue of 6(7A) Environment Act 1995

“draft net” includes a seine net;

“licence” means a fishing licence granted by Natural Resources Wales pursuant to the provisions of section 25 of the Salmon and Freshwater Fisheries Act 1975; and

“net licence officer” means such officer as Natural Resources Wales may from time to time appoint to be responsible for the determination of licence applications throughout those areas of the Appropriate Agencys Area described in Column (1) of the Schedule, including any deputy appointed by Natural Resources Wales.

**Limitation of fishing licences**

- 4 The number of licences to be allocated by and on behalf of Natural Resources Wales in each year for fishing during that year for salmon or trout other than rainbow trout with an instrument other than rod and line in those areas of the Appropriate Agencys Area described in Column (1) of the Schedule is limited in accordance with the provisions of Column (2) of the Schedule.

### **Applications for fishing licences**

- 5 (1) All applications for licences for each year pursuant to this Order must be made to the Net Licence Officer, Maes Newydd, Llandarcy, Neath Port Talbot SA10 6JQ not later than the 31<sup>st</sup> day of December in the previous year.
- (2) If the number of applications for licences exceeds the number of licences that may be allocated pursuant to Article 4 of this Order then Article 6 shall apply to the allocation of licences.

### **Allocation of fishing licences**

- 6 (1) Subject to the provisions of this Article, the net licence officer will decide the allocation of licences on behalf of Natural Resources Wales in accordance with allocation criteria determined by Natural Resources Wales from time to time.
- (2) Natural Resources Wales must publish the criteria referred in paragraph (1) of this Article, and make them available on request from the Net Licence Officer, Maes Newydd, Llandarcy, Neath Port Talbot SA10 6JQ.
- (3) Subject to paragraphs (4) and (5) of this Article, in allocating licences in respect of any part of those areas of the Appropriate Agencies Area described in Column (1) of the Schedule, the net licence officer must give preference to any person who demonstrates to the satisfaction of the net licence officer that —
- (a) in the year preceding the year for which the licences are to be allocated that person held a licence issued by Natural Resources Wales in respect of an instrument which is the subject of the current application; and
- (b) that person's livelihood is dependent upon fishing.
- (4) If the number of licences available for allocation in respect of an instrument specified in the Schedule for use in any part of those areas of the Appropriate Agencies Area described in Column (1) is insufficient to satisfy the applications made by all the persons entitled to be given preference as described in paragraph (3) of this Article, a sufficient number of additional licences must be allocated to satisfy such applications.
- (5) Not more than one licence may be allocated to any one person in respect of each part of those areas in the Appropriate Agencies Area described in Column (1) of the Schedule.
- (6) In considering applications for licences, the net licence officer may require such information from the applicants as considered relevant, and in such form as may be prescribed, by the net licence officer.

### **Reallocation of fishing licences**

- 7 (1) If any licence holder dies after the annual allocation of licences in respect of any part of those areas in the Appropriate Agencies Area described in Column (1) of the Schedule, that licence must be made available for re-issue and an application

for that licence must be considered and if appropriate the licence allocated on such basis and in accordance with such procedure as Natural Resources Wales considers appropriate while having regard to Article 6 of this Order.

- (2) A licence may not become available for re-issue after the annual allocation of licences in any other circumstances.

### **Expiry and Revocations**

- 8 (1) This Order expires on the date 10 years after the date it came into force unless revoked earlier.
- (2) The Orders, set out below, are revoked in so far as each Order applies to those parts of those areas in the Appropriate Agency's Area described in Column (1) of the Schedule:
  - (a) The Environment Agency (Limitation of Net Fishing Licences) (Wales) Order 2008;
  - (b) The Environment Agency (Limitation of Net Fishing Licences) (Wales) Order 2009;

**SCHEDULE**

**Articles 3, 4, 5, 6, 7 and 8**

(1) <i>Description of Area</i>	(2) <i>Type and Number of Instruments to be Licensed</i>
<p><b>In the River Dysynni:</b></p> <p>In that part of the river which lies between an imaginary line drawn straight across the said river at a point approximately 400 metres above the railway bridge crossing the said river and that bridge.</p>	1 draft net
<p><b>In the River Taf:</b></p> <p>(a) in that part of the river which lies between the main road bridge carrying the Carmarthen-Pembroke road situated approximately 1.6 kilometres southwest of St. Clears and an imaginary line drawn straight across the said river from Wharley Point to Ginst Point;</p> <p>(b) in that part of the river which lies between an imaginary line drawn straight across the said river in a south-westerly direction from the Old Lime Kilns and an imaginary line drawn straight across the said river from Wharley Point to Ginst Point.</p>	<p>(a) 1 coracle net</p> <p>(b) 1 wade net</p>
<p><b>In the River Mawddach:</b></p> <p>In that part of the river which lies between Penmaen Pool, but excluding such pool, and the Network Rail Bridge at Barmouth.</p>	3 draft nets
<p><b>In the River Nevern:</b></p> <p>In that part of the river which lies between an imaginary line drawn straight between Cat Rock and the Bennett and an imaginary line drawn straight between Dinas Head and Pen-y-Bal.</p>	1 draft net
<p><b>In the Rivers Glaslyn and Dwyryd:</b></p> <p>(a) in that part of the River Glaslyn which lies between the road bridge carrying the A487 trunk road over the Tremadoc Embankment at Portmadoc and an imaginary line drawn straight from Ynys Cyngar to Harlech Point;</p> <p>(b) in that part of the River Dwyryd which lies between Pont Briwet Toll Bridge and an imaginary line drawn straight from Ynys Cyngar to Harlech Point.</p>	0 draft nets

(1) <i>Description of Area</i>	(2) <i>Type and Number of Instruments to be Licensed</i>
<p><b>In the River Dyfi:</b></p> <p>In that part of the river which lies between the railway bridge crossing the said river at NGR SN 6951597909 and an imaginary line drawn straight from the northern side of the estuary at NGR SN 6212696085 to NGR SN 6215794134 on the southern side of the estuary of the said river .</p>	<p>3 draft nets</p>
<p><b>In the River Conwy:</b></p> <p>In that part of the river which lies between an imaginary line drawn straight from the east bank of the river due west to the confluence of the Afon Ro and the River Conwy and an imaginary line drawn straight from Penmaen-Bach Point to Trwynyogarth.</p>	<p>3 draft nets</p>
<p><b>In the Rivers Eastern and Western Cleddau:</b></p> <p>(a) in that part of the River Eastern Cleddau which lies between an imaginary line drawn true west across the said river from the mouth of Minwear Pill and the road bridge (A477) over the Milford Haven Estuary;</p> <p>(b) in that part of the River Western Cleddau which lies between an imaginary line drawn true east and west banks across the said river between NGR SM 9676612230 &amp; NGR SM 9700412230, approximately 140 metres above the mouth of the Bedwater Pill at Little Milford House, and the road bridge (A477) over the Milford Haven Estuary.</p>	<p>6 compass nets</p>
<p><b>In the River Teifi:</b></p> <p>(a) In that part of the river which lies between Cardigan Bridge and Llechryd Bridge.</p> <p>(b) In that part of the river which lies between Cardigan Bridge and an imaginary line drawn straight between Carreglydan and Cemaes Head.</p>	<p>(a) 12 coracle nets</p> <p>(b) 3 draft nets</p>
<p><b>In the River Towy:</b></p> <p>(a) In that part of the river which lies between an imaginary line drawn due east across the said river from a point on the west shore at</p>	<p>(a) 3 draft nets</p>

(1) <i>Description of Area</i>	(2) <i>Type and Number of Instruments to be Licensed</i>
<p>NGR SN 363115 due east of Ferry Farm and an imaginary line drawn straight between Wharley Point and the end of the block stone sea defence on the left hand bank at the caravan park.</p> <p>(b) In that part of the river which lies between an imaginary line drawn straight across the said river from the Railway Pumping Station near the Old Carmarthen Tinplate Works at NGR SN 420205 and an imaginary line drawn straight across the said river at NGR SN 394137.</p>	<p>(b) 8 coracle nets</p>

**EXECUTED** as a Deed by

**NATURAL RESOURCES BODY FOR WALES**

by affixing the Common Seal in the presence of:

Signature: .....

Print name: .....

Address: .....

.....

.....

Occupation: .....