



# Environment Agency Rod Fishing Byelaws - South East Region

17 April 2013

We are the Environment Agency. We protect and improve the environment and make it a **better place** for people and wildlife.

We operate at the place where environmental change has its greatest impact on people's lives. We reduce the risks to people and properties from flooding; make sure there is enough water for people and wildlife; protect and improve air, land and water quality and apply the environmental standards within which industry can operate.

Acting to reduce climate change and helping people and wildlife adapt to its consequences are at the heart of all that we do.

We cannot do this alone. We work closely with a wide range of partners including government, business, local authorities, other agencies, civil society groups and the communities we serve.

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Environment Agency  
Horizon house, Deanery Road  
Bristol BS1 5AH  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
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## 1.1 Foreword

Welcome to the Environment Agency South East Region. This document sets out the region's rod fishing byelaws, which are statutory rules and regulations put in place by the Environment Agency to protect migratory and freshwater fish stocks and the fisheries that they support from damaging fishing practices.

Rod fishing byelaws set out when and where you can fish (open and close seasons); how you can fish; and what fish you can take.

Anyone fishing with rod and line in England and Wales must hold a rod fishing licence and comply with the byelaws that cover the waters where they are fishing.

All the income that we receive from rod licence sales is invested into maintaining, improving and developing fisheries. The top ten outcomes delivered with rod licence income are:

- River and stillwater habitat enhancement and improving fish passage
- Promotion of good water quality and appropriate flows
- Disease prevention and control of non-native species
- Expert advice and scientific monitoring of the status of fish stocks
- Freshwater and coastal enforcement to combat illegal fishing
- Emergency incident response
- Protection of marine estuarine species
- Protection of endangered species
- Technical advice on planning and development
- Promotion of angling participation and the provision of all-ability access to the waterside

Our aim is to improve the environment and create better fisheries for everyone.

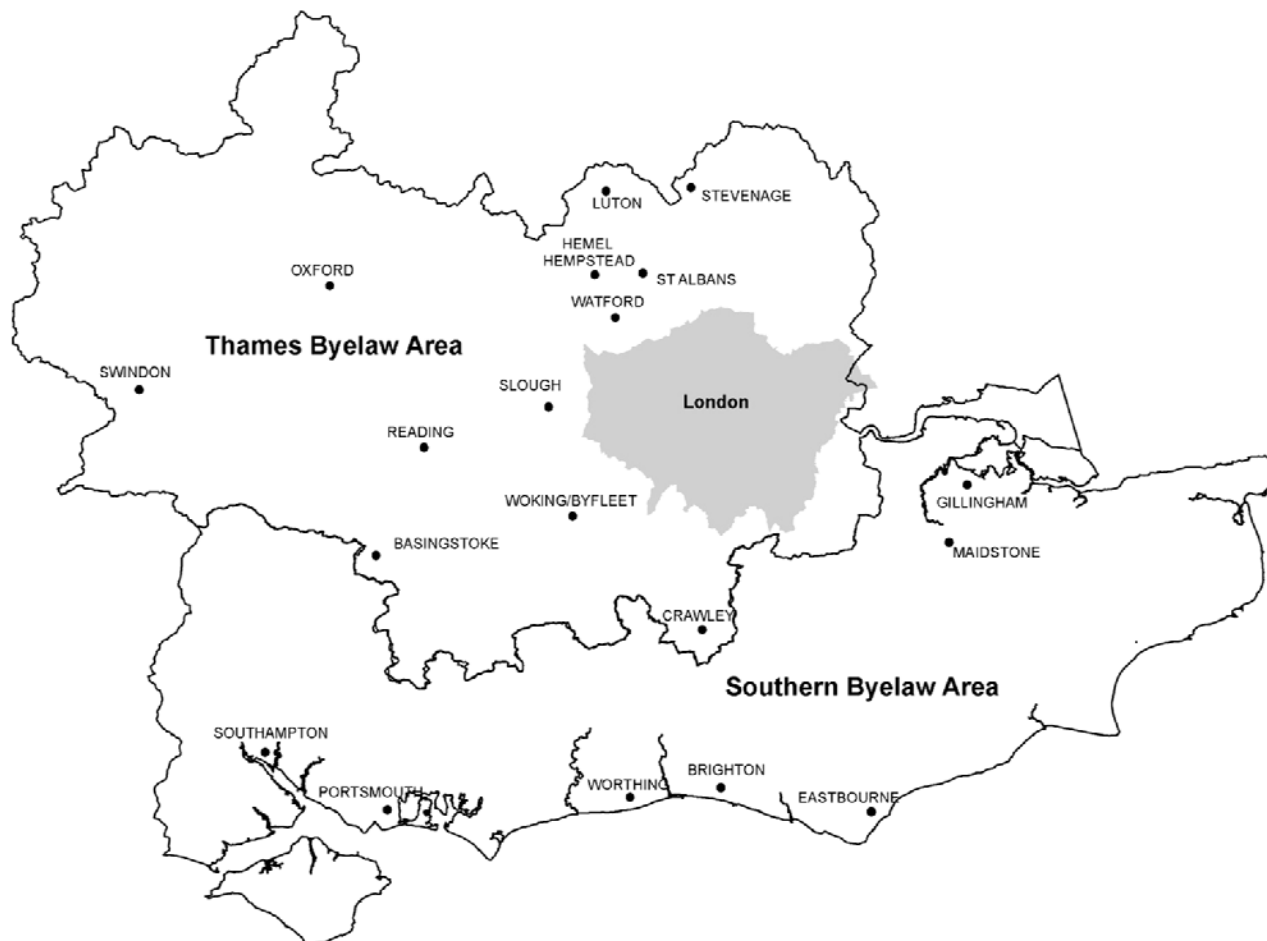
By following these byelaws you help us to protect fisheries for future generations.



Lawrence Talks  
South East Regional Strategic Fisheries Specialist

## 1.2 Introduction

Within the South East Region three sets of byelaws operate: National byelaws that apply to all waters in England and Wales; byelaws that apply to the Thames byelaw area which includes the catchments of the Rivers Darent and Cray; and byelaws that apply to the Southern byelaw area (excludes the Darent and Cray) - see map below.



Anyone failing to comply with these byelaws could face prosecution and receive a significant fine.

This document summarises the rod fishing byelaws that cover waters in the Environment Agency's South East Region (other byelaws cover fishing by nets, traps and other methods). **It is not a legal interpretation**, but provides a layman's guide.

A full copy of the byelaws can be obtained from the Environment Agency by calling 03708 506 506<sup>1</sup> (Mon-Fri, 8am - 6pm).

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<sup>1</sup> Calls to 03 numbers cost no more than a national rate call to an 01 or 02 number and must count towards any inclusive minutes in the same way as 01 and 02 calls. These rules apply to calls from any type of line including mobile, BT, other fixed line or payphone.

To find out more about fishing regulations, codes of practice and information on how to stop the spread of invasive aquatic species that can harm fisheries, visit our website at [www.environment-agency.gov.uk/fish](http://www.environment-agency.gov.uk/fish)

If you see fishing, netting or trapping you think is illegal call our incident hotline 0800 80 70 60. (24 hour service). This is a Freephone number, however calls from mobile phones are likely to be charged at normal network operators' call rates.

Use this number to also report pollutions or if you see dead or distressed fish.

## 1.3 Rod licences

You need a valid Environment Agency Rod Licence if you are aged 12 or over and fish for salmon, trout, freshwater fish, smelt or eel in England (except the River Tweed), Wales, and the Border Esk and its tributaries in Scotland.

A coarse fish, non-migratory trout and eel licence allows the holder to fish with two rods. A salmon and migratory (sea) trout licence allows one rod to be used to fish for these species.

An annual rod licence expires on 31 March each year. Short term (one and eight day) licences can also be purchased. Senior, disabled and junior concessionary licences are available.

It is an offence to fish for freshwater fish and eels without a valid rod licence and if you are caught and prosecuted you may be fined up to £2,500.

There are four easy ways to buy your rod licence -

- **on-line** at [www.environment-agency.gov.uk/rodlicence](http://www.environment-agency.gov.uk/rodlicence);
- by **calling** the Post Office on 0844 800 5386<sup>2</sup>. (Phone lines are open from 8.30am - 8pm daily from March to September, and 8.30am - 6pm daily from October to February, Monday to Saturday);
- by **Direct Debit** (go to [www.environment-agency.gov.uk/rodlicence](http://www.environment-agency.gov.uk/rodlicence));
- at any **Post Office branch** in England and Wales (and selected branches in Scotland).

Please note: If you are coarse fishing with three or four rods (four is the maximum allowed) then you will need to purchase a second licence.

## 1.4 Application

These byelaws apply to anyone fishing for salmon, trout, freshwater (coarse) fish, eels, smelt and lamprey in all freshwater fisheries and to a distance of 6 nautical miles at sea. They cover all rivers, streams, drains, canals, stillwaters and coastal waters within the Environment Agency's South East Region.

The Region stretches from Kent in the east to Hampshire and Swindon in the west to the Isle of Wight in the south and Oxfordshire and Buckinghamshire in the north. It includes London

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<sup>2</sup> Calls to the 0844 number can cost up to 5p per minute for BT users. Calls made using other service providers or mobiles may cost more. This telesales line is operated by Post Office Ltd on our behalf.

and notable catchments such as the River Thames, Kennet, Lambourne, Test, Itchen, Ouse, Adur, Western and Eastern Rother, Kentish Stour and Medway.

If you would like some advice on where to go fishing, visit our website at [www.environment-agency.gov.uk/fish](http://www.environment-agency.gov.uk/fish)

Many private fisheries set their own rules. These rules may add to the measures provided by Environment Agency byelaws, but they cannot replace or remove them.

Inshore Fisheries and Conservation Authorities (IFCAs) are responsible for sea fisheries and can make byelaws to regulate fishing for sea fish. Kent and Essex IFCA extends from north of the Thames estuary to Rye, Sussex IFCA covers the Sussex coastline to Chichester harbour and the Hampshire and Isle of Wight coastline is covered by the Southern IFCA.

## 1.5 When and where you can fish

Summary table of close seasons when fishing with rod and line			
Fish species	Waters	Close season dates	
		Thames byelaw area	Southern byelaw area
Coarse fish	Rivers, streams and drains and designated waters (Table 1)	15 March to 15 June (dates inclusive)	15 March to 15 June (dates inclusive)
Eels	Rivers, streams and drains and designated waters (Table 1)	15 March to 15 June (dates inclusive)	15 March to 15 June (dates inclusive)
		There is no close season when fishing with rod and line in the tidal River Thames downstream of the Thames Barrier.	
Brown and rainbow trout	Rivers, streams, drains and canals	1 October to 31 March (dates inclusive)	1 November to 2 April (dates inclusive)
Brown trout	Fully enclosed stillwaters	No close season	No close season
Rainbow trout	All stillwaters	No close season	No close season
Migratory trout	All waters	1 October to 31 March (dates inclusive)	1 November to 30 April (dates inclusive)
Salmon	All waters	1 October to 31 March (dates inclusive)	3 October to 16 January (dates inclusive)
NOTE: Fishery owners may impose their own close season where the mandatory close season has been removed. Please check before you go fishing.			

### 1.5.1 When can I fish for freshwater (coarse) fish?

You can fish for coarse fish all year round apart from on those waters that have a close season. The coarse fish close season is the period from **15 March to 15 June** (dates

inclusive) on all rivers, streams and drains; stillwaters that are designated Sites of Special Scientific Interest (SSSIs) as specified in Table (1) and on the following stretches of canals:

- Kennet and Avon Canal, downstream of its confluence with the River Kennet at Kintbury;
- Lee Navigation, upstream of Aqueduct Lock;
- designated areas of the Basingstoke Canal (SU719514 – SU967575 and TQ016597 – TQ046616).

The Wey Navigation is classed as a river and therefore is subject to a close season.

The following canals remain open: Regents Park Canal; Grand Union Canal; Lee Navigation downstream of Aqueduct Lock; and the Oxford Canal.

*This is a national byelaw.*

### **1.5.2 When can I fish for eels?**

The eel close season is the period from **15 March to 15 June (dates inclusive)** on all rivers, streams and drains; stillwaters that are designated Sites of Special Scientific Interest (SSSIs) as specified in Table (1) and on the stretches of canals stated above. *This is a national byelaw.*

In the Thames byelaw area there is no close season when fishing with rod and line in the tidal River Thames downstream of the Thames Barrier. *This is a regional byelaw.*

### **1.5.3 When can I fish for trout?**

The close season for brown trout and rainbow trout in all rivers, and for brown trout in unenclosed stillwaters, is the period from **1 October to 31 March (dates inclusive) within the Thames byelaw area and 1 November to 2 April (dates inclusive) within the Southern byelaw area.** *These are regional byelaws.*

There is no close season for brown trout in enclosed stillwaters (enclosed stillwaters are those from, and to, which fish cannot swim) and rainbow trout in all stillwaters. *These are national byelaws.*

### **1.5.4 When can I fish for migratory trout?**

The close season for migratory trout in all waters is the period **1 October to the 31 March (dates inclusive) in the Thames byelaw area and 1 November to the 30 April (dates inclusive) in the Southern byelaw area.** *These are regional byelaws.*

### **1.5.5 When can I fish for salmon?**

The close season for salmon in all waters is the period **1 October to the 31 March (dates inclusive) in the Thames byelaw area and 3 October to the 16 January (dates inclusive) in the Southern byelaw area.** *These are regional byelaws.*

*Close seasons aim to protect fish stocks from the impacts of angling during the fish breeding season.*

*We removed the close season for coarse fish from most stillwaters because these are usually in single ownership and the fishery owner is better placed to manage the fish stocks and to impose whatever restrictions are felt to be needed, including non-statutory close seasons.*

*We removed the close season for brown trout from many stillwaters and for rainbow trout from all stillwaters on the basis that these fisheries were entirely dependent on stocking and removing the close season would pose no risk to wild stocks.*

## 1.6 How you can fish

### 1.6.1 What baits, lures and weights are prohibited?

You must not use any form of lead weight attached to a fishing line other than those of 0.06 grams, or less (commonly called dust shot No. 8), or of more than 28.35 grams (heavier than 1 oz). 'Lead weight' does not include lead incorporated into a weighted line, swim-feeder or fishing fly or lure. *These are regional byelaws.*

You may not use crayfish of any species, whether alive or dead, (including any part of a crayfish) when fishing for salmon, trout, freshwater fish or eels in any waters. *This is a national byelaw.*

You may not take any fish for use as live bait unless the fish are retained at and used only in the water from which they were taken or you have already obtained the Environment Agency's consent to introduce live bait at another water. *This is a national byelaw.*

When fishing for salmon before 16 June, you may only use artificial fly or artificial lure. *This is a national byelaw.*

All salmon, migratory trout or trout, hooked other than in the mouth or throat must be returned immediately. *This is a national byelaw.*

In the Thames byelaw area you must not use more than three separate hooks attached to the same rod and line. You must not use any device intended to hook a fish automatically. *This is a regional byelaw.*

In the Thames byelaw area fish must be weighed as close as possible to the point of capture. *This is a regional byelaw.*

In the Thames byelaw area you must not fish with any form of gorge bait. A gorge bait is a piece of stick/bone hidden in the bait parallel to the line. When swallowed a tug on the line causes the gorge to turn sideways in the fish's throat. *This is a regional byelaw.*

In the Thames byelaw area when fishing for salmon, trout, or rainbow trout during the annual close season for coarse fish (15 March – 15 June dates inclusive), you may only fish with an artificial fly or lure. A minnow taken in a minnow trap for use as bait in the waters from which it was taken is also permitted but requires the previous written consent of the Environment Agency. *This is a regional byelaw.*

In the Southern byelaw area during the annual close season for coarse fish (15 March – 15 June dates inclusive), no person shall fish with rod and line for salmon, migratory trout or non-migratory trout (including rainbow trout), other than with artificial fly or lure, without the previous written consent of the Environment Agency. *This is a regional byelaw.*



*Some fishing practices can harm fish and other wildlife:*

- *Lead weights can poison swans and other wildfowl;*
- *Native crayfish are rare and protected. Non-native crayfish species can spread crayfish plague, which can wipe out the native species;*
- *Moving live baits between waters can spread fish diseases and damaging non-native fish;*
- *Some fishing baits and methods can remove the option of returning fish alive.*

### **1.6.2 Can I use a landing net, keepnet, gaff or tailer?**

You must not use a gaff or a tailer when fishing for salmon, trout, freshwater fish, smelt, lamprey or eel in any waters. *This is from primary fisheries legislation.*

You may use a landing net as an accessory to fishing with rod and line. If you do, it must not have knotted mesh or a mesh made from a metallic material.

You may use a keepnet to retain your catch, but it must not -

- have a knotted mesh or a mesh made from a metallic material;
- have any holes in the mesh larger than 25mm internal circumference;
- be less than 2.0 metres in length;
- have supporting rings or frames greater than 40cm apart (excluding the distance from the top frame to the first supporting ring or frame) or less than 120cm in circumference.

You may use a keepsack, but it must not -

- be constructed of a material other than a soft, dark coloured, nonabrasive, water permeable fabric;
- be less than 120cm by 90cm, if rectangular, or 150cm by 30cm by 40cm if used with a frame or designed with the intention that a frame be used.

You must not keep more than one fish in a single keepsack at any time.

*These are all national byelaws.*

*Some angling equipment used for landing fish can cause physical damage.*

*Most landing net and keepnets are designed with fish welfare in mind. However, some can harm fish, especially where large numbers or individually large fish are retained.*

### 1.6.3 How many rods can I use and how can I use them?

Summary table on number of rods and rod licence requirements		
Types of fish	Rivers, streams, drains and canals	Reservoirs, lakes and ponds
Salmon, sea trout (Migratory trout)	1 rod	2 rods*
Trout (Non-migratory), Char	1 rod	2 rods*
Coarse fish and eels	4 rods*	

\* 2 licences required

You may use up to four rods in any waters when fishing for coarse fish or eel. Please note, if you use more than two rods, you will need an additional licence.

You may only use a single rod when fishing for salmonids in any river, stream, drain or canal.

You may use up to two rods when fishing for salmonids in all reservoirs, lakes and ponds. Please note, if you use two rods, you will need an additional licence.

When fishing with more than one rod, the total number must not exceed four. This means you cannot fish with three or four rods for coarse fish and a further one or two rods for salmonids.

When fishing with more than one rod, the distance between the butts of the end rods must not exceed three metres.

You must not leave a rod and line with its bait or hook in the water, such that you are unable to take sufficient control of the rod.

*These are all national byelaws.*

*You need to be able to exert control over all the rods you are fishing with. Fishing with too many rods, being too far away from them or not being able to take immediate control increases the risk of foul-hooking fish.*

### 1.6.4 Catch returns

If you hold a salmon and sea trout rod fishing licence, you must send a catch return to the Environment Agency by 1 January in the following year, stating where, when and how many salmon or sea trout you caught. *This is a national byelaw.*

Please note, your catch return form and instructions on completing it are provided with your licence. For more information and to complete your catch return on-line, please go to:

<http://www.environment-agency.gov.uk/catchreturn>

*Catch returns provide important information to help manage salmon and sea trout stocks.*

## 1.7 What fish you can take

### 1.7.1 What salmon and sea trout can I take?

You must not remove any salmon, alive or dead, from any waters before 16 June of any year. Any salmon caught before this date must be returned to the water with least possible injury. (Please note there are restrictions on what baits you may use when fishing for salmon before 16 June - see above.). *This is a national byelaw.*

In the Thames byelaw area after the 16 June you must not take any more than two salmon a day from rivers, streams, drains and canals without the previous written consent from the Environment Agency. *This is a regional byelaw.*

You may not sell, offer or expose for sale or have in possession for sale any salmon or sea trout which has been taken by rod and line. *This is a national byelaw.*

### 1.7.2 What freshwater (coarse) fish can I take?

On rivers, you may take no more than -

- one pike of less than 65cm per day;
- two grayling of between 30 and 38cm per day;
- fifteen barbel, chub, common bream, common carp, crucian carp, dace, perch, pike, roach, rudd, silver bream, smelt or tench (including any hybrids of these species) of less than 20cm per day.

All lengths are measured from the tip of the snout to the fork of the tail.

These restrictions also apply on all other waters that are subject to the coarse fish close season (see above).

There are no restrictions on the number of other coarse fish you may take (see below for eel and shad).

On stillwaters and canals, you may take freshwater fish, but only with the written permission of the fishery owner or occupier. NB. Canals are defined as those canals where the coarse fish close season has been removed.

You may keep fish in a keepnet or keep sack before returning them to the water. *This is a national byelaw.*

### 1.7.3 Can I take any eel or shad?

You may **not** take any rod caught eel or shad from any waters, including tidal waters.

You may keep eel in a keepnet or keep sack before returning them to the water. Shad must be returned immediately. *This is a national byelaw.*

### 1.7.4 Taking of undersized trout

You must not take any trout in the Thames byelaw area that are less than 25cm or migratory trout less than 38cm. In the Southern byelaw area you must not take any trout less than 23cm and migratory trout less than 38cm. The size is measured from the tip of the snout to the fork or cleft of the tail when the fish is laid flat. *These are regional byelaws.*

### **1.7.5 The removal of crayfish**

Except with the previous written consent of the Environment Agency no person shall remove crayfish from non-tidal waters. *This is a national byelaw.*

*Unrestricted fish removal can reduce the value of the fisheries they support and can add to the pressure that some threatened species are already under.*

Table 1 - Stillwaters retaining a close season

Sites of Special Scientific Interest where angling is prohibited during the close season		
County	Water	Grid Reference
BEDFORDSHIRE	Felmersham Gravel Pits	SP991584
	Houghton Regis Marl Lakes	TL008235
BERKSHIRE	Heath Lake	SU829652
	Rapley Lakes	SU889653, SU901647 – within Broadmoor to Bagshot Woods and Heaths SSSI.
	Swinley Park and Brick Pits	SU895675, SU905670
	Wasing Wood Ponds	SU578636, SU583633
	Wraysbury and Hythe Gravel Pits	TQ014737
EAST SUSSEX	Ashburnham Park	TQ695148
	Ashdown Forest - Pippingford Lakes only	TQ450300
	Eridge Park	TQ576344
	Herstmonceux Park	TQ650107
	Pett Level	TQ903157
EAST SUSSEX/KENT	Walland Marsh (Royal Military Canal)	TQ933227 – TQ991320
ESSEX	Abberton Reservoir	TL970180
	Colne Estuary	TM075155
GLOUCESTERSHIRE	Frampton Pools	SO753073
	Soudley Ponds	SO662112
	Cotswold Water Park	SU000930 - SU200990
GREATER LONDON	Mid Colne Valley	TQ043896
	Brent Reservoir	TQ217873
	Denham Lock Wood	TQ055863
HAMPSHIRE	Alresford Pond	SU593331
	Avon Valley (Bickton-Blashford)	SU150100
	Bramshill	SU766605
	Fleet Pond	SU822551
	Lower Test Valley	SU360153
	Shortheath Common	SU775366
	Southampton Common	SU415145
	Titchfield Haven	SU539035
	Warren Heath Ponds	SU769599, SU782588
	Castle Bottom to Yateley Common	SU815587
	New Forest– Hatchet and Cadnam ponds only	SU298081
HAMPSHIRE/SURREY	Basingstoke Canal	SU719514 – SU967575 and TQ016597 – TQ046616
KENT	Delph Ditch and Abbot's Court northern 2 lakes	TQ835751 TQ795723
	Dungeness	TR050180
	Holborough to Burham Marshes	TQ712618
	Marden Meadows	TQ762445
	Medway Estuary and Marshes excluding Stoke Angling Club	TQ850720

	reservoir and section of the	
	Oldbury and Seal Chart	TQ571558
	Orlestone Forest	TQ982350
	Romney Warren	TR085262
	Sandwich Bay excluding Cottington Lakes and Finglesham Ponds	TR353585 TR357532 TR340535
	Scotney Castle	TQ690350
	Sevenoaks Gravel Pits	TQ522569
	South Thames Estuary and Marshes excluding Beckley Hill ponds	TQ770785 TQ717741
	Stodmarsh	TR222618
	The Swale excluding Murston pits	TR000670
	Waland Marsh	TQ960240
OXFORDSHIRE	Wychwood	SP335168
SURREY	Ash to Brookwood Heaths	SU920540, SU956545, SU958555, SU945537
	Bookham Commons	TQ128565
	Chobham Common	SU973648
	Epsom and Ashted Commons	TQ181602
	Godstone Parks	TQ353516, TQ360509
	Hedgecourt	TQ355403
	Langham Pond	TQ002721
	Ockham and Wisley Common	TQ082585, TQ084592, TQ078595, TQ070585
	Papercourt	TQ035563, TQ035569, TQ042565
	Puttenham and Crooksbury Commons	SU915464, SU890453
	Staines Moor	TQ040730
	Vann Lake and Ockley Woods	TQ156392
	Whitmoor Common	SU985535
	Thursley, Hankley and Frensham Commons	SU885405, SU915410, SU855405
WEST SUSSEX	Arun Banks	TQ029100
	Arundel Park	TQ015082
	Buchan Hill Ponds	TQ245343
	Burton Park	SU977177
	Cow Wood & Harrys Wood	TQ270299
	Ebernoe Common	SU977270
	Forest Mere	SU820300
	Shillinglee Lake	SU968311
	St Leonards Ponds	TQ200308
	Wakehurst & Chiddingly Woods	TQ334316, TQ348323
	Waltham Brooks	TQ025159, TQ021152
WILTSHIRE	Coate Water	SU188820

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