



## CONSULTATION DOCUMENT

# PROPOSED CARLINGFORD AREA (DEFINITION OF THE MOUTH OF THE CLANRYE RIVER) REGULATIONS 2015



# **PROPOSED CARLINGFORD AREA (DEFINITION OF THE MOUTH OF THE CLANRYE RIVER) REGULATIONS 2015**

## **CONSULTATION DOCUMENT**

### **INTRODUCTION**

This Consultation Document sets out proposals by the Loughs Agency to introduce Regulations which define the mouth of the Clanrye River. These Regulations are made under Section 13(1)(j) 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](http://www.loughs-agency.org).

### **PURPOSE**

These Regulations propose to;

1. Clearly define the mouth of the Clanrye River.
2. Define the points on either shoreline between which a straight line can be drawn which will be the defined mouth.
3. By defining the mouth of the Clanrye River the area for the prohibition of netting shall be clarified from its current ambiguous position.



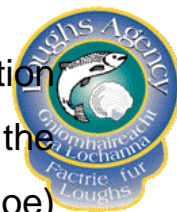
## BACKGROUND

Section 13(1)(j) of the Foyle Fisheries Act 1952 and Section 13(1)(j) the Foyle Fisheries Act (Northern Ireland) 1952 are the legislative foundation for this regulation. 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;
- Define, by reference to a map or otherwise, the mouth of any river in the Foyle Area or the Carlingford Area, the mouth of any tributary river at its entrance into any other river therein, the boundary between the tidal and freshwater portions of any river therein, the point or points to or from which distances are to be measured under this Act, or the space within which it is prohibited by this Act or by regulations under this section to use or practise certain methods of fishing.

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).

As part of its duties the Loughs Agency must work to clearly define areas in which it works and advance the protections offered to species within these areas.



The Clanrye is unlike most other major rivers in Loughs Agency jurisdiction in that it lacks a clear definition of its river mouth. Other rivers such as the Roe (defined in the Foyle Area (Definition of the Mouth of the River Roe) Regulations 1983) have statutory instruments which already perform this function.

The importance of this, aside from clarity, is that certain regulatory protections for species within the Loughs Agency jurisdiction are attached to the defined mouths of rivers. Prohibitions on netting extend outwards from defined river mouths to protect fish at the point where they enter a river. As the Clanrye does not currently have a defined mouth, these exact area as to which these netting restrictions extend are ambiguous.

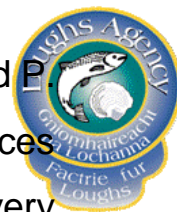
The proposed Regulation will use the Irish Grid Reference system when describing the points which will establish the defined month of the Clanrye River. The Irish Grid Reference system will be used as it was developed by the Ordnance Survey and as such will provide the most accurate and accessible representation of the Clanrye River mouth.

## **OVERVIEW OF THE PROPOSED REGULATION**

The proposed Regulation defines the mouth of the Clanrye River as running from one defined point in a straight line to another point as defined in the Regulation.

The points are:

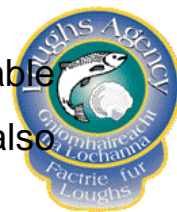
- Point marked O on the map or plan at Irish Grid Reference point J14470, 17885 in the County of Down in Northern Ireland.
- Point marked P on the map or plan at Irish Grid Reference point J13920, 17049 in the County of Louth in the Republic of Ireland.



From point marked O there shall be a bearing of 236° 60' to point marked P. The point or points of the mouth of the Clanrye River from which distances are to be measured under the Foyle Fisheries Acts are to be any and every point on the aforesaid straight line marked M on the map or plan which connects the aforementioned points O and P.

## DETAILS OF CONSULTATION PROCESS

1. Responses to this Consultation Document should be received no later than 26<sup>th</sup> August 2015.
2. Responses and any comments about this Consultation should be either:
  - sent to Carlingford Area (Definition of the Mouth of the Clanrye River) Regulations Consultation, Loughs Agency, 22 Victoria Road, Prehen, Londonderry, BT47 2AB, (Fax Number (028) 71342720); or
  - emailed to [laura.mccready@loughs-agency.org](mailto: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](http://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](http://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. 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](http://www.loughs-agency.org)

Signed

John McCartney  
**Director of Conservation and Protection.**

# Consultation Responses



## 1. Name / Organisation

Title Mr  Ms  Mrs  Miss  Dr  Please tick as appropriate

Surname

Forename

## 2. Postal Address

<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
Postcode:	Phone:	Email:





## Response Questions

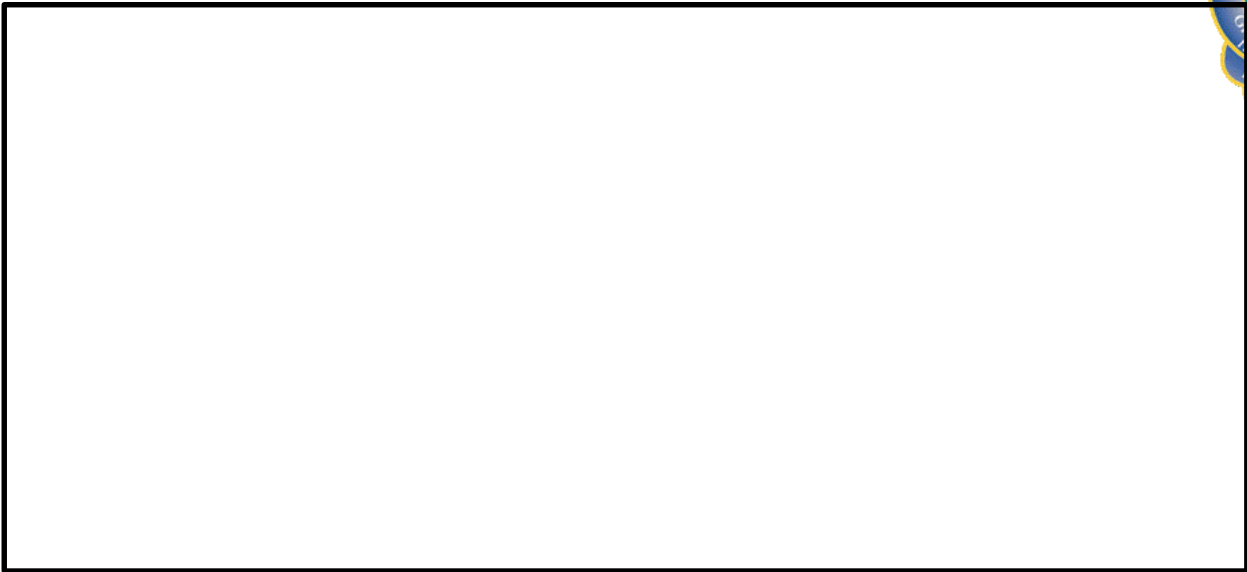
Question 1: Do you agree with the proposal to introduce a defined mouth of the Clanrye River?

Question 2: Have you any comments on the location given to be the point O on the map which is one point from which the mouth of the river will be defined? Point O is found at Irish Grid Reference point J14470, 17885 in the County of Down in Northern Ireland.



Question 3: Have you any comments on the location given to be the point P on the map which is one point from which the mouth of the river will be defined? Point P is found at Irish Grid Reference point J13920, 17049 in the County of Louth in the Republic of Ireland.

Question 4: Do you have any further comments or recommendations regarding these proposals?



**Thank you for taking time to respond to this consultation.**