



CONSULTATION DOCUMENT

PROPOSED FOYLE AREA AND CARLINGFORD AREA (PRIVATE RIVER WATCHER ANNUAL RETURNS) REGULATIONS 2015



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CONSULTATION DOCUMENT

INTRODUCTION

This Consultation Document sets out proposals by Loughs Agency to introduce Regulations which will prescribe the format and content areas to be contained in returns made on behalf of Private River Watchers in the Foyle and Carlingford areas by the club/person responsible for their appointment.

These Regulations are made under Section 13(1)(k) and Section 56(8) of the Foyle Fisheries Act 1952, and Section 13(1)(k) and Section 55(8) of the Foyle Fisheries Act (Northern Ireland) 1952.

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

PURPOSE

These Regulations propose to

1. Prescribe the format of returns to be made before the 31st of January each year on behalf of people appointed as a Private River Watcher by the person who has appointed them.



2. Prescribe the content of returns to be made before the 31st January each year for people appointed as a Private River Watcher by the person who appointed them to the position.

BACKGROUND

Section 13 of the Foyle Fisheries Act 1952 and the Foyle Fisheries Act (Northern Ireland) 1952 forms the legislative basis for this regulation. Section 13 of the 1952 Acts (as amended) allows the Loughs Agency to make such Regulations as appear to the Loughs Agency to be expedient for the management, conservation, protection and improvement of the fisheries of the Foyle Area and the Carlingford Area. Section 13(1)(k) also states that the Loughs Agency may make Regulations in regards to anything referred to in this Act (Foyle Fisheries Acts) as prescribed. From this Section 55(8) of the Foyle Fisheries Act (NI) 1952 and Section 56(8) of the Foyle Fisheries Act 1952 permits the Loughs Agency to make Regulations which prescribe that a person is obliged to “make a return to the Commission in such form and containing such information as is prescribed in the Regulations”.

The returns of the Private River Watchers which are due by the 31st January each year have an essential role in helping develop an efficient and effective enforcement policy for the Loughs Agency. They allow the Loughs Agency to gather important information on the activities of Private River Watchers and their angling clubs and in doing so provides the information necessary to understand where the resources of the Loughs Agency could be best used to ensure maximum efficiency and effectiveness. By not having access to up to date and correct information on Private River Watcher activities then the Loughs Agency will suffer an impediment to its ability to develop an accurate representation of the necessary actions to be taken to remedy issues which Private River Watchers encounter in the fulfilment of their duties.



OVERVIEW OF THE PROPOSED REGULATION

The proposed Regulations provide both for the format of the annual returns to be made for Private River Watchers and for the information content which is required to contain.

1. The format is set out in the Schedule.
2. The details which must be contained within the returns are:
 - the full name of the respondent
 - the address in full
 - date appointed
 - name of fishery, lake, river, sea coast or shellfish fishery or fisheries as the case may be
 - number of warrant holders
 - total hours worked
 - number of licences / permits checked
 - tourist anglers / day tickets issued
 - seizures / prosecutions

DETAILS OF CONSULTATION PROCESS

1. Responses to this Consultation Document should be received no later than 26th August 2015.
2. Responses and any comments about this Consultation should be either:
 - sent to Foyle Area and Carlingford Area (Private River Watcher Annual Returns) Regulations 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. 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.

Consultation Responses



1. Name / Organisation

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Forename

2. Postal Address

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Response Questions

Question 1: Do you agree with the proposal to introduce a prescribed format for the annual returns for Private River Watchers?

Question 2: Have you any comments on the information areas required in the prescribed format?



Question 3: Do you have any further comments or recommendations regarding these proposals?

Thank you for taking time to respond to this consultation.