PETERBOROUGH & DISTRICT ANGLING ASSOCIATION

Request for amendment of the Fish Removal (Rod and Line) Byelaws

To	The Environment Agency
From	Rob Harris, Chairman, Peterborough & District Angling Association
Date	12 November 2026
Related	EIR2026/49836

1. The request

1.1 Peterborough & District Angling Association ("the Association") asks the Environment Agency to make byelaws amending the Fish Removal (Rod and Line) Byelaws, confirmed in May 2010 and in force from 1 June 2010, in the three respects set out at section 5, and to submit them to the Secretary of State for confirmation under Schedule 25 to the Water Resources Act 1991.

1.2 The Association makes this request as the holder of fishing rights on the River Nene and the River Welland, which it has controlled since 1875. Its own rules require all coarse fish to be returned alive.

2. The byelaw as it stands

2.1 Byelaw 3(i) prohibits the removal by rod and line of any freshwater fish listed in Schedule 1 from any river, stream or drain, or from the waters listed in Schedules 2 or 3, except:

a. 15 fish, other than grayling, of not more than 20cm per day;

b. 1 pike of not more than 65cm per day;

c. 2 grayling of not less than 30cm and not more than 38cm per day.

2.2 Byelaw 3(i) does not apply where written permission has been given by the Agency to the owner or occupier of the fishery to dispense with any of those requirements.

2.3 Byelaw 3(ii) prohibits the removal by rod and line of any freshwater fish from stillwaters or canals other than those listed in Schedules 2 or 3, except with the written permission of the owner or occupier of the fishery.

2.4 The final paragraph of byelaw 3 disapplies byelaw 3 in respect of any person who, with as little injury as possible, either returns fish immediately to the same water alive, or retains fish in a keepnet or keepsack and returns them to the same water alive on or before completion of fishing.

2.5 Schedule 1 is a closed list of fourteen species, expressly including hybrids between them and excluding ornamental varieties and colour variants. It does not include trout or salmon.

2.6 By its response of 12 November 2026 under reference EIR2026/49836, the Agency confirmed that no amendments have been made to the byelaws since they came into force, and that the amendments made at the point of confirmation have not been consolidated:

> "We can confirm that no further amendments have been made to these byelaws since they came into force on 1 June 2010." · "These amendments have not been incorporated into a separate consolidated version of the byelaw text."

3. The grounds

3.1 **The byelaw applies ownership inconsistently.** Byelaw 3(ii) requires the written permission of the owner or occupier before any fish is removed from a stillwater or a canal. Byelaw 3(i) requires the permission of nobody before fish are removed from a river. Every water in England is owned or controlled, and the fishing rights on a river belong to a club, a syndicate or a riparian owner in all but exceptional cases. The byelaw recognises that interest on one class of water and disregards it on another, and the class it disregards is the one under the greatest environmental pressure.

3.2 **The byelaw makes fishery rules unenforceable.** The rules of the Association, and of almost every club and fishery in England, require all coarse fish to be returned. Those rules are contractual, and the only sanction available to a club is the expulsion of a member. Beyond that the sole route is paragraph 2 of Schedule 1 to the Theft Act 1968, which is rarely pursued. The Agency will not act, because nothing in its own byelaw has been breached. A bailiff therefore confronts an angler holding up a page on GOV.UK which states that he may take the fish. The Association's bailiffs meet this every season. Deleting the allowance would bring the national byelaw into line with the rules of the fishery and would give the Agency something to enforce.

3.3 **The byelaw does not serve the section 6(6) duty.** Section 6(6) of the Environment Act 1995 places the Agency under a duty to maintain, improve and develop fisheries. A byelaw which permits the permanent removal of fish from rivers under pressure from abstraction, pollution and habitat loss, and which permits what those fisheries' own rules forbid, does not advance that duty.

3.4 **The byelaw states no purpose, and the only purpose advanced for it does not require it.** The byelaws contain no recital of purpose and no provision relating to bait. The sole justification advanced publicly for the allowance is the supply of bait. That supply does not require a take mechanism, for the reasons given at 5.2.

4. What this request does not seek

4.1 This request does not seek any restriction on livebaiting or on the use of dead baits. Its effect on bait is set out at 5.2, and is to place bait outside the byelaw rather than within it.

4.2 This request does not seek any change to the law governing the movement of live fish between waters, which is already regulated by the Keeping and Introduction of Fish (England and River Esk Catchment Area) Regulations 2015.

4.3 This request does not seek any change to Schedule 4 of the byelaws, or to any byelaw governing salmon or trout. Neither species appears in Schedule 1 and neither is affected by the allowance.

4.4 The request does extend to grayling. Grayling appears in Schedule 1 under a limit expressed as a size slot, which is a form used for game fish. The Association's position is that grayling should be treated

consistently. If it remains on the Schedule 1 list, the prohibition on removal should apply to it as to every other species on that list. If it is to be treated as a game fish, it should be removed from Schedule 1 and dealt with under the provisions applying to game fish. In either case byelaw 3(i)(c) should not survive.

5. The amendments sought

5.1 **Delete byelaw 3(i)(a), (b) and (c).** Byelaw 3(i) would then read as a prohibition on the removal by rod and line of Schedule 1 species from any river, stream or drain and from the waters listed in Schedules 2 and 3, subject to the existing dispensation described at 2.2.

5.2 **Amend the final paragraph of byelaw 3** so that the existing exemption also covers the retention of fish for use as bait on the water from which they were taken. The Association suggests the insertion, after the words "on or before completion of fishing", of:

> "or who retains fish for use as bait on the water from which they were taken"

The effect is that a bait fish is retained rather than removed and so falls outside the byelaw. No fish leaves the fishery and nothing is moved between waters. The retention mechanism already exists in the byelaw and this adds to it rather than replacing it.

5.3 **Retain the dispensation in byelaw 3(i)** in its present form. Where a case exists for removal from a particular fishery, including the supply of a commercial deadbait trade, it should be made to the Agency by the owner or occupier of that fishery under the existing mechanism, rather than held as a standing permission by every angler on every river.

6. What the Association asks the Agency to do

6.1 Confirm receipt of this request and the route by which it will be considered.

6.2 State whether any review of these byelaws is in progress or planned, and whether any representation seeking their amendment or revocation has previously been received.

6.3 State the process and indicative timetable by which a request of this kind is considered, and whether the Association will be consulted.

6.4 Publish a consolidated text of the byelaws as in force, incorporating the amendments made at confirmation, and review the summary published at gov.uk/freshwater-rod-fishing-rules/fish-size-and-catch-limits against the instrument. That summary names twelve species where Schedule 1 lists fourteen, describes the list as "including" those species where Schedule 1 is closed, and does not mention the hybrids that Schedule 1 expressly covers.

7. Publication and support

7.1 This request is published in full. The Association has asked the Angling Trust and Fish Legal to support it, and has invited other clubs, fisheries and riparian owners to submit their own evidence of how the allowance operates on their waters.

Submitted on behalf of Peterborough & District Angling Association.

Rob Harris

Chairman, Peterborough & District Angling Association
support@fishinginpeterborough.co.uk