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Annex 1

Background to development of proposed new fishing controls for salmon and sea trout

BACKGROUND – SALMON

STOCK STATUS

The status of our salmon stocks in Wales is very poor with 20 of our 23 principal salmon river stocks failing to achieve their management targets and likely to stay in this condition until at least 2021. All but 5 are assessed to be in ongoing decline. The 3 exceptions are 2 of the 3 cross-border rivers (Severn and Wye) and the Usk. Six rivers (including the 2 cross-border rivers Dee and Wye) are designated as N2K rivers, with salmon contributing to this designation, and 4 of these are deemed to be in unfavourable condition (the other 2 being un-classified).

SALMON STOCK MANAGEMENT – THE DECISION STRUCTURE

A Ministerial Direction in 1998 resulted in the implementation of the current salmon stock management regime in Wales and England. This followed advice from NASCO to use a system of conservation limits, management targets and annual assessment to assess stock status each year. An associated Decision Structure provides the management advice for managing fisheries exploitation. This now requires us to “urgently achieve zero exploitation by both rods and nets (include 100% C&R) whilst seeking to maintain socio-economic benefits where possible”.

NRW's predecessor body the National Rivers Authority introduced national byelaws requiring statutory C&R fishing for spring salmon (prior to June) in rod and net fisheries in 1999 and these controls were renewed by the EA in 2009. EA Wales followed the principles of the Decision Structure in implementing statutory C&R fishing on the Wye and Taff/Ely in 2012. These measures followed a period of no less than 20 years in which the need for uptake of voluntary C&R was impressed upon anglers. This was well received, and rates of C&R increased however they have now generally stalled and with variable uptake:

Salmon (combined statutory and voluntary): 33% - 100% (mean 72%)

sea trout: 28% to 100% (mean 76%)

In 2016 we strongly reiterated the message for maximum C&R, however anglers still declared that they had killed over 500 salmon. On rivers where anglers could take salmon, 56% released all their salmon, whilst 24% killed all the salmon they caught.

BACKGROUND - SEA TROUT

STOCK STATUS

There are 33 recognised sea trout rivers in Wales, including the 3 cross-border rivers, and our current assessment is that 21 of these are either 'At Risk' (11 rivers) or 'probably at Risk' (10 rivers) of failing to achieve their targets.

STOCK MANAGEMENT: A NEW APPROACH (BUILDING ON THAT FOR SALMON)

NRW has devised and now, as part of the current consultation, proposes to implement our new methodology for assessing sea trout stocks. This has been recognised by key NGOs and endorsed by Cefas as a great improvement on past assessments, as it uses a procedure similar to that for salmon and avoids the use of simple catch trends. This marks NRW as a technically progressive body.

Using this approach, 21 of our 33 main sea trout rivers are assessed as currently failing to achieve their targets.

We have encouraged increased uptake of C&R for sea trout in vulnerable stocks on the same timescale as that for salmon. Uptake has been generally good, and often better than that achieved for salmon.

JUVENILE SALMON AND TROUT POPULATIONS

Recent observations on an unprecedented reduction in juvenile salmon populations, and some trout populations, across most of Wales indicate a wide-scale failure of spawning success in the winter of 2015/2016, and this has been tracked-through into 2017. This has substantial implications for the abundance of salmon in 2019 and 2020 for several rivers including the Usk, Tywi, Teifi and Clwyd amongst others. It appears that extreme weather, with localised high flows but wide scale high temperatures at critical stages are implicated.

The scarcity of 1SW fish has also led to the near-absence of juvenile salmon in those areas habitually used by this age group for spawning.

TECHNCIAL CASE

The background technical information is set out in full in our Technical Case that supported our current fishing controls proposals: -

<https://naturalresources.wales/media/684367/technical-case-structure-final.pdf>

The poor status of our salmon and some sea trout stocks requires our urgent attention and although this paper briefs on the current fishing controls debate, action is required under a much broader set of initiatives.

Annex 2

Proposals advertised for new cross border Dee and Wye rod fishing byelaws

Proposals for C&R fishing by nets

The essence of our proposals, that were the subject of our statutory consultation (13 November 2017 - February 5, 2018) was:

- for salmon, statutory C&R in the rod fisheries along with commensurate method restrictions to maximise the success of rod C&R fishing,
- for sea trout, targeted C&R fishing, appropriate method restrictions, and a maximum size limit for rod caught sea trout in order to save large fecund female fish.

In developing our C&R proposals we noted that: -

- a) anglers will continue to fish for salmon within a statutory C&R regime. They do so now everywhere prior to June 16th,
- b) anglers continue to fish for salmon on the River Wye where statutory C&R fishing has been in place for 6 years now, and indeed the uptake of fishing there has increased (for a range of reasons),
- c) We were mindful of the commitments made in the Wye catchment, when C&R was introduced, not to extend the existing restrictions beyond their 10-year life span without a full review,
- d) anglers continue to fish on rivers where local club rules require full C&R fishing (e.g. the River Ogmore),
- e) anglers continue to fish where clubs require full C&R in the autumn,
- f) anglers continue to fish where clubs require full C&R of sea trout that exceed a specified slot length.

A simple analysis of C&R by voluntary and statutory regime (Box 1 below) demonstrates why we believe mandatory measures are required, and why we have proposed this.

BOX 1

Voluntary C&R approach

Pros.....

- Preferred approach of majority of anglers
- No change to current enforcement issues
- Resolves issue of how to deal with moribund fish as a result of capture

Cons....

- Will not achieve full saving of fish
- Continued kill of fish from unsustainable stocks
- Calls for voluntary approach have been in place for >10 years with variable uptake – some excellent, others not
- Urgent calls over last 2 years have not achieved higher rates of C&R (with only a few notable exceptions)
- Some reports suggest C&R rates are much lower than reported on some fisheries
- Uncertainty amongst fishermen about who is implementing and at what scale.
- Can require considerable resource to promote and maintain
- Required equity between rod and net fisheries
- Any failure to achieve high C&R rates would delay achievement of conservation objectives
- Uncertainty amongst anglers whether all adhere to voluntary code
- Increased risk of future fisheries closures because of a failure to act now.

Compulsory C&R approach

Pros....

- Achieves objective to maximise spawning escapement
- No uncertainty about C&R requirement – all must do it (creating a level playing field)
- Some clubs/associations have expressed generally that voluntary measures have been taken as far as they believe they can, and that further measures should be brought in by ourselves
- Maintains many of the socio and economic benefits without closing fisheries
- Reduces risk of fishery closures

Cons....

- Unpopular with a large proportion of fishermen
- Wounded, moribund and dead fish must be returned – reputational issue
- Claims that NRW does not trust anglers to voluntarily return fish
- Enforcement burden – many do not believe we can deliver.
- Reputational issues around anglers being 'easy' targets, whilst not tackling the harder issues

We further note that similar C&R requirements are in place on targeted rivers in Ireland, Northern Ireland and Scotland, and are currently at an advanced stage of consideration in England (Annex 6). Other countries have introduced similar controls (e.g. Norway and Canada).

Proposals: rod fishing method controls

We propose byelaws to restrict fishing methods to those that are commensurate with effective C&R rod fishing: no treble hooks and barbless hooks only to be used, and no bait fishing.

Proposals: sea trout slot limits

We propose to set an upper size limit for sea trout caught in the rod fishery to ensure that large fecund female fish, which have demonstrated their fitness, should be returned alive to continue to support the spawning populations.

The background technical information is set out in full in our Technical Case that supported our current fishing controls proposals: -

<https://naturalresources.wales/media/684367/technical-case-structure-final.pdf>

PROPOSED BYELAWS

Our advertised proposals, which were little changed from previous debates at Directors and Board meetings (July 2105 and March 2016), and upon which we extensively liaised with stakeholders over the past 2 years, are summarised below:

Byelaw: Catch and release with rod and line (salmon)

Statutory C&R fishing on the River Dee only, as extensive measure is already in place on the Wye until 2021.

Byelaw: Size limit (sea trout)

60cm maximum size limit for sea trout on the Dee and Wye (commensurate with the 'All Wales' approach)

Byelaw: No Bait fishing

No bait fishing with worm and prawn for salmon on the Dee (this is already a permanent byelaw requirement on the Wye)

No bait fishing for sea trout before 1st May

Byelaw: Hooks

Barbless or de-barbed hooks only (Dee and Wye). This is commensurate with the 'All Wales' approach.

Single barbless hook (<8mm gape) only for bait fishing for sea trout (Dee only).

Restriction on treble hooks on flies (maximum 7mm gape) for salmon and sea trout (Dee and Wye).

Single hook on lures (maximum gape 13mm), except for plugs where up to 3 single hooks can be used. (Dee and Wye)

Annex 3

Analysis of proposed cross border Dee and Wye rod byelaw consultation responses

We received 35 representations to the byelaws consultation. Also 12 (32.3%) respondents asked for their 'All Wales' response to be included in the consultation.

Their stated fishing locations were: -

North Wales	22 (62.9%)
South East Wales	8 (22.0%)
All Wales	3 (8.6%)
Not stated	3 (8.6%)

These were contributed by:

Anglers	23 (65.7%)
Anglers' representatives (clubs)	8 (22.9%)
Fishery owners	7 (20.0%)
NGOs	4 (11.4%)

The responses to our 3 core questions were: -

Do you agree with NRW stock assessments?

Yes	6 (17.1%)
No	8 (22.9%)
Don't know	3 (8.6%)
No response	18 (51.4%)

Do you agree with the proposed rod byelaws?

Yes	3 (8.6%)
Yes (in part)	2 (5.7%)
No	29 (82.9%)
No response	1 (2.9%)

The key themes raised were: -

Issue raised			Rank
Enforcement: resources, illegal fishing, enforcing new regulations	16	45.7%	1 st
Predation: fish eating birds	12	34.3%	2 nd
Voluntary measures	11	31.4%	3 rd
Barbless hooks	10	28.6%	4 th
Evidence and data: assessment methodology, catch statistics	9	25.7%	5 th
Water quality: agriculture pollution	7	20.0%	6 th
Stocking and hatcheries	7	20.0%	7 th
Treble hooks	7	20.0%	7 th
Shrimp and prawn fishing	5	14.3%	9 th
Bag limits	4	11.4%	10 th
Discrimination against disabled anglers	4	11.4%	10 th
Will result in a decline in angling	4	11.4%	10 th
Duration of measures	4	11.4%	10 th
Marine survival	3	8.6%	14 th
Spring salmon byelaws haven't worked	3	8.6%	14 th
Canoes	3	8.6%	14 th
Netting: commercial and heritage	3	8.6%	14 th
Proportionality of proposed measures	3	8.6%	14 th
Effectiveness of catch and release	2	5.7%	19 th
Sea trout slot limits	2	5.7%	19 th
Multi hook rigs on plugs	2	5.7%	19 th
Catch statistics inaccuracy	2	5.7%	19 th
River by river approach	1	2.9%	23 rd
Dee sea trout assessment	1	2.9%	23 rd
2017 catches and assessments not used	1	2.9%	23 rd
Net fisheries	1	2.9%	23 rd
Consultation	1	2.9%	23 rd
Habitat restoration	1	2.9%	23 rd
Proposals are anti angling	1	2.9%	23 rd
Other jurisdictions taking different approach	1	2.9%	23 rd
Out of season run not accounted for	1	2.9%	23 rd

Annex 4

Recommendations made in consultation responses for alternative proposals

There was a wide range of different suggestions for alternatives to the proposals made by NRW. These are summarised here, together with a brief comment by NRW.

Subject	Issue	Consultation Response	Adopt? Comment by NRW
C&R proposal	statutory or voluntary	Support: 3 (8.6%) support (in part): 2 (5.7%) don't support: 29 (82.9%) No response: 1 (2.9%)	
		Alternative suggestions: - - voluntary - owners and clubs should decide on measures and manage	NO These alternatives would not save fish as required. Salmon stocks and some sea trout stocks cannot sustain kill and harvest. We have previously pursued voluntary C&R fishing for 15 years with increased emphasis over the past 2 years.
Bag limits (often with carcass tagging)	Proposed arrangement to constrain the kill of fish	Bag limits for both species managed through the issue of carcass tags. Suggestions: - 1, 3, 4 or 6 fish may be killed per season. Allow to kill each 'alternate' fish	NO All salmon stocks with the exception of the cross-border rivers Severn and the Usk (where different issues apply) are unsustainable. Most sea trout stocks are unsustainable. Bag limits imply sustainability.
Sea trout slot limit	Current proposal to set limit at 60cm	- minimum size limit 30cm	NO. Existing lower slot limits already in place (variable to protect

	Evidence and data	Catch statistics are unreliable. The Assessment methodology is flawed.	<p>evidence-led review on i) the impacts of piscivorous birds on natural salmonid populations and inland fisheries, and ii) best practice management methods for minimising or eliminating these impacts.</p> <p>We believe our evidence and data (represent an evidence framework) that provides a robust, accurate reflection of stocks, which are fit for purpose.</p> <p>Nevertheless, we acknowledge and accept the current process lacks transparency and some stakeholders find it hard to understand. There have been recent concerns around the reliability of catch returns for stock estimates.</p> <p>We are committed to review the process with our partners, Cefas and the EA, to work towards improved transparency and more timely assessments.</p>
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Methods	Hook patterns	<p>Allow small barbed hooks</p> <p>Allow barbed hooks on flies</p> <p>Voluntary use of barbless hooks</p> <p>Allow only single barbless hooks on spinners</p> <p>Specify barbless hooks for bait</p> <p>Ban trebles larger than size 12</p> <p>Ban 'multi hook rigs'</p> <p>Clarify current byelaw that allows '9 hooks'</p> <p>Hook controls are unenforceable</p> <p>Hook gapes should be smaller</p> <p>Consistency of measures across Wales</p>	<p>Multiple suggestions received.</p> <p>After careful consideration of our evidence and taking account of the many varied and diverse views we have received, including that made to the 'All Wales' consultation, we conclude that variations to proposals are required, as follows: -</p> <p>Single barbless or de-barbed hooks (<13mm gape) only on lures (spinners and spoons) - does not apply to plugs which allow up to 3 single hooks.</p> <p>Single or double barbless or de-barbed hooks on flies (hook size > 7mm gape, approximately size 12).</p> <p>Barbless or de-barbed single, double or treble hooks on flies smaller than 7mm gape (approximately size 12).</p>
	Flying C's	Restrict use to a single barbless hook (<13mm gape)	See above
	Bait	<p>Regarding bait – multiple advice received</p> <ul style="list-style-type: none"> - allow shrimp and prawn - allow worm - allow worm but only with circle hooks - ban bait for sea trout as for salmon) - No worm fishing for sea trout on the River Wye 	<p>We conclude that a variation to proposals is required as follows:</p> <p>Shrimp and prawn fishing with barbless or de-barbed hooks (including trebles < 7mm gape) from 1st September On the Dee only.</p>

			Clarify the byelaw for sea trout bait fishing so that only affects the Dee.
	<p>We have considered a total ban on worm fishing, however have concluded this is excessive when we have sustainable sea trout stocks on the River Dee, and in recognising the use of worm for brown trout in most rivers.</p> <p>We believe that existing controls on the Wye banning the use of bait (worm, shrimp and prawn) should remain in place.</p> <p>Permitting the use of shrimp or prawn towards the end of the season 1st Sept to the current end of the permitted bait period (30th September) is acceptable on the Dee, following advice received on typical hooking in the mouth.</p> <p>Both of these partly addresses issues for elderly and disabled anglers. See EQIA re elderly and disabled</p>		

Annex 5

Conclusions – proposed amendments to measures

Byelaw reference	Subject	Original Proposal	Revised Proposal
RODS			
Byelaw 1	Title		AMEND date to 2018 AMEND Dee and Wye added to title to provide clarification
Byelaw 2	Application		NO CHANGE
Byelaw 3	Interpretation		AMEND TO ADD DEFINITIONS: Insert definition of 1995 byelaws to provide clarity
Byelaw 4	C&R salmon	Full C&R	NO CHANGE
Byelaw 5	Size Limit (sea trout)	60cm upper limit for sea trout	NO CHANGE
Byelaw 6	No bait fishing	Bait fishing restrictions	AMEND: Remove restriction on bait fishing for sea trout before 1st May Permit fishing with shrimp and prawn (with hook controls) from 1st September. To only apply to the River Dee
Byelaw 7	Hooks	Barbless or de-barbed hooks only (Dee and Wye). Single barbless hook (<8mm gape) only for bait fishing for sea trout Ban on treble hooks (Dee and Wye)	AMEND: (commensurate with ‘All Wales’ approach) Lures restricted to single hook maximum gape 13mm Plugs to be allowed up to a maximum of 3 single hooks Flies- trebles less than 7mm gape allowed, Hooks with a gape greater than 7mm to be singles or doubles. Maximum of 2 hooks, with a maximum of 4 points
Byelaw 8	Revocations of existing byelaws	The rod and line byelaws 1995 use of lures and bait with rod and Line	NO CHANGE

Bait

amendments:

Shrimp and prawn permitted from 1st September, with single, double or treble hooks <7mm gape (barbless or de-barbed).

Slot limit

upper size limit of 60cm

NO CHANGE

Annex 6

MANAGEMENT ARRANGEMENTS IN OTHER JURISDICTIONS

This is provided to contextualise the proposals made by NRW.

Environment Agency (EA): decision on statutory consultation for new fishing controls for salmon and sea trout

The EA follows the same management procedures for salmon. They have concluded their one month statutory consultation and are considering representations on: -

Nets:

- Closure of drift net fisheries in 2018 (the focus is on the very large mixed-stock fishery in the North East of England, but also those on the rivers Lune and Ribble)
- All other net fisheries on 'At Risk' and 'Probably at Risk' rivers that take salmon to close in 2019. (This will exclude the River Severn as this stock is currently 'Probably Not at Risk')
- Fisheries targeting some sea trout stocks will continue, but with statutory C&R of salmon

Rods

- statutory C&R of salmon in all rivers deemed 'At Risk' (10 of the 42 rivers) in 2018
- Voluntary C&R in 28 'Probably at Risk' rivers at levels to exceed 90% from 2018 or, if targets are not met, a byelaw for statutory measures to be introduced)
- Renewal of national spring salmon byelaws (requiring statutory C&R in all rivers from start of season to 15th June)
- Angling method restrictions.

NRW's position regarding the EA is: -

- The status of salmon stocks is generally worse in Wales: -

CLASSIFICATION	NUMBER OF STOCKS (RIVERS)	
	WALES*	ENGLAND
'At Risk'	8 (36%)	10 (24%)
'Probably at Risk'	12 (55%)	27 (64%)
(stocks in decline)	10	23)
'Probably not At Risk'	2 (9%)**	5 (12%)
'Not at Risk'	0	0

* excludes River Severn

** rivers Wye and Usk

- NRW follows a different legislative regime following the principles of SMNR and adopting the wellbeing goals. They require greater precaution in managing our natural resources.
- We have appealed for full C&R rod fishing through voluntary means for many years with very variable results. Analysis of C&R data taking account of figures for the existing statutory period (prior to June 16th in each year) demonstrates that current voluntary C&R rate is sometimes as low as 60%.
- Feedback from some fishing organisations is that no further improvement can be made through voluntary means.

When stocks are sustainable and can support exploitation, we seek an appropriate equity of approach between net and rod fisheries.

Inland Fisheries Ireland (IFI): management of the wild salmon fishery 2018

IFI management and regulation of fishing for salmon and sea trout has been significantly amended over the past 5 years. Fishing for salmon is managed through a system of stock assessment that determines stock status and triggers management decisions for each river. Crucially this is done at the end of each annual season in time to influence the determination of management rules for the following year. This is overseen by an independent Standing Scientific Committee on Salmon, comprising scientists from a range of organisations.

On 29th December 2017 the Irish Minister with responsibility for the inland fisheries sector announced new byelaws to be implemented on 1st January 2018.

Of their 146 salmon rivers: -

- 78 rivers open for angling, of which

42 fully open for catch-and-kill
36 open with statutory C&R fishing
- 68 rivers closed for salmon angling as there is no surplus of fish

Further regulation of salmon fishing, and fishing for sea trout, is achieved through a system of bag limits and carcass tagging. Under this scheme: -

- There is an annual limit of 10 salmon or sea trout, under which there are daily and seasonal apportionments of the limit
- Tags and logbooks are issued to anglers to regulate the bag limit
- Where C&R fishing is permitted, anglers may not use worms and must use only single barbless hooks
- A prohibition on sale of rod-caught salmon

Full details may be seen here: -

<http://www.fisheriesireland.ie/Salmon-Regulations/salmon-regulations.html#angling-regulations>

Scottish Government: conservation measures to control the killing of wild salmon

The Conservation of Salmon (Scotland) Regulations 2016: -

- Prohibits the retention of salmon caught in coastal waters
- Permits the retention of salmon caught in rivers where the stocks are above a defined conservation limit
- Requires mandatory C&R fishing where stocks fall below their conservation limit

Details are available here: -

<http://www.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform/licence>

The Department of Agriculture, Environment and Rural Affairs (DAERA): angling regulations for salmon and sea trout

DAERAS states that: “As salmon stocks are declining across all North Atlantic countries there are limits on the number of salmon that may be retained.”

Management advice is based on the probability of each river meeting its conservation limit in 3 out of 5 years. If the probability of this is below a specified level, then statutory C&R fishing is imposed until stock status improves.

There is therefore a requirement for C&R to apply to all salmon and sea trout caught at any time in the DAERA licensing area (except in Lough Melvin, and in rivers where there is a surplus of fish above the conservation limit).

Bag limits (5 fish per year in rivers, 2 in Lough Melvin) is regulated through a carcass tagging scheme (fishing may continue after the limit is reached but on a statutory C&R basis).

Details are available here: -

<https://www.nidirect.gov.uk/articles/angling-regulations-rules>

Annex 7

Equality Impact Assessment in relation to proposed new cross border Dee and Wye rod fishing byelaws

PJG, 28.12.17

Our equality duties are set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 which came into force in April 2011.

Welsh Government states that: -

“The Act aims to ensure public authorities and those carrying out a public function consider how they can positively contribute to a fairer society in their day-to-day activities through paying due regard to eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations.

The Regulations place duties on the devolved public sector, including Welsh Government, covering equality impact assessments, publishing and reviewing Strategic Equality Plans, engagement, pay differences, procurement, reporting arrangements and equality and employment information.”

NRW requires an Equality Impact Assessment to be carried out for any subject that might impact upon any component of society.

<http://naturalresources.wales/about-us/equality-and-diversity/?lang=en#>

Equality Impact Assessment (Equal)

This paper follows a commended structure for an EqIA.

Background

Name of function	Fisheries, Environment Policy and Permitting
Person responsible	Peter Gough
Timescale	January 2018, associated with Board consideration of proposed new fishing controls
Due date	tbc (submission to Welsh Government)

Summary of outcome of impact assessment: **adverse effects not found**

Date due for review: **5 years after implementation of new measures**

Person responsible for review:

Peter Gough

(1) NRW function and policy	NRW response
Purpose of the function	Implementation of statutory duties for fisheries and Welsh Government guidance.
Who benefits from the function	<ul style="list-style-type: none"> • People of Wales, in terms of environmental quality and sustainability • Rod and net fishermen in terms of access to fish stocks
How have they been involved with current policy (interpreted here as the proposed new fishing controls):	Liaison and engagement during development of proposals
How does it fit into broader corporate aims	Restoring stocks to sustainable levels, with respect to SMNR
What outcomes are intended from this policy	Maximising spawning escapements; arresting declines in stocks
What are the resource implications	<ul style="list-style-type: none"> • Routine annual stock assessments • Enforcement of new byelaws • Mid-term review after 5 years
(2) Rapid impact checklist	
Have potential negative impacts been identified for racial or other equality groups?	<ul style="list-style-type: none"> • Racial No • Disabled and elderly <ul style="list-style-type: none"> - Prohibition of bait fishing might reduce opportunity for both groups. - Proposal is only to prohibit bait fishing for one species (Atlantic salmon) and to postpone the bait fishing season for sea trout on some rivers. Subject to this, bait fishing may continue for sea trout and brown trout (and other non-salmonid species)
If yes, has a full Equality and Diversity impact assessment been recommended?	N/A

If no, are you satisfied that the conclusions of the RIC are accurate and comprehensive?	Yes (but see impacts assessment and modifications sections below)
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(3) Impacts

(a) What is the likely impact (intended, or unintended; positive or negative) of the initiative on individual users or the public at large?

Restriction of use of bait fishing might constrain previous lawful activity of some elderly and disabled anglers less able to use fly-fishing and spinning techniques.

However, the proposed restrictions are partial as they: (i) propose bait fishing on all salmon stocks and (ii) propose early season (prior to 1st May) prohibition on bait fishing for sea trout in defined rivers (thereafter bait fishing for sea trout would be permitted).

Overall therefore the proposals are for partial control and not full prohibition on bait fishing. We aim to amend the proposal for a bait ban (the use of shrimp and prawn) partly as a result of consideration in this equality assessment.

(b) Is there likely to be a differential impact on any group? If yes, state if this impact may be adverse and give further details (e.g. which specific groups are affected, in what way, and why you believe this to be the case).

A full bait ban might have a differential impact on anglers who may be elderly or disabled and potentially less able to practice other fishing techniques.

However as noted above the proposed prohibitions are partial and therefore only restrict, and do not fully prohibit, this fishing technique.

Sector	Yes / No	Adverse? If so give further details
(i) Grounds of race, ethnicity, colour, nationality etc.	No	n/a
(ii) Grounds of sex or marital status	No	n/a
(iii) Grounds of gender: transgender; trans-sexual	No	n/a
(iv) Grounds of religion or belief	No	n/a (although we note that it has been expressed by one person that statutory C&R for some might be in conflict with certain

		religious and moral views, especially if a fish is moribund. However, we note that more than 1 million coarse fishermen invariably release fish alive. Although we take this seriously, we see no workable alternative to the current proposals. Overall, we do not believe this is an adverse factor.
(v) Grounds of physical or sensory impairment or mental disability: disabled people	No - noting points (a) and (b) above	n/a
(vi) Grounds of age: older and younger people	No - noting points (a) and (b) above	n/a
(vii) Grounds of sexual orientation: LGBT	No	n/a
(viii) Grounds of offending past	No	n/a
(ix) Grounds of mental health	No	n/a
(x) Other grounds: e.g. poverty, homelessness, immigration status, language, social origin	No	n/a
(c) Is the policy directly discriminatory? No	(d)(i) Is the policy indirectly discriminatory? No (ii) If “yes”, is this objectively justifiable or proportionate in meeting a legitimate aim?	(e) Is the policy intended to improve equality of opportunity? No
If you answered Yes to QC and No to QE, this is unlawful discrimination If you answered Yes to QD(i) and No to QD(ii), this is unlawful discrimination		
If the policy is unlawfully discriminatory, you must decide how to ensure the organisation acts lawfully N/A		
(f) If the policy is not directly or indirectly discriminatory, does it still have an adverse impact? Yes / No Yes Please give details		

We are advised that the proposals could potentially reduce access to fishing for some elderly and disabled anglers

(4) MODIFICATIONS

If you answered **Yes** to QF, and the policy could have an effect on any group, how could you modify the initiative to reduce or eliminate and identified negative impacts or to create or accentuate positive parts of the development?

We have considered: -

Dispensation for groups affected. This could be through the licencing system or via the 'blue badge' local authority regulated scheme.

Holders of migratory salmonid concessionary licences (excluding minor in-season upgrades) in 2015/16: -

Senior licence holders	1,639	= 29% of licence sales
Disabled licence holders	342	= 6% of licence sales
Other licence sales	3,681	= 65% of licence sales
TOTAL		35% of licence sales and 32% of revenue (~£95k of ~£292k)

Considerations:

A large proportion of licence sales are concessionary sales to senior citizens and disabled citizens.

They are all currently able to use bait fishing for sea trout (and brown trout and non-salmonid fish) either all-season or after the 1st May (for sea trout) on specified rivers.

Allowing bait fishing to continue for salmon is not sustainable.

Conclusion:

We have considered potential alteration of proposals using data from our rod licence sales system, but not currently by analysis of 'blue badge' holders amongst the angling community.

We are unaware of any groups amongst the net fishing community who might be affected by any of our proposals.

The proposals seek to control the use of tactics available to concessionary licence holders (the use of bait) and not to deprive the opportunity to continue fishing. We therefore see no reason to offer a dispensation for an extended use of bait over and above that which would be offered under the proposals.

If you make these modifications, would there be impacts on other groups in society or on the ability of the initiative to achieve its purpose?

n/a	
(5) FURTHER RESEARCH	
(a) Given the analysis so far, what additional research or consultation is desirable to investigate the impacts of the proposals on diverse groups?	
(i) New primary data? Yes / no No Describe:	(ii) Secondary analyses of existing data? Yes / no No Describe:
(6) REVIEW	
We propose to review the situation via our Local Fisheries groups, from whom we shall seek evidence of unsatisfactory outcomes for any specific groups of participants.	