1992 No. 3

FISHERIES

Angling Waters (Development Schemes) Regulations (Northern Ireland) 1992

Made . . . . . 8th January 1992

Coming into operation . . 17th February 1992

The Department of Agriculture, in exercise of the powers conferred on it by sections 3A(1) and (2) and 19 of the Fisheries Act (Northern Ireland) 1966(**a**) and of every other power enabling it in that behalf, with the approval of the Department of Finance and Personnel, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Angling Waters (Development Schemes) Regulations (Northern Ireland) 1991 and shall come into operation on 17th February 1992.

Interpretation

2. In these Regulations—

"the Act" means the Fisheries Act (Northern Ireland) 1966;

"Land Act" means the Land Law (Ireland) Act 1881(**b**), the Land Law (Ireland) Act 1887(**c**), the Land Law (Ireland) Act 1896(**d**), the Land Law (Ireland) Act 1903(**e**), or the Northern Ireland Land Act 1925(**f**), as the case may be;

"riparian landowner" means the owner of the land adjoining the waters which an approved developer proposes to develop under section 3 of the Act.

Submission of schemes for approval

3.—(1) An approved developer shall submit a scheme, for the purposes of approval by the Department, in the form set out in Schedule 1 and containing the particulars specified therein.

(2) A scheme submitted in accordance with paragraph (1) shall be accompanied by the documents listed in Schedule 2.

(**a**) 1966 c. 17 (N.I.). relevant amending Order is S.I. 1991/1466 (N.I. 13) Art. 4
(**b**) 1881 c. 49
(**c**) 1887 c. 33
(**d**) 1896 c. 47
(**e**) 1903 c. 37
(**f**) 1925 c. 34

Fee

4. An approved developer shall, on submitting a scheme, pay a fee of £100 to the Department.

Sealed with the Official Seal of the Department of Agriculture on 8th January 1992.

(L.S.) *L. Sinclair*
Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing regulation 4.

Sealed with the Official Seal of the Department of Finance and Personnel on 8th January 1992.

(L.S.) *J. Caldwell*
Assistant Secretary

SCHEDULE 1 Regulation 3(1)

Form of Submission of a Scheme

DEPARTMENT OF AGRICULTURE FOR NORTHERN IRELAND

ANGLING WATERS (DEVELOPMENT SCHEMES) REGULATIONS (NORTHERN IRELAND) 1991

Proposal for a scheme to develop waters for angling

1. State the name and address of the developer proposing the scheme.	
2. State the name and address of the person who can be contacted regarding the proposed scheme (if different from 1 above).	
3. State the name and address of a place where a copy of the proposed scheme can be inspected at reasonable times by members of the public.	
4. State the name and location of the waters proposed to be developed.	
5. Give details of the searches undertaken to ascertain the ownership of the fishing rights and/or bed and soil of the waters proposed to be developed including—	
(*a*) Land Registry folio numbers of all registered land adjoining the waters;	(*a*)
(*b*) the names and addresses of the persons in whose name the land at (*a*) is registered;	(*b*)
(*c*) the names and addresses of the owners of any unregistered land adjoining the waters;	(*c*)
(*d*) details of any known owners of fishing rights in the waters who cannot be traced;	(*d*)
(*e*) the Land Act under which the land was transferred;	(*e*)
(*f*) any other relevant information.	(*f*)
6. (*a*) Is it proposed to remove existing fish stocks from the waters?	(*a*) Yes ☐ No ☐

(*b*) If "Yes", name the species of fish to be removed.	(*b*)	
(*c*) What means of removal are proposed?	(*c*)	

7. Give details of—		
(*a*) the type of fishery to be developed;	(*a*)	
(*b*) the restocking required;	(*b*)	
(*c*) the construction of fishery habitat required;	(*c*)	
(*d*) the fixtures etc. to be provided to facilitate access to the waters and for angling;	(*d*)	
(*e*) the estimated cost of the proposed development;	(*e*) £	
(*f*) the estimated time-scale of the proposed development;	(*f*)	years months
(*g*) the financial and other resources available to the developer.	(*g*)	

8. Give details of—		
(*a*) If appropriate, the numbers of members of the club/syndicate to whom fishing in these waters will be available.	(*a*)	
(*b*) The numbers of day permits to be made available to members of the public.	(*b*)	
(*c*) The proposed cost of day permits.	(*c*) £	

9. Will the development provide angling associated with a hotel, guest house or boarding house registered under the Development of Tourist Traffic Act (N.I.) 1948?	Yes ☐ No ☐

10. If the answer to 9 above is 'Yes', state the name and address of the hotel, guest house or boarding house.

Declaration

11. (*a*) I/we hereby declare that the information provided at items 1 to 10 above is true and correct to the best of my/our knowledge and belief;

(*b*) I/we request approval to develop the waters referred to at item 4 above;

(*c*) I/we enclose herewith the documents required under regulation 3(2) of the Angling Waters (Development Schemes) Regulations (Northern Ireland) 1991; and

(*d*) I/we enclose herewith the fee required under regulation 4 of those Regulations.

Signed: _____ Status*: _____

Date: _____

* If signing on behalf of a body or association proposing to develop the waters, indicate your status within that body or association e.g. Chairman, Secretary, etc.

SCHEDULE 2 Regulation 3(2)

List of documents to accompany a Scheme

1. A copy of a map, on a scale of at least 1:2500; indicating the limits of the waters proposed to be developed and the boundaries between the riparian landowners.

2. Any documents which might verify the searches which the developer has undertaken to ascertain the ownership of the fishing rights of the waters concerned.

3. Where appropriate, copies of the Estate Papers and Deeds of Transfer of the land.

4. Copies of the agreements which the approved developer has made with the riparian landowners to enable the developer, his servants, agents, members or other permitted anglers to have access to the waters concerned.

5. Where the approved developer is a body or organisation proposing to develop the waters concerned—

(*a*) a list of the names and addresses of its office holders and trustees;

(*b*) a copy of its rules and constitution; and

(*c*) if appropriate, a copy of its audited accounts for the previous 3 financial years.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations prescribe the form, and the particulars to be contained therein, in which schemes for the development of waters for angling are required to be submitted by approved developers to the Department of Agriculture for approval (regulation 3(1) and Schedule 1).

They also list the documents required to accompany schemes (regulation 3(2) and Schedule 2) and prescribe a fee of £100 which an approved developer is required to pay to the Department when submitting a scheme (regulation 4).

Copies of the form are obtainable from the Department of Agriculture, Fisheries Division, Hut 5, Castle Grounds, Stormont, Belfast BT4 3PW, telephone Belfast 763939, extension 2381.