

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order grants the Environment Agency a right of regulating the cockle fishery over the estuary of the River Dee for a period of 20 years.

Article 3 allows the Environment Agency (with the consent of the appropriate national authority) to impose restrictions on, and make regulations respecting, the dredging, fishing for or taking of cockles within the limits of the fishery.

Article 4 provides that no one may dredge, fish for or take cockles unless they have a licence, an authorisation under article 6 or one of the exceptions applies. Article 5 makes provision for the payment of a toll for a licence.

Article 7 requires the Environment Agency to give the Secretary of State and Welsh Ministers annual accounts and comply with requests for information, inspections of premises and documents from them.

Article 8 protects the rights of statutory undertakers.

A person who dredges, fishes for or takes cockles in contravention of any restriction or regulation or without paying a toll imposed on him is guilty of an offence under section 3(3) of the Sea Fisheries (Shellfish) Act 1967 and is liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently £5,000).

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Dee Estuary Cockle Fishery Order 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- art. 2 words inserted by [S.I. 2013/755 Sch. 4 para. 300\(2\)](#)
- art. 2 words inserted by [S.I. 2013/755 Sch. 4 para. 300\(4\)](#)
- art. 2 words substituted by [S.I. 2013/755 Sch. 4 para. 300\(3\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 5(1A) inserted by [S.I. 2013/755 Sch. 4 para. 301](#)