

# Setting up a Fishery

Practical advice from specialists  
in water and fisheries law

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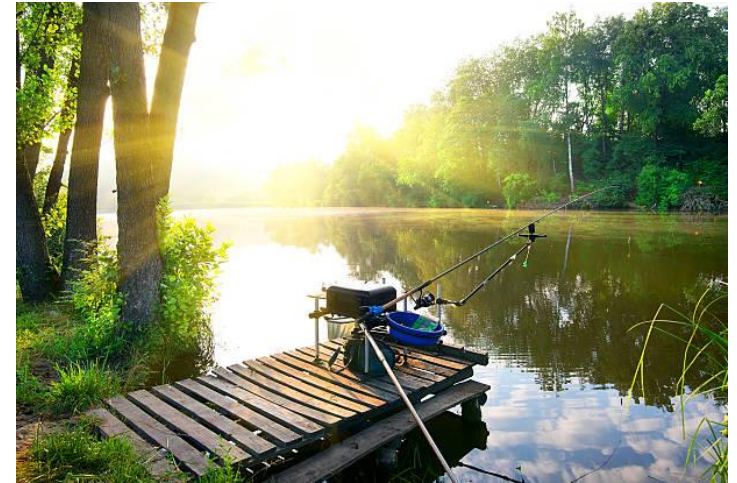
# Who has the right to fish?

- Riparian rights – a bundle of rights accompanying ownership of land adjoining water
- These can be bought and sold or leased
- Claims can emerge from third parties
- Register the right to protect it!



# What other rights exist?

- Other sporting rights?
- Access rights?
- Are there any covenants that restrict use?



# Ownership of fish stocks

- In a river, fish are wild and belong to no-one unless caught and removed.
- If a lake is leased, ensure the lease deals carefully with ownership or the fish may be lost!



# Common pitfalls and sources of dispute

- Trespass/poaching
- Business partners that fall out
- Club/syndicate formation and running
- Liability for loss and damage
- Environmental law issues



# Planning considerations

- Very likely to need planning permission:
  - Earthworks
  - Change of use
- Environmental impacts:
  - Drainage
  - Wildlife habitats



# Additional infrastructure



- Fishing hut?
- Toilet / shower facilities?
- Storage?
- Car park?
- Shop / Café?
- Holiday accommodation?
- Site Manager's Dwelling
- Disabled Access?

# Justification for Site Manager's Dwelling

- Presumption against new dwellings in the countryside
- Exception for dwellings for rural workers
  - Economic test – Business Plan
  - Functional need
    - Breeding fish – monitor oxygen levels?
    - Security / risk of theft?
    - Management of holiday accommodation?
  - Agricultural occupancy tie





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