

MARINE MANAGEMENT ORGANISATION

MARINE AND COASTAL ACCESS ACT 2009 (2009 c.23)

THE HAISBOROUGH HAMMOND AND WINTERTON EUROPEAN MARINE SITE (SPECIFIED AREAS) BOTTOM TOWED FISHING GEAR BYELAW

The Marine Management Organisation¹, in exercise of the powers conferred by regulation 38 of the Conservation of Habitats and Species Regulations 2010² and section 129 of the Marine and Coastal Access Act 2009³, and having:

- placed copies of the draft byelaw in convenient places for the purpose of inspection in accordance with section 130(3) of that Act;
- provided a copy of the draft byelaw to any person upon request in accordance with section 130(4) of that Act;
- published notice of its proposal to make the byelaw in accordance with sections 130(6) and 130(7) of that Act;
- consulted with the Commission, the Government of the Kingdom of Belgium, and the North Sea Regional Advisory Council, and subsequently received confirmation of the draft byelaw from the Commission, in accordance with Articles 8(3), 9(1) and 9(2) of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and suitable exploitation of fisheries resources under the Common Fisheries Policy⁴;

makes the following byelaw.

Interpretation

1. In this byelaw, “the specified areas” means Area 1 and Area 2 as defined in the Schedule.

Prohibition

2. No person shall use any bottom towed fishing gear in the specified areas.

(1) The Marine Management Organisation was established by the Marine and Coastal Access Act 2009, section 1.

(2) S.I. 2010/490 amended by S.I. 2012/1927.

(3) 2009 c.29.

(4) OJ L 358, 31.12.2002 p. 59: amended by Council Regulation (EC) No 865/2007 of 10 July 2007 (OJ L 192 24.07.2007 p. 1); Council Regulation (EC) No 1224/2009 of 20 November 2009 (OJ L 343 22.12.2009 p. 1); Regulation (EU) No 1152/2012 of the European Parliament and of the Council of 21 November 2012 (OJ L 343 14.12.2012 p. 30)

Exemption for Scientific, Stocking or Breeding Purposes

3. This byelaw shall not apply to any person performing an act which would otherwise constitute an offence against this byelaw, if that act was carried out in accordance with a written permission issued by the Marine Management Organisation permitting that act for scientific, stocking or breeding purposes.

Citation

4. This byelaw may be cited as the Haisborough Hammond and Winterton European Marine Site (Specified Areas) Bottom Towed Fishing Gear Byelaw.

Made under the Common Seal of the Marine Management Organisation
this 11th day of December 2013.

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The Common Seal of the Marine
Management Organisation was
affixed to this byelaw in the
presence of:

James Cross
Chief Executive of the Marine
Management Organisation

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power conferred by section 130(8) of the Marine and Coastal Access Act 2009 confirms the Haisborough Hammond and Winterton European Marine Site (Specified Areas) Bottom Towed Fishing Gear Byelaw made by the Marine Management Organisation on 11th December 2013 and has determined that the byelaw comes into force as soon as is practicably possible.

[name]

[Job title]

A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food and Rural Affairs

Date:

SCHEDULE

Definitions of Area 1 and Area 2

Co-ordinates used in this Schedule are based on WGS 84 datum, where 'WGS 84' means the World Geodetic System, revised in 1984.

"Area 1" means the area enclosed by a line drawn from:

Point A (52 Degrees 47.792 Minutes North, 1 Degree 58.661 Minutes East) to
Point B (52 Degrees 47.919 Minutes North, 1 Degree 58.179 Minutes East) to
Point C (52 Degrees 48.229 Minutes North, 1 Degree 58.065 Minutes East) to
Point D (52 Degrees 48.267 Minutes North, 1 Degree 58.114 Minutes East) to
Point E (52 Degrees 48.442 Minutes North, 1 Degree 57.900 Minutes East) to
Point F (52 Degrees 48.705 Minutes North, 1 Degree 57.942 Minutes East) to
Point G (52 Degrees 48.876 Minutes North, 1 Degree 58.277 Minutes East) to
Point H (52 Degrees 48.814 Minutes North, 1 Degree 58.920 Minutes East) to
Point I (52 Degrees 48.615 Minutes North, 1 Degree 59.207 Minutes East) to
Point J (52 Degrees 48.465 Minutes North, 1 Degree 59.173 Minutes East) to
Point K (52 Degrees 48.397 Minutes North, 1 Degree 59.328 Minutes East) to
Point L (52 Degrees 48.123 Minutes North, 1 Degree 59.400 Minutes East) to
Point M (52 Degrees 47.926 Minutes North, 1 Degree 59.179 Minutes East)
and then from Point M to Point A.

"Area 2" means the area enclosed by a line drawn from:

Point A (52 Degrees 50.804 Minutes North, 1 Degree 48.365 Minutes East) to
Point B (52 Degrees 50.617 Minutes North, 1 Degree 48.178 Minutes East) to
Point C (52 Degrees 50.698 Minutes North, 1 Degree 47.043 Minutes East) to
Point D (52 Degrees 51.027 Minutes North, 1 Degree 46.490 Minutes East) to
Point E (52 Degrees 51.133 Minutes North, 1 Degree 46.633 Minutes East) to
Point F (52 Degrees 51.013 Minutes North, 1 Degree 48.138 Minutes East)
and then from Point F to Point A.

Explanatory Note

(This note is not part of the Byelaw)

The Marine Management Organisation has made this byelaw to ensure that fishing activities are managed in a manner that secures compliance with the requirements of Article 6 of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

This byelaw protects biogenic ross worm (*Sabellaria spinulosa*) reefs by prohibiting the use of bottom towed fishing gear in specified areas of the Haisborough Hammond and Winterton European Marine Site.

The specified areas are defined in paragraph 1 of and the Schedule to this byelaw.

The specified areas are identified, for illustrative purposes only, on the maps below.



Haisborough, Hammond & Winterton SCI

Total proposed closed area = 3.726533 sq km

