

## **MARINE MANAGEMENT ORGANISATION**

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

#### **THE LANDS END AND CAPE BANK EUROPEAN MARINE SITE (SPECIFIED AREA) BOTTOM TOWED FISHING GEAR BYELAW**

The Marine Management Organisation<sup>1</sup>, in exercise of the powers conferred by regulation 38 of the Conservation of Habitats and Species Regulations 2010<sup>2</sup> and section 129 of the Marine and Coastal Access Act 2009<sup>3</sup>, 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 European Commission, the Government of the Kingdom of Belgium, the Government of the French Republic, and the North Western Waters 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 Policy<sup>4</sup>;

makes the following byelaw.

#### **Interpretation**

1. In this byelaw, “the specified area” means Cape Bank as defined in the Schedule.

#### **Prohibition**

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

(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 Lands End and Cape Bank 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.

**LS**

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 Lands End and Cape Bank 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

### Definition of Cape Bank

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

"Cape Bank", means the area enclosed by a line drawn from:

Point A (50 Degrees 19.969, Minutes North, 5 Degrees 43.216 Minutes West) to  
Point B (50 Degrees 16.913, Minutes North, 5 Degrees 48.820 Minutes West) to  
Point C (50 Degrees 8.500, Minutes North, 5 Degrees 47.338 Minutes West) to  
Point D (50 Degrees 4.747, Minutes North, 5 Degrees 48.929 Minutes West) to  
Point E (50 Degrees 11.468, Minutes North, 5 Degrees 57.977 Minutes West) to  
Point F (50 Degrees 19.129, Minutes North, 5 Degrees 52.099 Minutes West) to  
Point G (50 Degrees 21.159, Minutes North, 5 Degrees 44.468 Minutes West)  
and then from Point G 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 offshore upstanding reef communities by prohibiting the use of bottom towed fishing gear in specified areas of the Lands End and Cape Bank.

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.



# Lands End & Cape Bank SCI

