

Prohibition of the use of Mobile Fishing gear within the English section of the Berwickshire and North Northumberland Coast Special Area of Conservation (SAC)

The Authority for the Northumberland Inshore Fisheries and Conservation District in exercise of its powers under sections 155 and 156 of the Marine and Coastal Access Act 2009 makes the following Byelaw for that District.

Interpretation

1. In this Byelaw:

- (a) all coordinates are derived from the World Geodetic System 1984 datum;
- (b) 'Authority' means the Northumberland Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the Northumberland Inshore Fisheries and Conservation Order 2010 (SI 2010 No. 2197);
- (c) 'cod-end' means the end of a towed net where the catch collects;
- (d) 'District' means the Northumberland Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the Northumberland Inshore Fisheries and Conservation Order 2010;
- (e) 'English section of the Berwickshire and North Northumberland Coast Special Area of Conservation' means the area defined in Schedule 1;
- (f) 'inboard, lashed and stowed' means that the mobile fishing gear is stored in such a way that use cannot readily be made of it for any purpose;
- (g) 'mobile fishing gear' means any dredge, trawl or similar device that is designed to be towed or pushed to take any sea fisheries resources from the seabed;
- (h) 'otter boards' mean a pair of boards or trawl doors which are towed through the water at an angle and keep open an attached net;
- (i) 'relevant fishing vessel' means a fishing boat registered in accordance with Part II of the Merchant Shipping Act 1995 (c.21) and the regulations made under that Act, and holding a fishing vessel licence issued by an appropriate national authority at the time of the application for a permit;
- (j) 'specified areas' means the areas defined in Schedule 2;

- (k) 'specified gear' means a single trawl fitted with a single cod-end and one pair of otter boards rigged for fine ground fishing using either:
 - (i) grass rope with lead rings;
 - (ii) light chain ground gear; or,
 - (iii) rubber leg ground gear with rubber discs less than 70mm in diameter;

- (l) 'trawling permit' means a permit issued in accordance with paragraphs 9 to 13 of the byelaw with the title 'Trawling' made by the Northumberland Inshore Fisheries and Conservation Authority, on 25th November 2015.

Prohibition

2. A person must not operate a relevant fishing vessel using mobile fishing gear, within the English section of the Berwickshire and North Northumberland Coast Special Area of Conservation, except within any of the specified areas and only with the written authorisation by the Authority in accordance with paragraph 5.

3. A relevant fishing vessel transiting through the specified areas, except vessels fishing in accordance with an authorisation issued under paragraph 5, must have all mobile gear inboard, lashed and stowed.

Exemption

4. The Authority may, on application in writing to the authority, issue an authorisation for the use of specified gear in one or more of the specified areas, provided that it is used in accordance with a trawling permit and any conditions attached to that permit. The Authority will publish details on how to apply for a trawling permit on the Authority's website.

Scientific Exemption

5. Paragraphs 3 and 4 do 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 Authority permitting that act for scientific, stocking or breeding purposes.

Revocation

6. The byelaw with the title 'Prohibition of the use of Mobile Fishing Gear within the English Section of the Berwickshire and North Northumberland Coast Special Area of Conservation (SAC)', which was made by the Authority on 20th December 2013 and was in force immediately before the making of this byelaw, is revoked.

Schedule 1

Definition of the English Section of the Berwickshire and North Northumberland Coast Special Area of Conservation

The 'English Section of the Berwickshire and North Northumberland Coast Special Area of Conservation' means the sea area enclosed by a line drawn between the following points:

Including 'Buffer Area'

- Point 1 *55°23.290'N 001°36.277'W* to
- Point 2 *55°23.296'N 001°27.862'W* to
- Point 3 *55°39.894'N 001°26.762'W* to
- Point 4 *55°45.936'N 001°53.942'W* to
- Point 5 *55°50.335'N 001°58.929'W* to
- Point 6 *55°49.780'N 002°00.060'W* to
- Point 7 *55°48.700'N 002°02.000'W*.

Schedule 2

Definition of Specified Areas

'Specified areas' means the following areas:

Amble Hoop means the area enclosed by a line drawn between the following points:

- Point 1 *55°24.14'N 001°31.65'W* to
- Point 2 *55°24.14'N 001°31.00'W* to
- Point 3 *55°23.37'N 001°30.51'W* to
- Point 4 *55°23.29'N 001°29.97'W* to
- Point 5 *55°23.29'N 001°32.65'W* to
- Point 6 *55°23.59'N 001°31.69'W*.

Craster Smooth means the area enclosed by a line drawn between the following points:

- Point 1 *55°27.46'N 001°32.85'W* to
- Point 2 *55°27.33 'N 001°31.49'W* to

Point 3 55°27.12'N 001°31.33'W to
Point 4 55°26.93'N 001°30.80'W to
Point 5 55°26.70'N 001°30.90'W to
Point 6 55°26.74'N 001°31.35'W to
Point 7 55°26.40'N 001°31.29'W to
Point 8 55°26.39'N 001°31.72'W to
Point 9 55°26.95'N 001°31.97'W to
Point 10 55°27.07'N 001°32.91'W.

Farne Ground means the area enclosed by a line drawn between the following points:

Point 1 55°36.99'N 001°37.69'W to
Point 2 55°36.62'N 001°37.19'W to
Point 3 55°36.39'N 001°37.49'W to
Point 4 55°36.63'N 001°37.75'W to
Point 5 55°36.64'N 001°37.88'W to
Point 6 55°36.41'N 001°37.95'W to
Point 7 55°35.89'N 001°37.40'W to
Point 8 55°36.58'N 001°39.67'W to
Point 9 55°36.82'N 001°38.16'W.

Explanatory note

(This is not part of the byelaw)

This byelaw prohibits the use of mobile fishing gear within the English section of the Berwickshire North Northumberland Coast Special Area of Conservation, except in specified areas in accordance with an authorisation from the Authority.

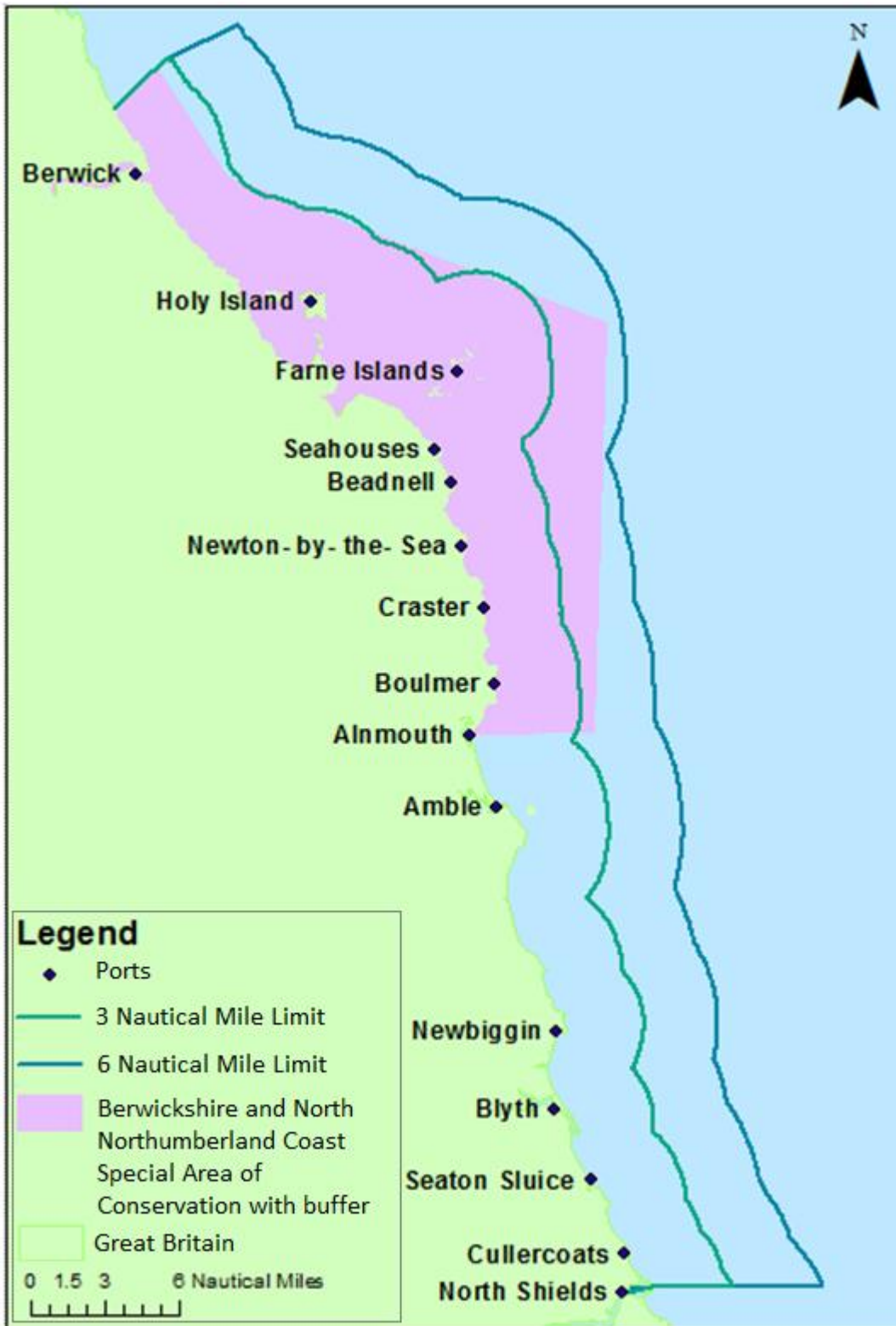


Fig 1. Chart showing the specified area of the Berwickshire North Northumberland Coast Special Area of Conservation.

Amble Houp

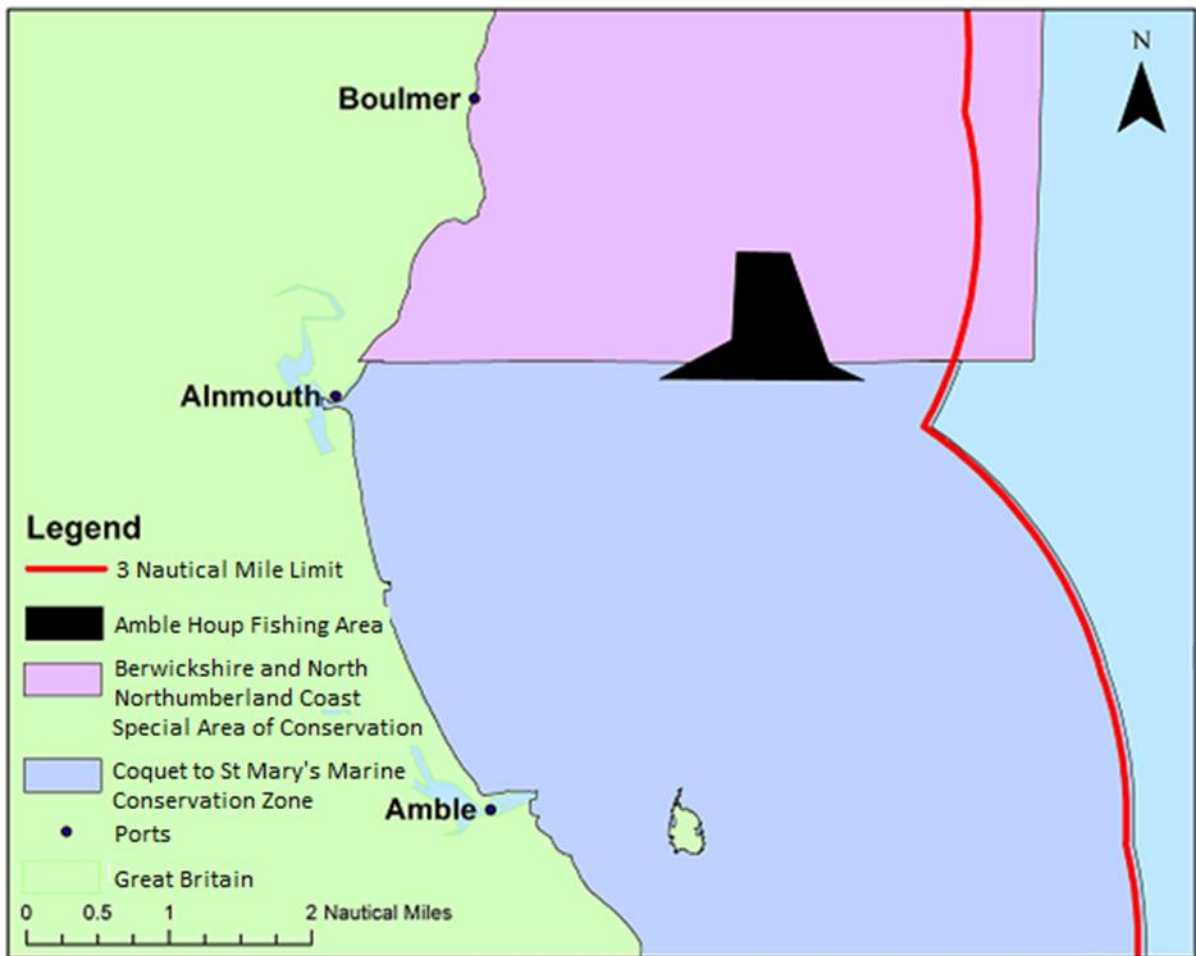


Fig 2. Chart showing the specified area of Amble Houp.

Craster Smooth

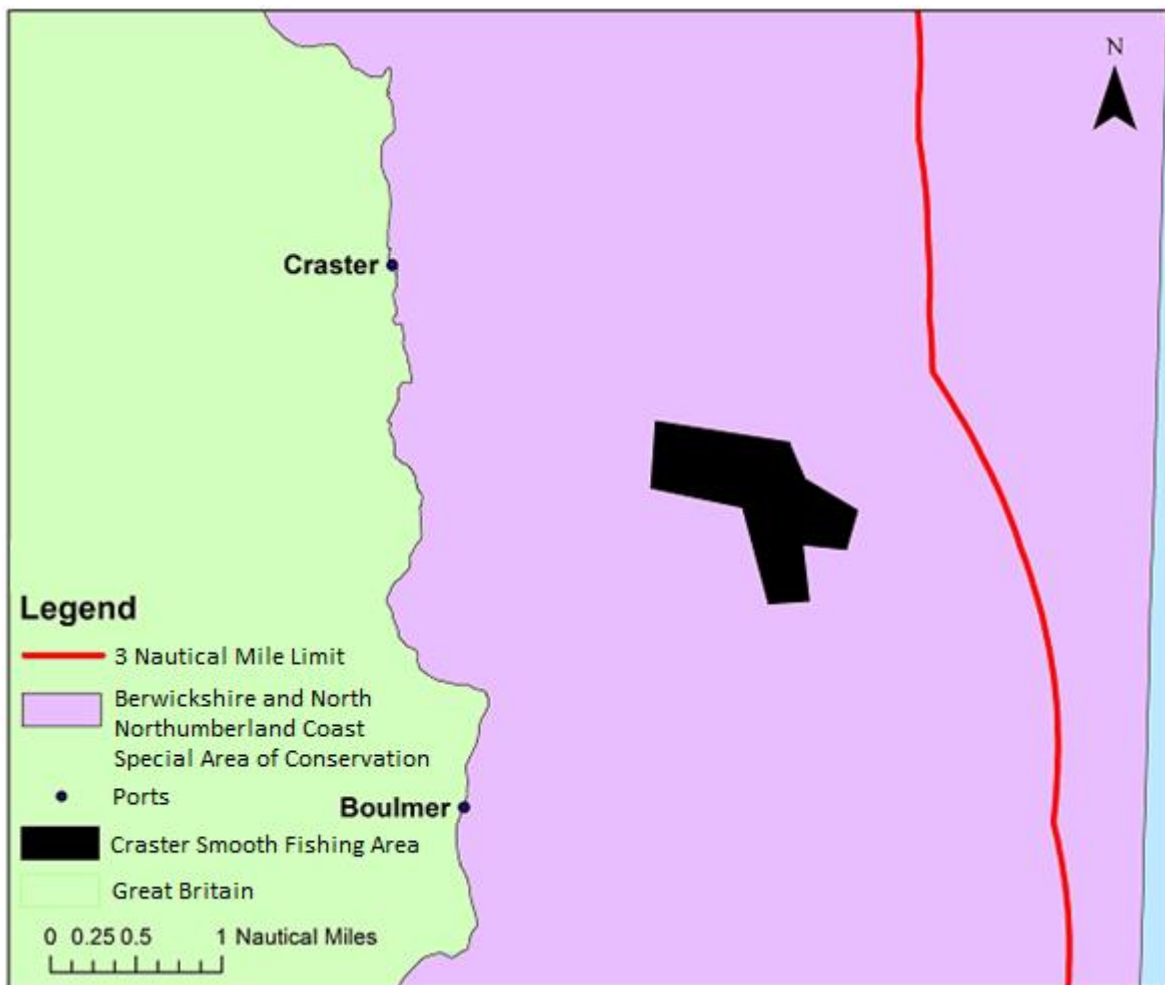


Fig 3. Chart showing the specified area of Craster Smooth.

Farne Ground

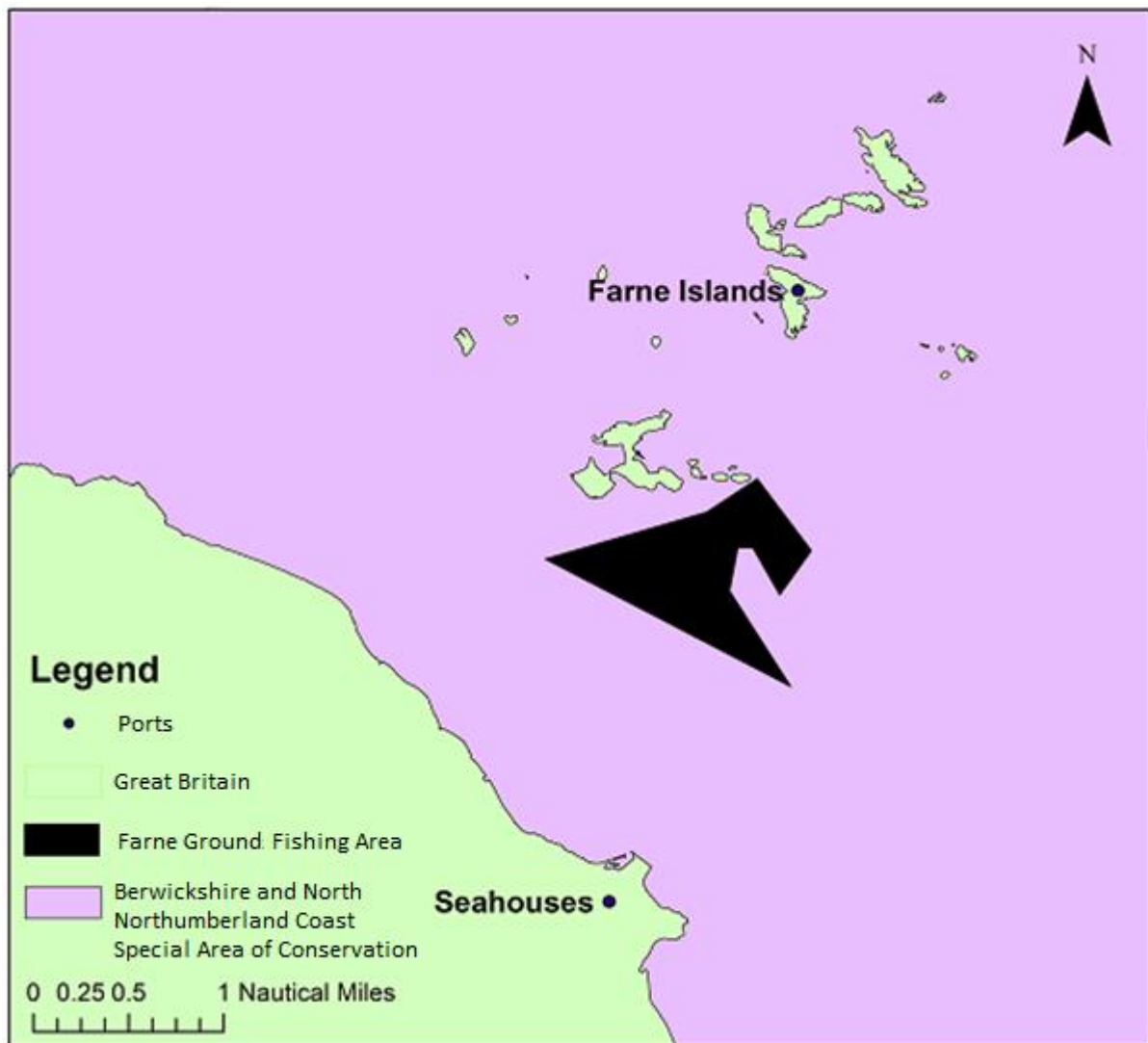


Fig 4. Chart showing the specified area of Farne Ground.