

Marine Management Organisation

Marine and Coastal Access Act 2009

Highly Protected Marine Areas Fishing Byelaw 2023

The Marine Management Organisation¹, in exercise of the powers conferred by section 129, 129A, 129B section 133(7) of the Marine and Coastal Access Act 2009², and having complied with their duties under section 130(3), (4), (6) and (7) of that Act,

makes the following Byelaw to conserve all marine fauna, habitats and associated ecosystem processes, including the seabed, sea surface and water column.

Interpretation

1. In this Byelaw:

- a. “the 1983 baselines” means the baselines for the measurement of the breadth of the territorial sea of the United Kingdom as they existed on 25 January 1983 in accordance with the Territorial Waters Order in Council 1964³;
- b. “the Act” means the Marine and Coastal Access Act 2009;
- c. “fishing gear” means any gear designed for the purpose of taking any sea fisheries resources;
- d. “ETRS 1989” means the European Terrestrial Reference System 1989;
- e. “inboard, lashed and stowed” means fishing gear that is stored on a vessel in such a way that it cannot readily be used for fishing or any other purpose; and
- f. “specified area” means the following areas which are defined respectively within Schedules 1 to 3:
 - i. Allonby Bay specified area
 - ii. Dolphin Head specified area.
 - iii. North East of Farnes Deep specified area;

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

² (c.23).

³ 1965 III p.6452A; amended by the Territorial Waters (Amendment) Order in Council 1979 III p.2866, the Territorial Sea (Amendment) Order 1996 (S.I. 1996/1628), the Territorial Sea (Amendment) Order 1998 (S.I. 1998/2564), and revoked by the Territorial Sea (Baselines) Order 2014 (S.I. 2014/1353).

2. Co-ordinates used in this Byelaw are measured from ETRS 1989 datum.

Prohibition

3. A person must not remove any fish or sea fisheries resources from within a specified area.
4. A person must not use any fishing gear in a specified area.
5. A person must not carry fishing gear on a vessel which is present in a specified area unless that gear is inboard, lashed and stowed.
6. Failure to comply with paragraphs 3, 4 or 5 constitutes an offence contrary to section 139 of the Act.

Exemption

7. Paragraphs 3, 4 and 5 do not apply to a person performing an act which would otherwise constitute an offence under paragraph 6 of this Byelaw, if:
 - a. the act was carried out in accordance with written permission issued by the Marine Management Organisation permitting that act for scientific, stocking or breeding purposes; or
 - b. the act was carried out in accordance with:
 - i. a licence or authorisation issued under the Petroleum Act 1998⁴ or Part 1 of the Energy Act 2008⁵;
 - ii. a consent issued pursuant to such a licence or authorisation; or
 - iii. a marine licence issued by the Secretary of State under Part 4 of the Act.

Amendment

8. The Byelaw with the title “Marine Protected Areas Bottom Towed Fishing Gear Byelaw 2023” made by the Marine Management Organisation on [date to be confirmed] in exercise of its powers under section 129 of the Act and which was in force immediately before the making of this Byelaw is amended as follows:
 - a. For Schedule 10, substitute:

⁴ (c.17).

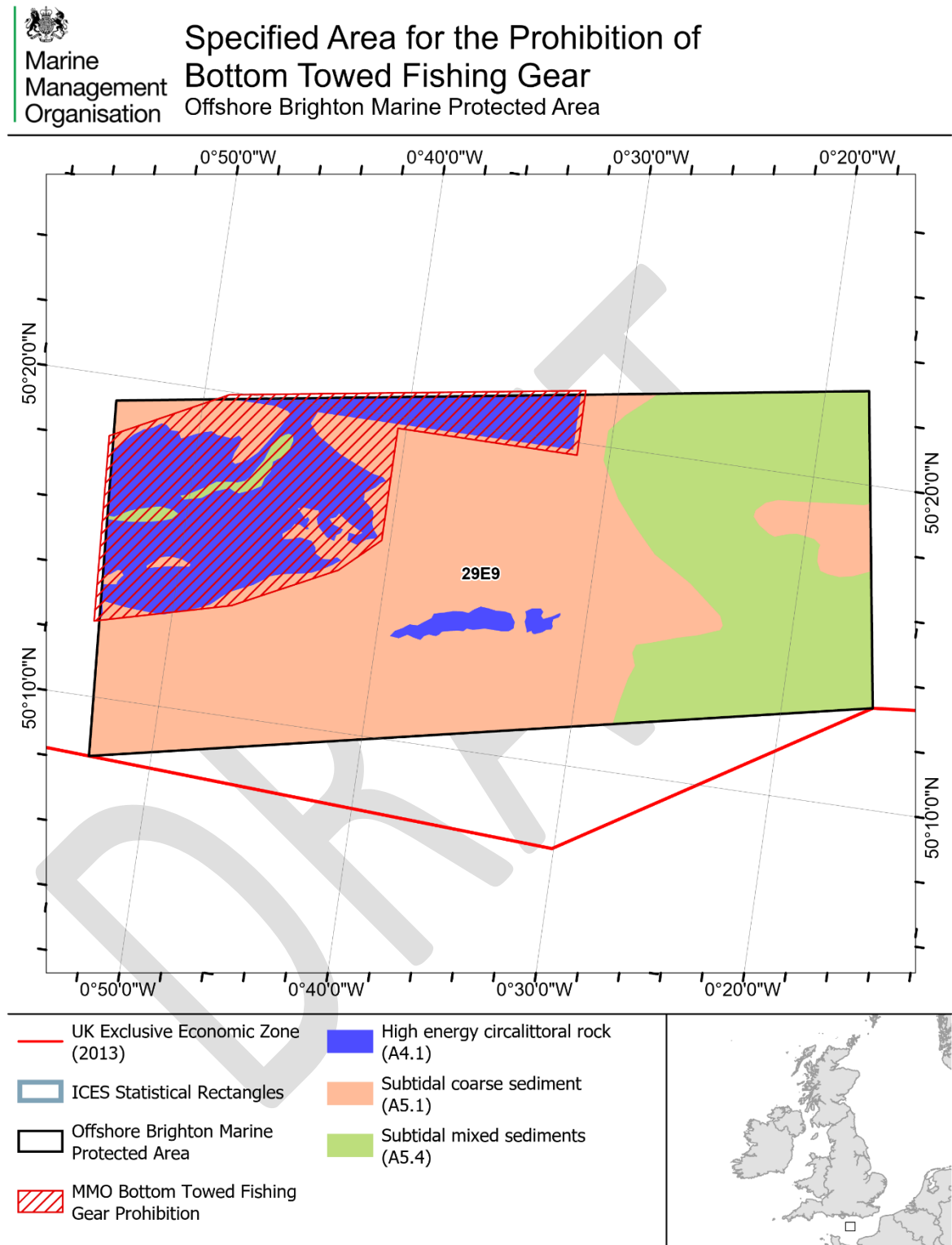
⁵ (c.32).

“Schedule 10 – Offshore Brighton Marine Conservation Zone

The “specified area” means the area enclosed by lines between the co-ordinates in the table:

Point	Latitude (degrees and decimal minutes)	Longitude (degrees and decimal minutes)	Line to next point
1	50° 16.1528' N	00° 40.4100' W	Geodesic
2	50° 15.0390' N	00° 42.2896' W	Geodesic
3	50° 13.4604' N	00° 47.1983' W	Geodesic
4	50° 12.3565' N	00° 53.6995' W	Geodesic
5	50° 18.1235' N	00° 54.2915' W	Geodesic
6	50° 19.9381' N	00° 48.7838' W	Geodesic
7	50° 21.6782' N	00° 31.5950' W	Geodesic
8	50° 19.6536' N	00° 31.5737' W	Geodesic
9	50° 19.6744' N	00° 40.4100' W	Geodesic returning to Point 1

Figure 10: Bottom towed fishing gear specified area relating to specified area relating to Offshore Brighton Marine Conservation Zone.”



Date of Publication: 02/08/2023
 Coordinate System: ETRS 1989 LAEA
 Projection: Lambert Azimuthal Equal Area
 Datum: ETRS 1989
 MMO Reference: 10562

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Citation

9. This Byelaw may be cited as the Highly Protected Marine Areas Fishing Byelaw 2023.

Commencement

10. This Byelaw comes into effect 45 days after the day on which it is confirmed by the Secretary of State.

Made under the Common Seal of the Marine Management Organisation on:

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

Peter Clark
Director of Operations
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 this Byelaw.

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

Date:

Schedule 1 – Allonby Bay specified area

- The “specified area” means the area enclosed by lines between the co-ordinates in the table:

Point	Latitude (degrees and decimal minutes)	Longitude (degrees and decimal minutes)	Line to next point
1	54° 43.8611' N	03° 28.9499' W	Geodesic
2	54° 44.2071' N	03° 29.9424' W	Geodesic
3	54° 44.2738' N	03° 30.8927' W	Geodesic
4	54° 45.2719' N	03° 33.1395' W	Geodesic
5	54° 46.5233' N	03° 31.5657' W	Geodesic
6	54° 47.3068' N	03° 29.2917' W	Geodesic
7	54° 46.1461' N	03° 25.9811' W	Due east to mean high water
8	54° 46.1461' N	-	Following mean high water south to specified latitude
9	-	03° 28.9499' W	Due North returning to point 1

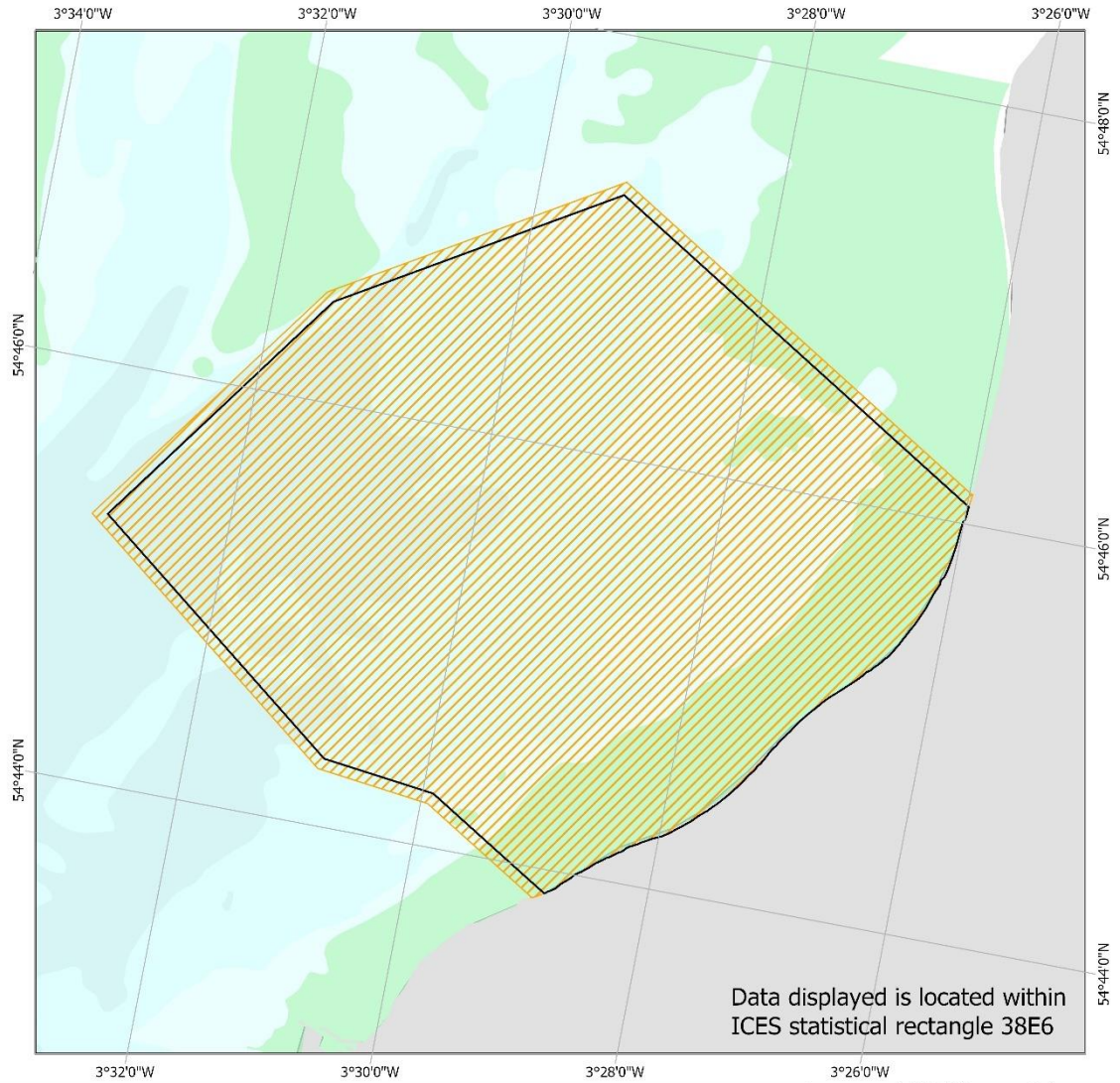
- The specified area is identified for illustrative purposes only on the map overleaf:



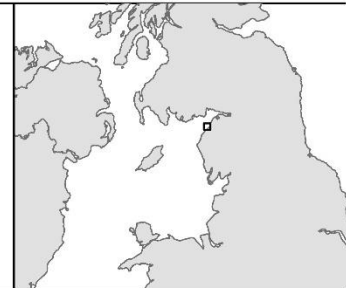
Marine
Management
Organisation

Allonby Bay specified area

MMO Prohibition on fishing and use of fishing gear



- Allonby Bay HPMa
- MMO Highly Protected Marine Areas Fishing Byelaw 2023
- Depth (UK Hydrographic Office)
 - Drying
 - <=2.5m
 - <=5m
 - <=10m



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Figure 1: Specified area relating to Allonby Bay Highly Protected Marine Area.

Schedule 2 – Dolphin Head specified area

1. The “specified area” means the area enclosed by lines between the co-ordinates in the table:

Point	Latitude (degrees and decimal minutes)	Longitude (degrees and decimal minutes)	Line to next point
1	50° 08.4046' N	01° 00.2291' W	Geodesic
2	50° 11.2553' N	01° 00.1442' W	Geodesic
3	50° 17.0192' N	00° 25.9561' W	Geodesic
4	50° 09.5203' N	00° 24.8221' W	Due south to the UK exclusive economic zone boundary
5		00° 24.8221' W	Following the UK exclusive economic zone boundary west to specified longitude
6		01° 00.2291' W	Due north returning to point 1

2. The specified area is identified for illustrative purposes only on the map overleaf:



Dolphin Head specified area MMO Prohibition on fishing and use of fishing gear

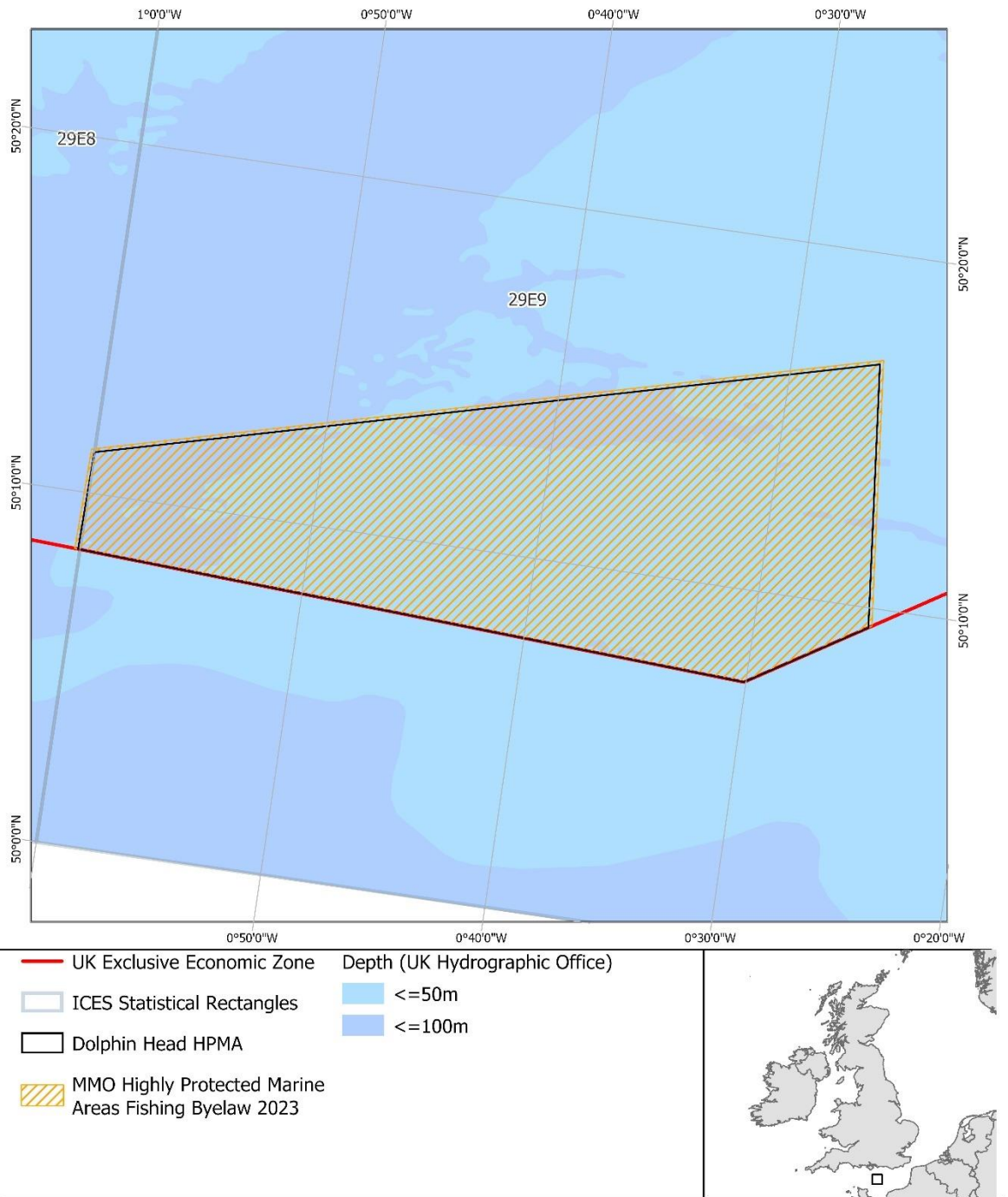


Figure 2: Specified area relating to Dolphin Head Highly Protected Marine Area.

Schedule 3 – North East of Farnes Deep specified area

1. “Specified area” means any of the following areas, enclosed by lines between the co-ordinates in the table:

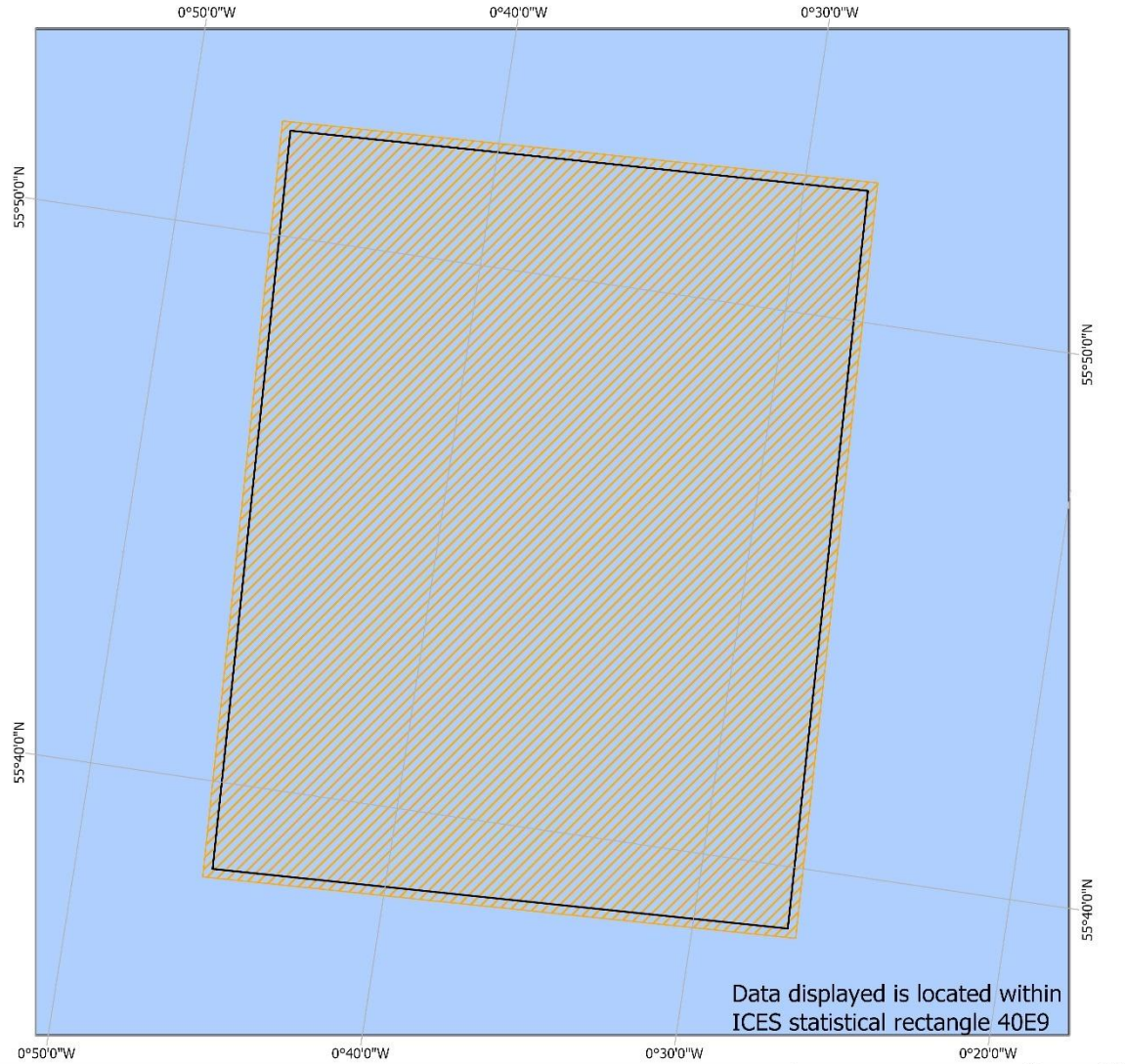
Point	Latitude (degrees and decimal minutes)	Longitude (degrees and decimal minutes)	Line to next point
1	55° 52.0851' N	00° 47.0500' W	Geodesic
2	55° 52.5684' N	00° 27.6573' W	Geodesic
3	55° 38.7451' N	00° 26.6529' W	Geodesic
4	55° 38.2647' N	00° 45.8586' W	Geodesic returning to Point 1

2. The specified areas are identified for illustrative purposes only on the map overleaf:

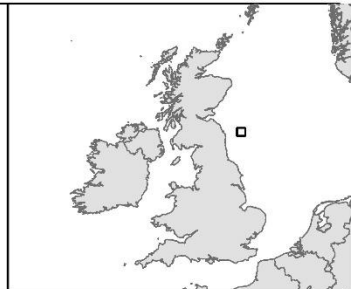
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North East of Farnes Deep specified area MMO Prohibition on fishing and use of fishing gear



- North East of Farnes Deep HPMA
- MMO Highly Protected Marine Areas Fishing Byelaw 2023
- Depth (UK Hydrographic Office)
- <=100m



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Figure 3: Specified Area in relation to North East of Farnes Deep Highly Protected Marine Area.

Explanatory Note

(This note is not part of the Byelaw)

This Byelaw aims to support the full natural recovery of all marine fauna, habitats and associated ecosystem processes, including the seabed, sea surface and water column within the three highly protected marine areas specified in the Schedules to this Byelaw.

The Byelaw prohibits fishing and the use of fishing gear throughout the whole of the highly protected marine areas. The Byelaw also requires that any fishing gear carried on a vessel within the specified areas defined within the Byelaw must be inboard, lashed and stowed. Failure to comply with the provisions of the Byelaw constitutes an offence contrary to section 139 of the Marine and Coastal Access Act 2009.

The areas specified within the tables in the Schedules include buffer zones to ensure that fishing activities taking place adjacent to the highly protected marine areas do not negatively impact their protected features.

The “Marine Protected Areas Bottom Towed Fishing Gear Byelaw 2023” is amended by this Byelaw, reducing the area of application of the Byelaw, specifically the specified area detailed in Schedule 10 - Offshore Brighton Marine Conservation Zone. This is to avoid overlap in the provisions of this byelaw and the “Marine Protected Areas Bottom Towed Fishing Gear Byelaw 2023”.