

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 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 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 Policy⁴;

makes the following byelaw.

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

(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).

January 1983 in accordance with the Territorial Waters Order in Council 1964⁵; and

(b) “the specified area” means Cape Bank as that area is defined in the Schedule.

Prohibition

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

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.

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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

(5) 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).

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:

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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:

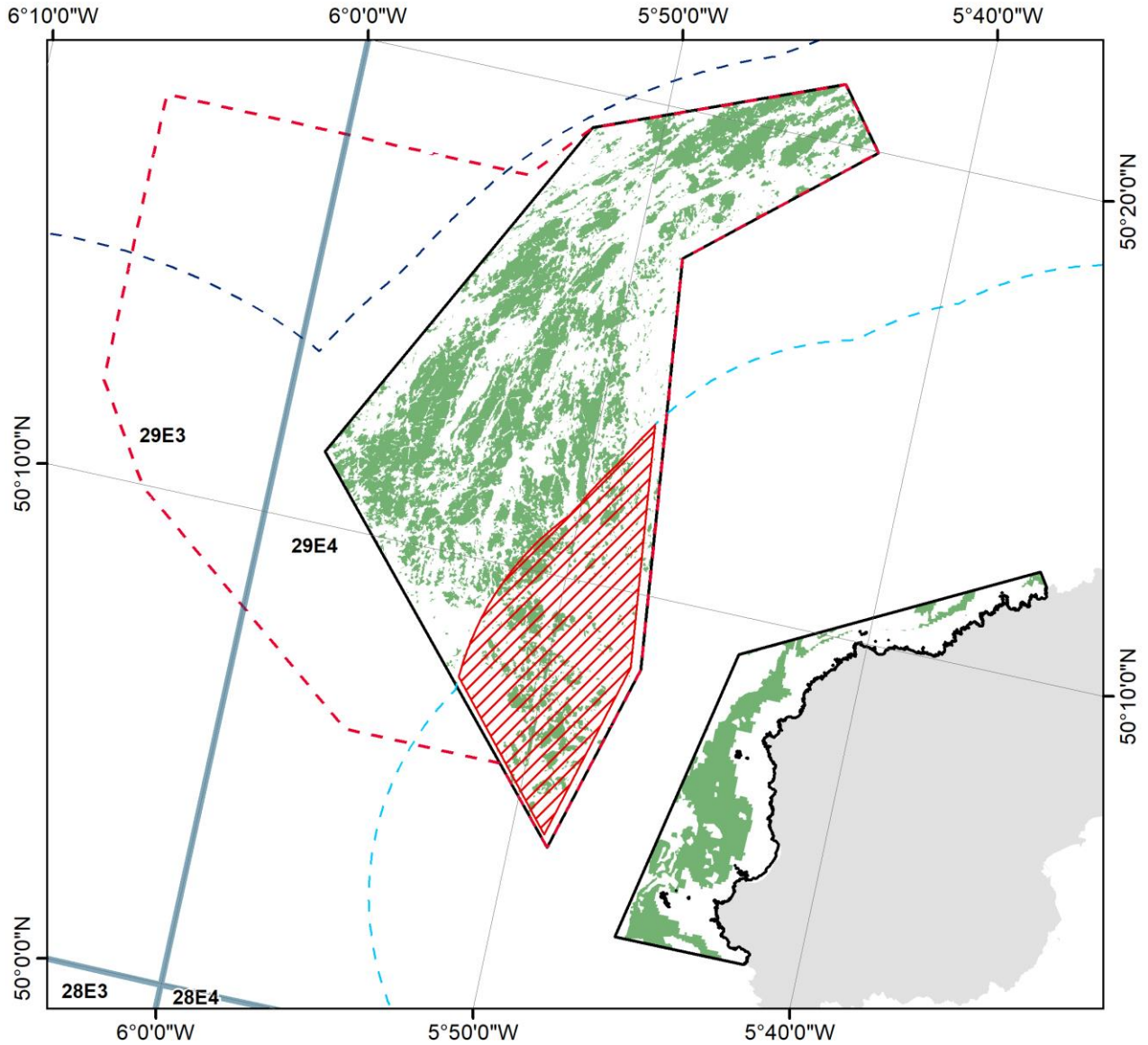
Point A (50 Degrees 13.520 Minutes North, 05 Degrees 48.221 Minutes West) to
Point B (50 Degrees 08.500 Minutes North, 05 Degrees 47.338 Minutes West) to
Point C (50 Degrees 04.747 Minutes North, 05 Degrees 48.929 Minutes West) to
Point D (50 Degrees 07.566 Minutes North, 05 Degrees 52.716 Minutes West)
and then from Point D to Point A, following a line drawn six nautical miles seaward of
the 1983 baselines.

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

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The Lands End and Cape Bank European Marine Site (Specified Areas) Bottom Towed Fishing Gear Byelaw



- - - 6 Nautical Mile Limit, 1983 baseline (UKHO)
- - - UK Territorial Sea Limit
- Land's End and Cape Bank Marine Protected Area
- Cape Bank Marine Protected Area
- MMO Prohibition of Bottom Towed Fishing
- Annex I Reef



Date of Publication: 19/10/2022
 Coordinate System: ETRS 1989 LAEA
 Projection: Lambert Azimuthal Equal Area
 Datum: ETRS 1989
 MMO Reference: 10562

Not to be used for navigation.

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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.

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