

Marine Management Organisation

Marine and Coastal Access Act 2009

The Eastern Channel Marine Protected Areas Fishing Gear Byelaw 2024

The Marine Management Organisation¹, in exercise of the powers conferred by sections 129, 129A and 129B of the Marine and Coastal Access Act 2009², makes the following Byelaw to conserve the following marine fauna and habitats:

- i) Annex 1³ reefs,
- ii) High energy circalittoral rock,
- iii) Moderate energy circalittoral rock,
- iv) Subtidal coarse sediment,
- v) Subtidal mixed sediments, and
- vi) Subtidal sand.

Commencement

1. This Byelaw comes into force 50 days after the day on which it is confirmed by the Secretary of State.

Interpretation

2. In this Byelaw:

“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 1964⁴;

“the Act” means the Marine and Coastal Access Act 2009;

“bottom-towed gear” means any trawls, seines, dredges, or similar gear, including trawls towed on or very close to the seabed, which are actively moved in the water by one or more vessels or by any other mechanised system and in which any part of the gear is designed or rigged to operate on, and be in contact with, the seabed in order to take any sea fisheries resources;

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

² 2009 c. 23.

³ Annex I (Natural Habitat Types of Community Interest whose Conservation Requires the Designation of Special Areas of Conservation) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

⁴ 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).

“bottom-towed gear specified area” means the areas more particularly described in Schedules 1 to 7, which relate to the following areas:

- i) Schedule 1 – Albert Field Marine Conservation Zone;
- ii) Schedule 2 – Bassurelle Sandbank Special Area of Conservation;
- iii) Schedule 3 – Beachy Head East Marine Conservation Zone;
- iv) Schedule 4 – Inner Bank Marine Conservation Zone;
- v) Schedule 5 – Offshore Brighton Marine Conservation Zone;
- vi) Schedule 6 – Offshore Overfalls Marine Conservation Zone; and
- vii) Schedule 7 – Wight-Barfleur Reef Special Area of Conservation;

“ETRS 1989” means the European Terrestrial Reference System 1989; and

“inboard, lashed and stowed” means fishing gear is stored on a vessel in such a way that it cannot readily be used for fishing or any other purpose.

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

Prohibition

- 4. A person must not use bottom-towed gear in a bottom-towed gear specified area.
- 5. A vessel carrying bottom-towed gear within a bottom-towed gear specified area must have all bottom-towed gear inboard, lashed and stowed.
- 6. Failure to comply with paragraphs 4 and 5 constitutes an offence contrary to section 139 of the Act.

Exemption

- 7. Paragraphs 4 and 5 do not apply to a person performing an act which would otherwise constitute an offence against this Byelaw, as set out in paragraph 6, 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 1998⁵ or Part 1 of the Energy Act 2008⁶; or
 - ii. a consent issued pursuant to such a licence or authorisation; or

⁵ 1998 c. 17.

⁶ 2008 c. 32.

iii. a marine licence issued by the Secretary of State under Part 4 of the Act.

Citation

8. This Byelaw may be cited as the Eastern Channel Marine Protected Areas Fishing Gear Byelaw 2024.

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 - Albert Field Marine Conservation Zone

1. The bottom-towed gear specified area means the area enclosed by lines between the co-ordinates in Table 1.

Table 1. Bottom-towed gear specified area relating to Albert Field Marine Conservation Zone.

| Point | Latitude (degrees and decimal minutes) | Longitude (degrees and decimal minutes) | Line to next point |
|-------|--|---|-------------------------------|
| 1 | 50° 29.1765' N | 01° 57.8150' W | Geodesic |
| 2 | 50° 31.8882' N | 01° 42.5334' W | Geodesic |
| 3 | 50° 26.1126' N | 01° 40.6426' W | Geodesic |
| 4 | 50° 23.5820' N | 01° 55.6565' W | Geodesic returning to Point 1 |

Albert Field Marine Protected Area

Specified area for the prohibition of bottom-towed gear

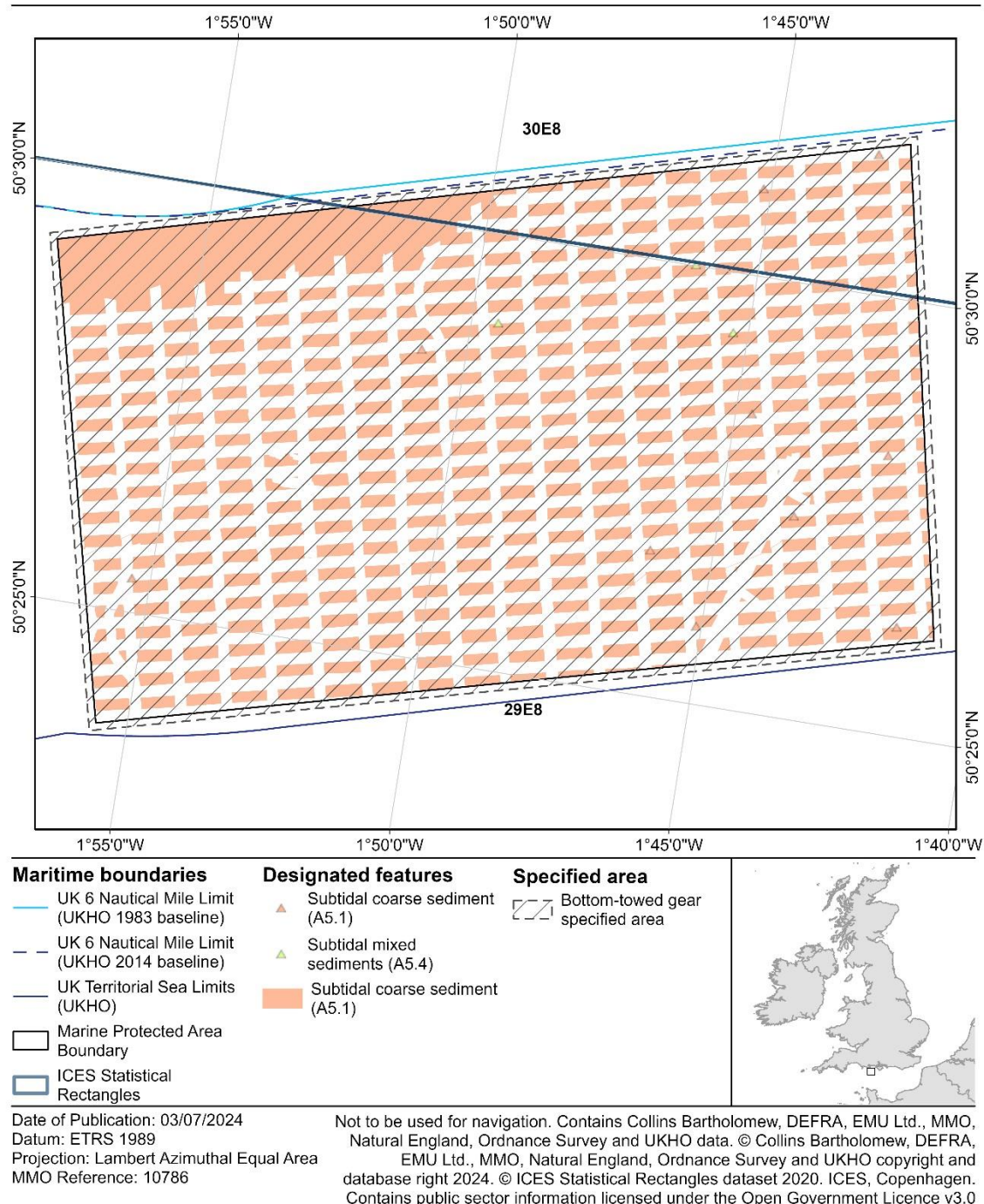


Figure 1. Map of Albert Field Marine Conservation Zone showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 1. The UK 6 Nautical Mile Limit (1983 baseline) referred to as 'the 1983 baselines' within this byelaw, defines the seaward limit of inshore fisheries and conservation districts. The UK 6 Nautical Mile Limit (2014 baseline) defines the inshore limit of EU vessel access for vessels with historic access rights (where a fishing vessel licence has been issued by the MMO).

Schedule 2 - Bassurelle Sandbank Special Area of Conservation

1. The bottom-towed gear specified area means the area enclosed by lines between the co-ordinates in Table 2.

Table 2. Bottom-towed gear specified area relating to Bassurelle Sandbank Special Area of Conservation.

| Point | Latitude (degrees and decimal minutes) | Longitude (degrees and decimal minutes) | Line to next point |
|-------|--|---|--|
| 1 | 50° 32.8076' N | 00° 55.2013' E | Geodesic |
| 2 | 50° 33.1044' N | 00° 54.1911' E | Geodesic |
| 3 | 50° 33.4257' N | 00° 54.0015' E | Geodesic |
| 4 | 50° 36.0354' N | 00° 55.7645' E | Geodesic |
| 5 | 50° 36.1289' N | 00° 56.4575' E | Geodesic |
| 6 | 50° 36.1036' N | 00° 59.0939' E | Geodesic |
| 7 | 50° 36.4383' N | 01° 00.7842' E | Geodesic |
| 8 | 50° 39.0843' N | 01° 05.2327' E | Geodesic |
| 9 | 50° 40.0387' N | 01° 08.5377' E | Due east to the UK exclusive economic zone boundary |
| 10 | 50° 40.0387' N | - | Following the UK exclusive economic zone boundary south west to specified latitude |
| 11 | 50° 33.0781' N | - | Geodesic |
| 12 | 50° 33.0781' N | 00° 59.7718' E | Geodesic returning to Point 1 |



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Bassurelle Sandbank Marine Protected Area

Specified area for the prohibition of bottom-towed gear

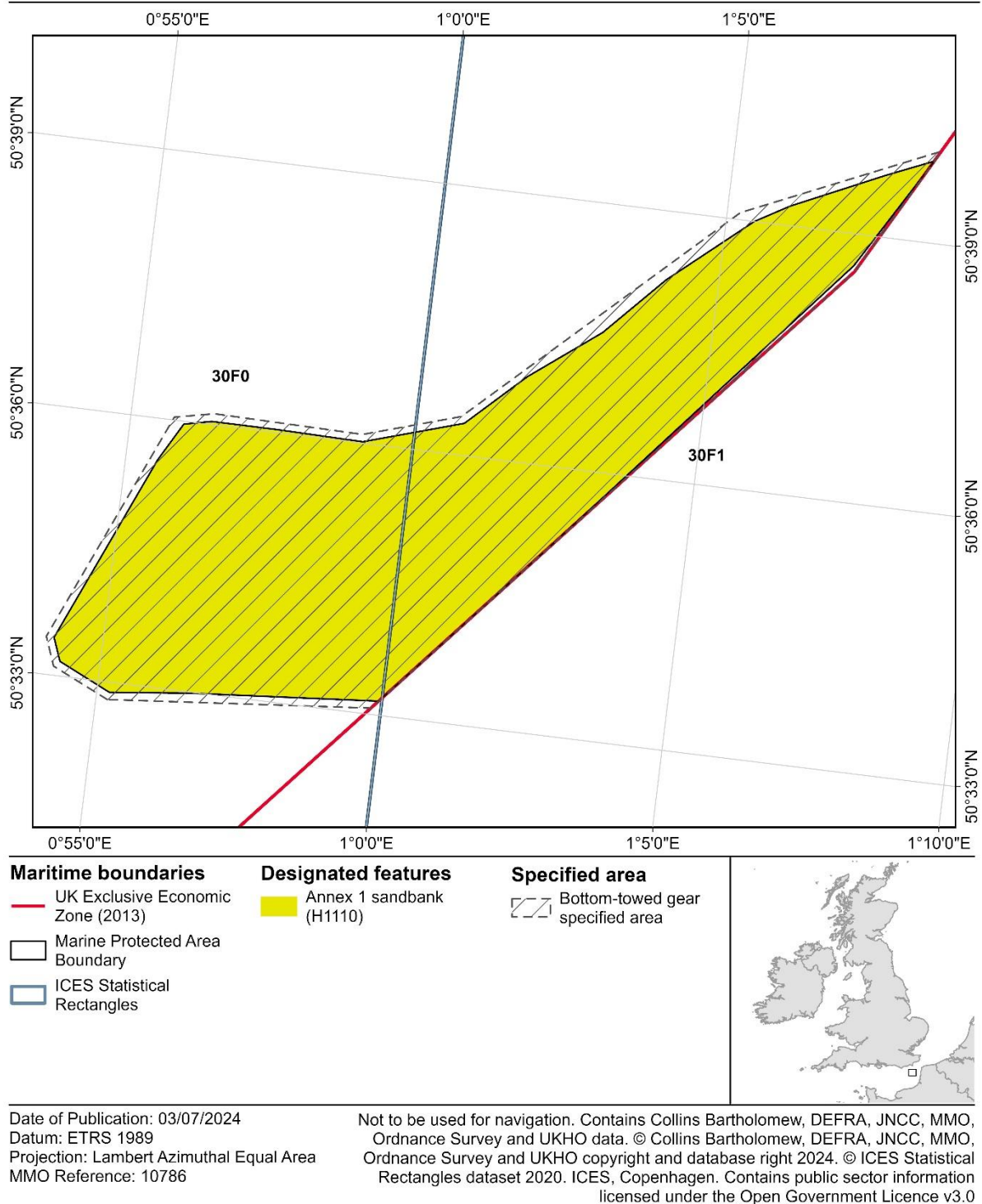


Figure 2. Map of Bassurelle Sandbank Special Area of Conservation showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 2.

Schedule 3 - Beachy Head East Marine Conservation Zone

1. The bottom-towed gear specified area means the area enclosed by lines between the co-ordinates in Table 3.

Table 3. Bottom-towed gear specified area relating to Beachy Head East Marine Conservation Zone.

| Point | Latitude (degrees and decimal minutes) | Longitude (degrees and decimal minutes) | Line to next point |
|-------|--|---|---|
| 1 | 50° 43.1949' N | 00° 27.2014' E | Due west to a line drawn six nautical miles seaward of the 1983 baselines |
| 2 | 50° 43.1949' N | 00° 27.1199' E | Following a line drawn six nautical miles seaward of the 1983 baselines |
| 3 | 50° 43.9874' N | 00° 31.1194' E | Geodesic |
| 4 | 50° 43.9360' N | 00° 31.1194' E | Geodesic |
| 5 | 50° 43.8421' N | 00° 31.0912' E | Geodesic |
| 6 | 50° 43.5629' N | 00° 30.4687' E | Geodesic returning to Point 1 |

Beachy Head East Marine Protected Area

Specified area for the prohibition of bottom-towed gear

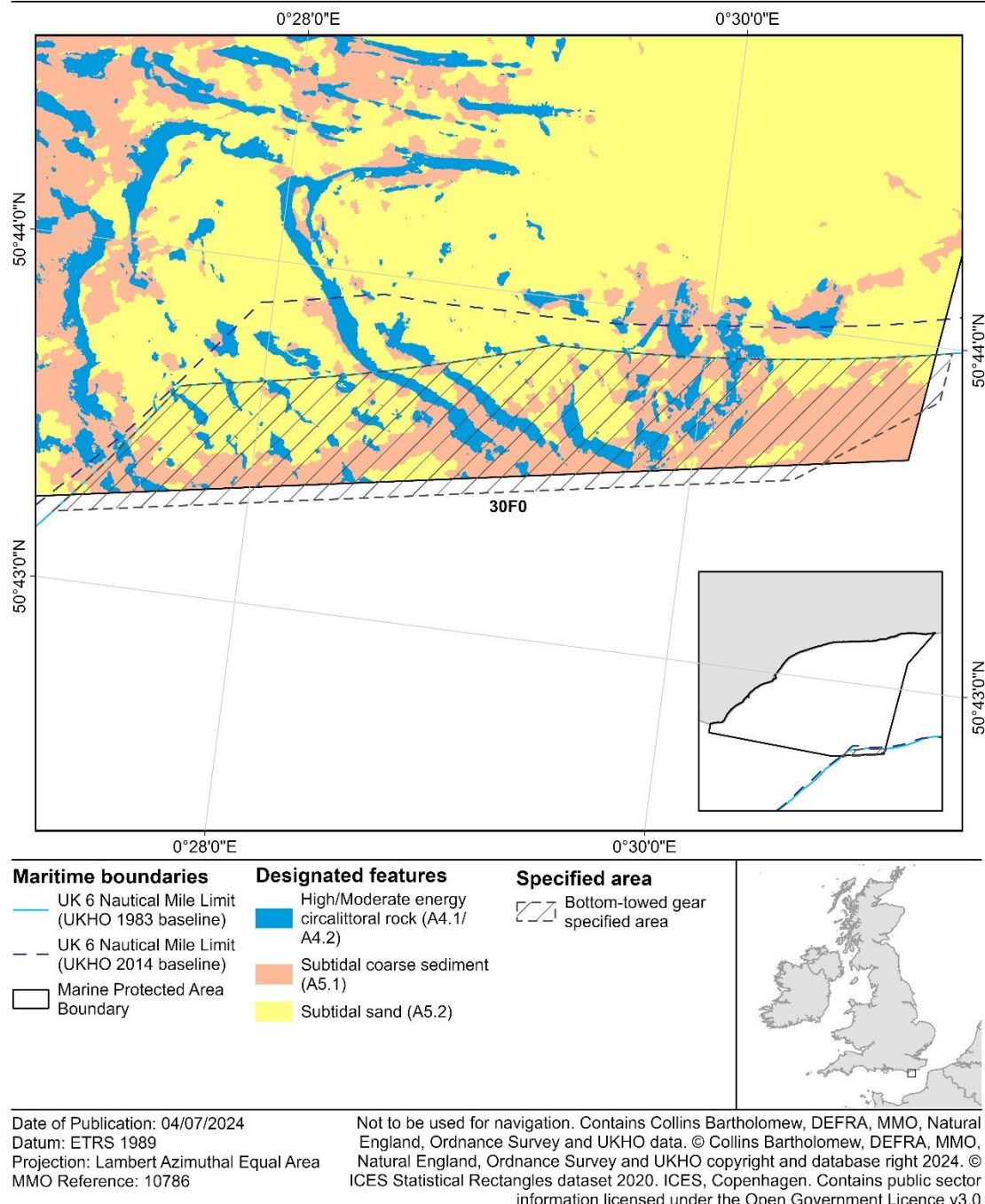


Figure 3. Map of Beachy Head East Marine Conservation Zone showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 3. The UK 6 Nautical Mile Limit (1983 baseline) referred to as 'the 1983 baselines' within this byelaw, defines the seaward limit of inshore fisheries and conservation districts. The UK 6 Nautical Mile Limit (2014 baseline) defines the inshore limit of EU vessel access for vessels with historic access rights (where a fishing vessel licence has been issued by the MMO).

Schedule 4 - Inner Bank Marine Conservation Zone

1. The bottom-towed gear specified area means the area enclosed by lines between the co-ordinates in Table 4.

Table 4. Bottom-towed gear specified area relating to Inner Bank Marine Conservation Zone.

| Point | Latitude (degrees and decimal minutes) | Longitude (degrees and decimal minutes) | Line to next point |
|-------|--|---|-------------------------------|
| 1 | 50° 42.4827' N | 00° 42.6359' E | Geodesic |
| 2 | 50° 49.6809' N | 00° 58.8209' E | Geodesic |
| 3 | 50° 45.5043' N | 01° 02.9711' E | Geodesic |
| 4 | 50° 38.4892' N | 00° 46.7908' E | Geodesic returning to Point 1 |



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Inner Bank Marine Protected Area

Specified area for the prohibition of bottom-towed gear

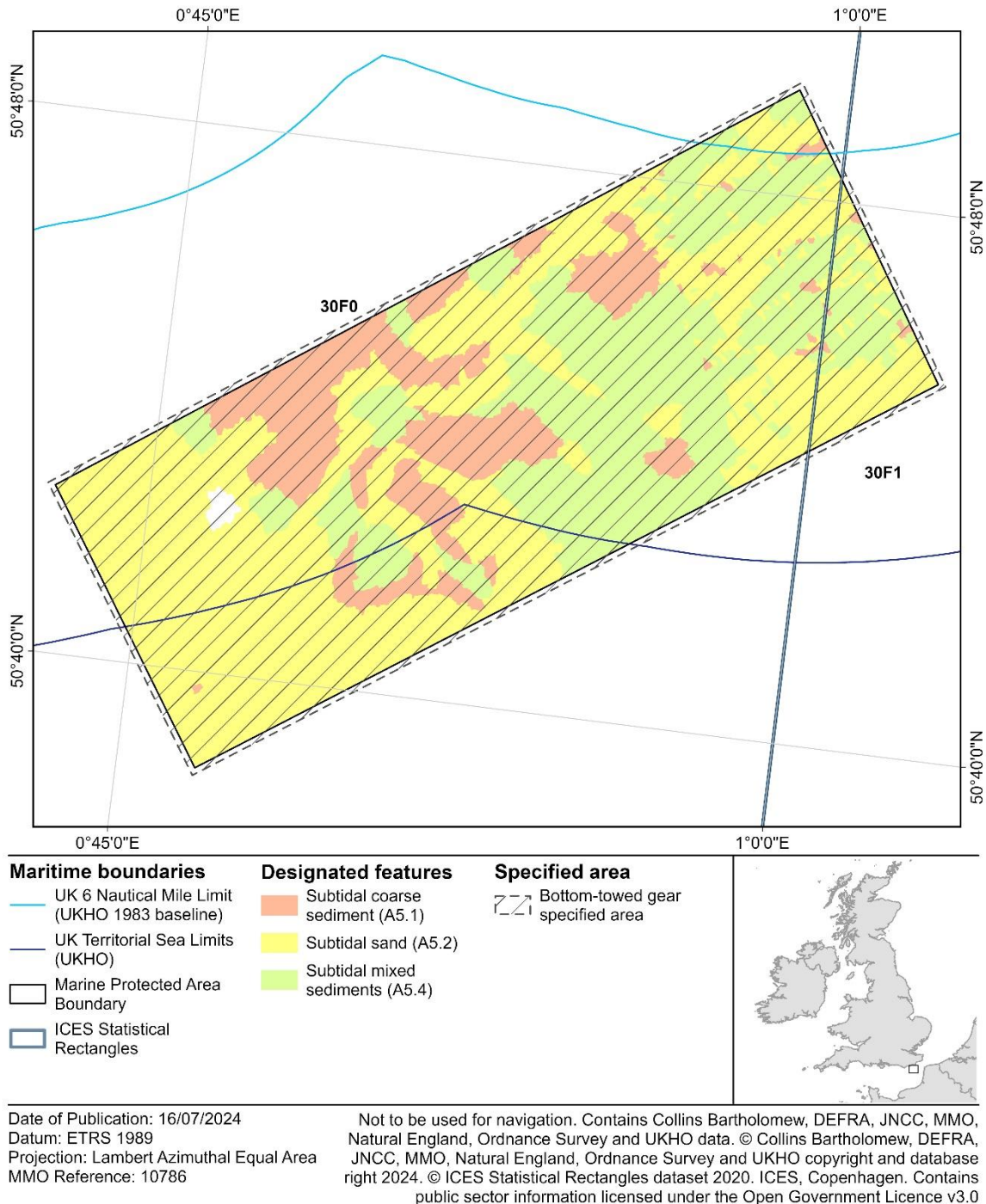


Figure 4. Map of Inner Bank Marine Conservation Zone showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 4. The UK 6 Nautical Mile Limit (1983 baseline) referred to as 'the 1983 baselines' within this byelaw, defines the seaward limit of inshore fisheries and conservation districts.

Schedule 5 - Offshore Brighton Marine Conservation Zone

1. The bottom-towed gear specified area means the area enclosed by lines between the co-ordinates in Table 5.

Table 5. Bottom-towed gear specified area relating to Offshore Brighton Marine Conservation Zone.

| Point | Latitude (degrees and decimal minutes) | Longitude (degrees and decimal minutes) | Line to next point |
|-------|--|---|--|
| 1 | 50° 17.0192' N | 00° 25.9561' W | Geodesic |
| 2 | 50° 12.3419' N | 00° 53.6992' W | Geodesic |
| 3 | 50° 19.3749' N | 00° 54.4712' W | Geodesic |
| 4 | 50° 23.1006' N | 00° 17.6833' W | Geodesic |
| 5 | 50° 13.2277' N | 00° 15.4572' W | Due south to the UK exclusive economic zone boundary |
| 6 | - | 00° 15.4572' W | Following the UK exclusive economic zone boundary south west to specified latitude |
| 7 | 50° 12.9126' N | - | Geodesic |
| 8 | 50° 12.9126' N | 00° 16.2990' W | Geodesic |
| 9 | 50° 11.7216' N | 00° 25.1550' W | Geodesic returning to Point 1 |

Offshore Brighton Marine Protected Area Specified area for the prohibition of bottom-towed gear

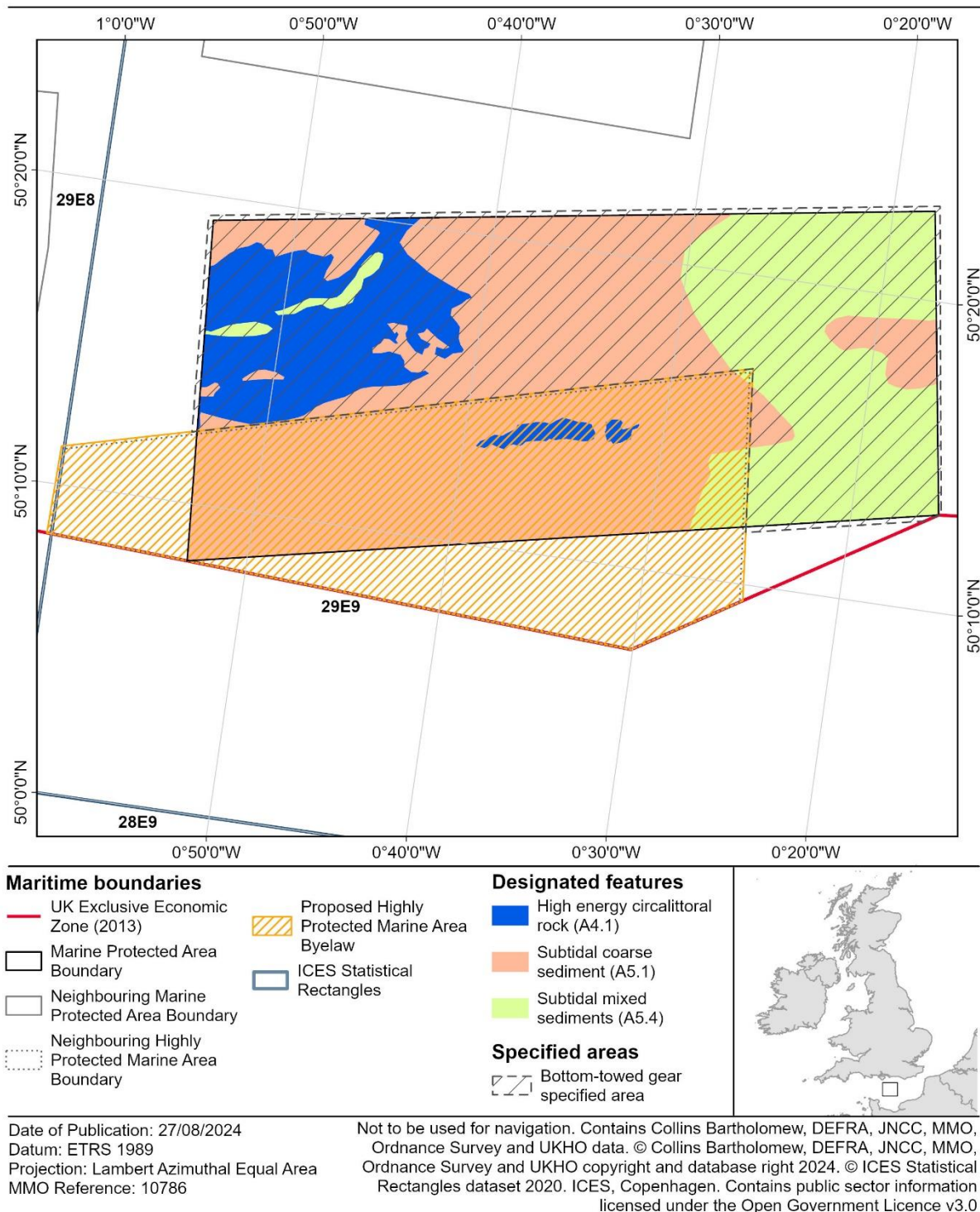


Figure 5. Map of Offshore Brighton Marine Conservation Zone showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 5.

Schedule 6 – Offshore Overfalls Marine Conservation Zone

1. The bottom-towed gear specified area means the area enclosed by lines between the co-ordinates in Table 6.

Table 6. Bottom-towed gear specified area relating to Offshore Overfalls Marine Conservation Zone.

| Point | Latitude (degrees and decimal minutes) | Longitude (degrees and decimal minutes) | Line to next point |
|-------|--|---|-------------------------------|
| 1 | 50° 24.2887' N | 00° 56.1411' W | Geodesic |
| 2 | 50° 35.1601' N | 00° 56.0526' W | Geodesic |
| 3 | 50° 35.2160' N | 00° 30.5417' W | Geodesic |
| 4 | 50° 23.9047' N | 00° 30.5224' W | Geodesic returning to Point 1 |



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Offshore Overfalls

Marine Protected Area

Specified area for the prohibition of bottom-towed gear

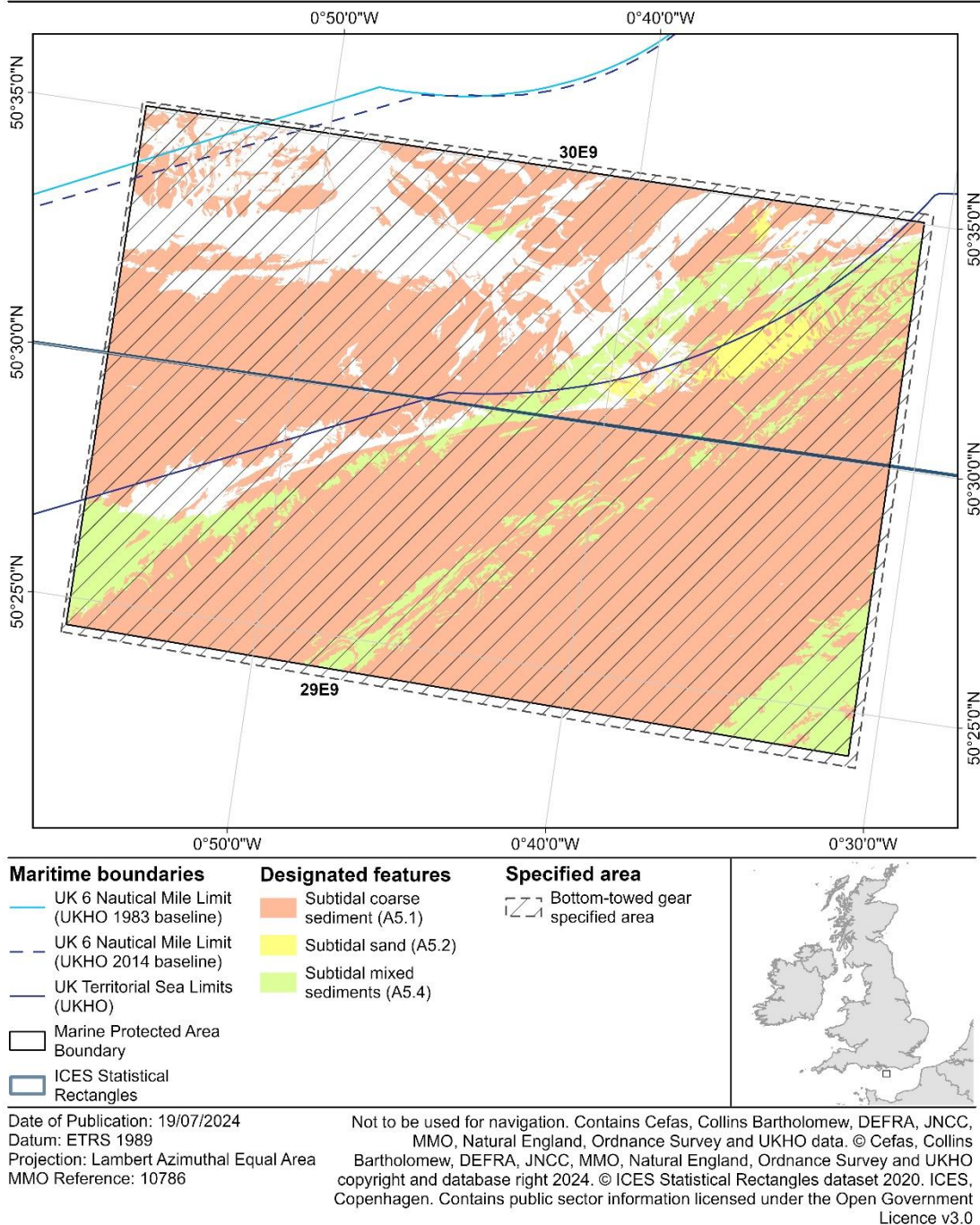


Figure 6. Map of Offshore Overfalls Marine Conservation Zone showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 6. The UK 6 Nautical Mile Limit (1983 baseline) referred to as 'the 1983 baselines' within this byelaw, defines the seaward limit of inshore fisheries and conservation districts. The UK 6 Nautical Mile Limit (2014 baseline) defines the inshore limit of EU vessel access for vessels with historic access rights (where a fishing vessel licence has been issued by the MMO).

Schedule 7 – Wight-Barfleur Reef Special Area of Conservation

1. The bottom-towed gear specified area means the area enclosed by lines between the co-ordinates in Table 7.

Table 7. Bottom-towed gear specified area relating to Wight-Barfleur Reef Special Area of Conservation.

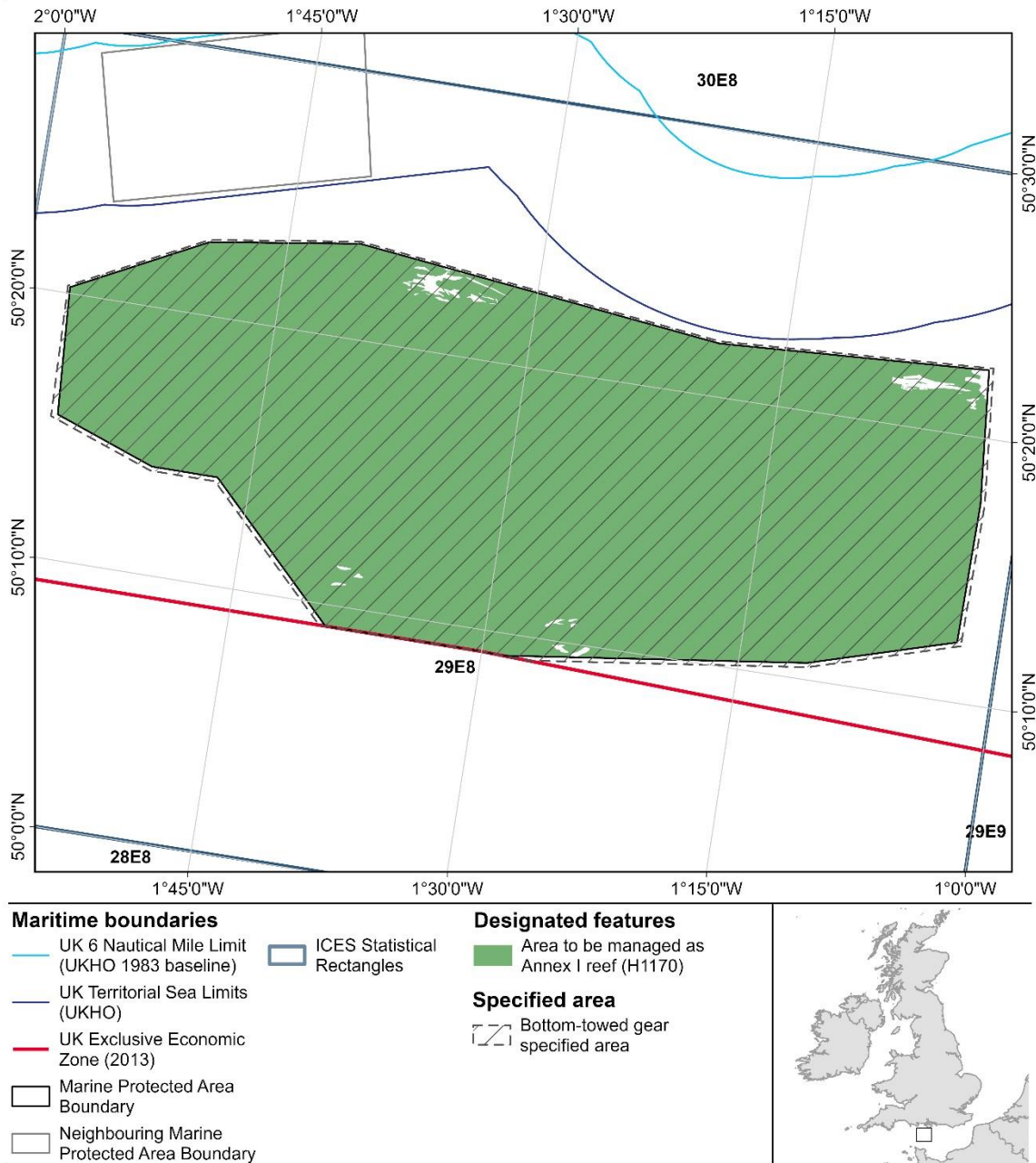
| Point | Latitude (degrees and decimal minutes) | Longitude (degrees and decimal minutes) | Line to next point |
|-------|--|---|---|
| 1 | 50° 20.2877' N | 01° 57.4219' W | Geodesic |
| 2 | 50° 22.8408' N | 01° 49.6244' W | Geodesic |
| 3 | 50° 23.6905' N | 01° 40.7905' W | Geodesic |
| 4 | 50° 22.1018' N | 01° 18.9344' W | Geodesic |
| 5 | 50° 22.6612' N | 01° 02.7347' W | Geodesic |
| 6 | 50° 17.5566' N | 01° 02.0521' W | Geodesic |
| 7 | 50° 12.1502' N | 01° 02.2148' W | Geodesic |
| 8 | 50° 10.4969' N | 01° 10.9496' W | Geodesic |
| 9 | 50° 09.1719' N | 01° 27.2588' W | Due south to the UK exclusive economic zone boundary |
| 10 | - | 01° 27.2588' W | Following the UK exclusive economic zone boundary west to specified longitude |
| 11 | - | 01° 39.7201' W | Geodesic |
| 12 | 50° 09.2424' N | 01° 39.7201' W | Geodesic |
| 13 | 50° 13.9188' N | 01° 47.0375' W | Geodesic |
| 14 | 50° 13.9224' N | 01° 50.8810' W | Geodesic |
| 15 | 50° 15.3453' N | 01° 57.1754' W | Geodesic returning to Point 1 |



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Wight-Barfleur Reef Marine Protected Area

Specified area for the prohibition of bottom-towed gear



Date of Publication: 23/07/2024
Datum: ETRS 1989
Projection: Lambert Azimuthal Equal Area
MMO Reference: 10786

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Figure 7. Map of Wight-Barfleur Reef Special Area of Conservation showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 7. The UK 6 Nautical Mile Limit (1983 baseline) referred to as 'the 1983 baselines' within this byelaw, defines the seaward limit of inshore fisheries and conservation districts.

Explanatory Note

(This note is not part of the Byelaw)

This Byelaw conserves the following marine fauna and habitats:

- i) Annex 1 reefs,
- ii) High energy circalittoral rock,
- iii) Moderate energy circalittoral rock,
- iv) Subtidal coarse sediment,
- v) Subtidal mixed sediments, and
- vi) Subtidal sand.

The Byelaw prohibits the use of bottom-towed gear, as defined in the Byelaw, in the specified areas as defined in the Schedules to this Byelaw. The specified areas relate to the marine protected areas as listed at paragraph 2. The Byelaw also requires bottom-towed gear to be inboard, lashed and stowed when present within the specified areas. Failure to comply with the provisions of the Byelaw constitutes an offence contrary to section 139 of the Marine and Coastal Access Act 2009.