

Marine Management Organisation

Marine and Coastal Access Act 2009

The Irish Sea Marine Protected Areas Fishing Gear Byelaw 2024

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

- i. Sea-pen and burrowing megafauna communities,
- ii. Subtidal coarse sediment,
- iii. Subtidal mixed sediments,
- iv. Subtidal mud, and
- v. 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 1964³;

“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;

“bottom-towed gear specified area” means the areas more particularly described in Schedules 1 to 3, which relate to the following areas:

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

² 2009 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).

- i) Schedule 1 - Fylde Marine Conservation Zone and Shell Flat and Lune Deep Special Area of Conservation;
- ii) Schedule 2 - West of Copeland Marine Conservation Zone; and
- iii) Schedule 3 - West of Walney Marine Conservation Zone;

“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 1998⁴ or Part 1 of the Energy Act 2008⁵; or
 - 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.

⁴ 1998 c. 17.

⁵ 2008 c. 32.

Revocation

8. “The West of Walney Marine Conservation Zone (Specified Area) Bottom Towed Fishing Gear Byelaw 2018” made by the Marine Management Organisation on 4 September 2018 is revoked.

Citation

9. This Byelaw may be cited as the Irish Sea 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 - Fylde Marine Conservation Zone and Shell Flat and Lune Deep Special Area of Conservation

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 Fylde Marine Conservation Zone and Shell Flat and Lune Deep Special Area of Conservation.

Point	Latitude (degrees and decimal minutes)	Longitude (degrees and decimal minutes)	Line to next point
1	53° 39.1453' N	03° 19.3120' W	Geodesic
2	53° 39.4997' N	03° 19.5036' W	Geodesic
3	53° 40.6188' N	03° 17.4708' W	Geodesic
4	53° 45.4569' N	03° 17.4709' W	Geodesic
5	53° 45.4564' N	03° 20.3712' W	Geodesic
6	53° 48.7568' N	03° 20.3710' W	Geodesic
7	53° 48.7560' N	03° 22.4007' W	Geodesic
8	53° 51.0022' N	03° 22.4160' W	Geodesic
9	53° 51.0900' N	03° 21.3782' W	Geodesic
10	53° 52.0311' N	03° 21.3866' W	Geodesic
11	53° 52.1921' N	03° 16.9114' W	Geodesic
12	53° 54.3999' N	03° 09.2540' W	Geodesic
13	53° 54.3909' N	03° 07.3549' W	Geodesic
14	53° 52.4762' N	03° 07.1106' W	Geodesic
15	53° 50.2448' N	03° 07.7878' W	Geodesic
16	53° 50.2353' N	03° 06.7671' W	Geodesic
17	53° 39.1888' N	03° 06.7400' W	Geodesic returning to Point 1



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Fylde and Shell Flat and Lune Deep Marine Protected Areas

Specified area for the prohibition of bottom-towed gear

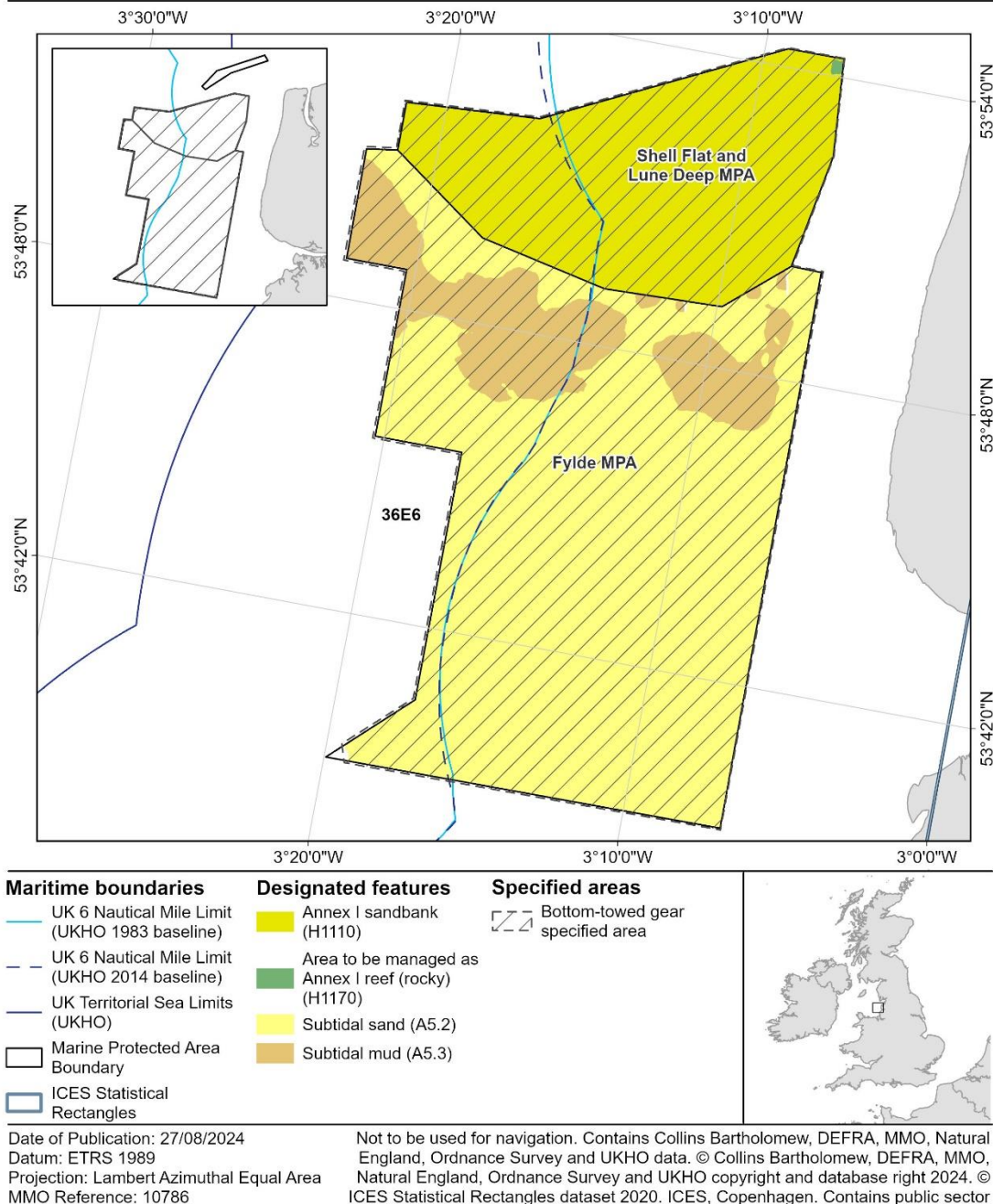


Figure 1. Map of Fylde Marine Conservation Zone and Shell Flat and Lune Deep Special Area of Conservation showing the location of the bottom-towed gear specified area relevant to the sites. The coordinates delineating the area's boundaries are provided in Table 1. The UK 6 Nautical Mile Limit (1983 baseline) 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 - West of Copeland Marine Conservation Zone

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 West of Copeland Marine Conservation Zone.

Point	Latitude (degrees and decimal minutes)	Longitude (degrees and decimal minutes)	Line to next point
1	54° 17.4326' N	03° 56.4747' W	Geodesic
2	54° 15.5969' N	03° 53.2322' W	Geodesic
3	54° 11.9725' N	03° 46.8330' W	Geodesic
4	54° 11.2220' N	03° 46.2929' W	Geodesic
5	54° 06.0958' N	03° 47.2471' W	Geodesic
6	54° 05.1980' N	03° 49.6026' W	Geodesic
7	54° 05.4722' N	03° 51.6223' W	Geodesic
8	54° 13.0980' N	03° 56.8578' W	Geodesic
9	54° 13.7811' N	03° 59.1815' W	Due north to the UK Territorial Sea Limit
10	-	03° 59.1815' W	Following the UK Territorial Sea Limit north to the specified latitude
11	54° 17.8977' N	-	Geodesic
12	54° 17.8977' N	03° 57.9567' W	Geodesic returning to Point 1



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West of Copeland Marine Protected Area

Specified area for the prohibition of bottom-towed gear

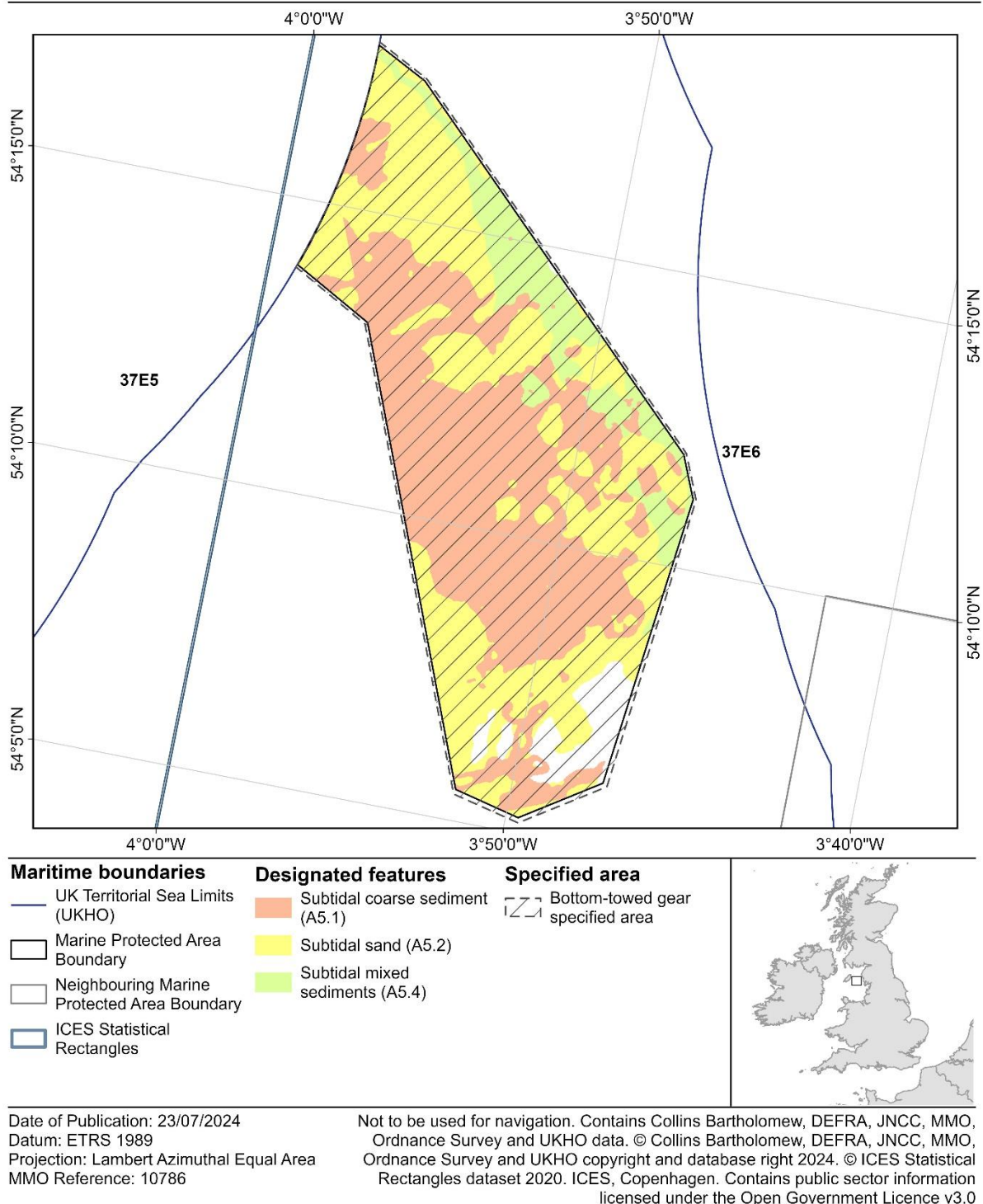


Figure 2. Map of West of Copeland Marine Conservation Zone showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 2.

Schedule 3 – West of Walney 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 West of Walney Marine Conservation Zone.

Point	Latitude (degrees and decimal minutes)	Longitude (degrees and decimal minutes)	Line to next point
1	53° 56.7850' N	03° 23.9823' W	Geodesic
2	53° 56.4106' N	03° 24.5507' W	Geodesic
3	53° 56.5797' N	03° 28.9673' W	Geodesic
4	53° 59.8848' N	03° 33.1557' W	Geodesic
5	53° 59.9344' N	03° 34.5484' W	Geodesic
6	54° 02.3148' N	03° 42.1384' W	Geodesic
7	54° 10.0758' N	03° 42.0850' W	Geodesic
8	54° 10.0735' N	03° 26.4827' W	Geodesic
9	54° 06.8012' N	03° 23.9256' W	Geodesic returning to Point 1



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West of Walney Marine Protected Area

Specified area for the prohibition of bottom-towed gear

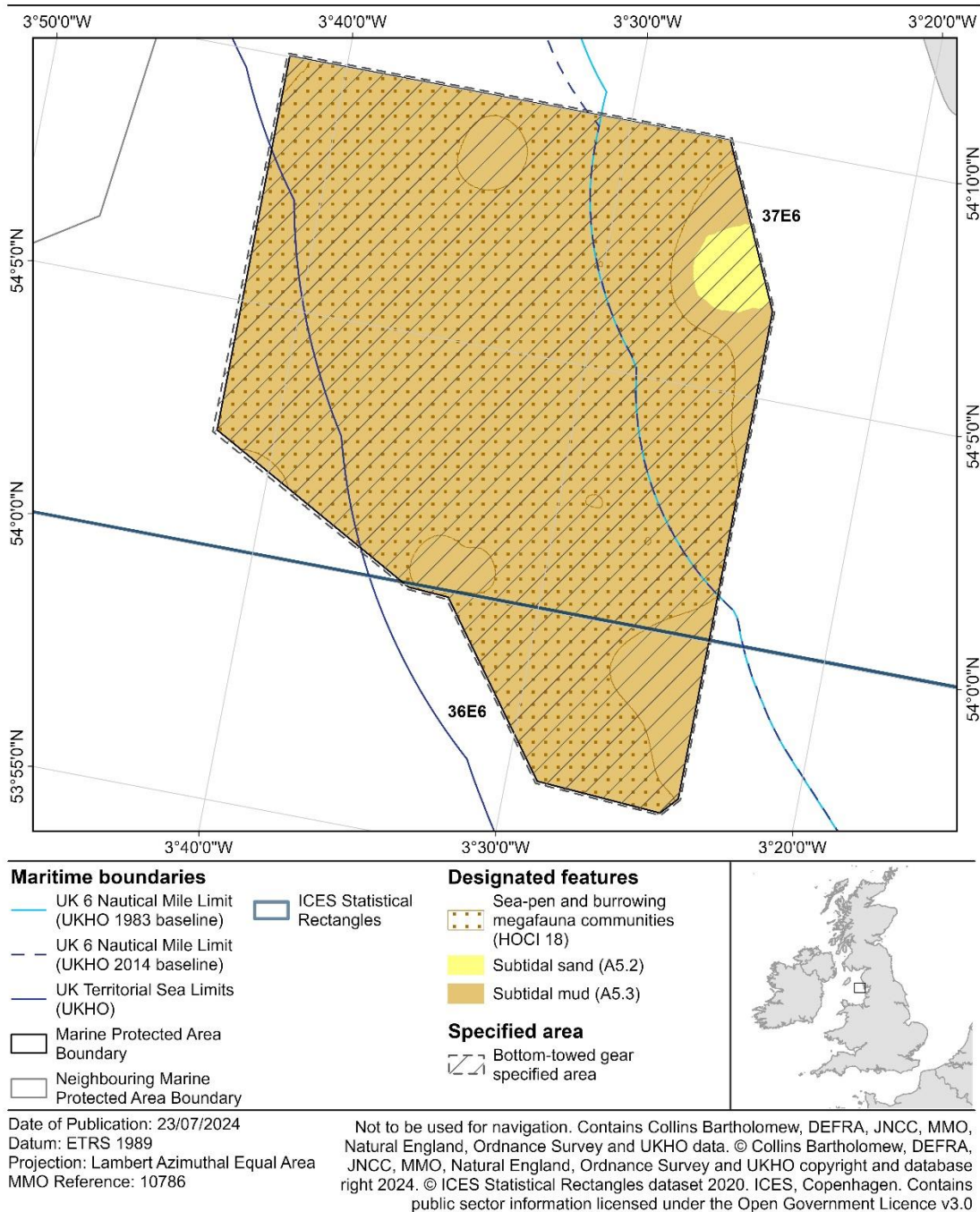


Figure 3. Map of West of Walney Marine Conservation Zone showing the location of the bottom-towed gear specified area relevant to the site. The coordinates delineating the area's boundaries are provided in Table 3. The UK 6 Nautical Mile Limit (1983 baseline) referred to as 'the 1983 baselines' within 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).

Explanatory Note

(This note is not part of the Byelaw)

This Byelaw conserves the following marine fauna and habitats:

- i. Sea-pen and burrowing megafauna communities,
- ii. Subtidal coarse sediments,
- iii. Subtidal mixed sediments,
- iv. Subtidal mud and
- v. 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.

The West of Walney Marine Conservation Zone (Specified Area) Bottom Towed Fishing Gear Byelaw 2018 is revoked by this Byelaw.