

EASTERN SEA FISHERIES JOINT COMMITTEE

The Committee for the Eastern Sea Fisheries District, in exercise of its powers under sections 5[and 5A] of the Sea Fisheries Regulation Act 1966, has made the following Byelaw:

BYELAW 15:- Towed Gear Restriction for Bivalve Molluscs

1. No person shall in fishing for bivalve molluscs in the Committee's District use any kind of towed fishing gear.
2. This byelaw shall not apply to any person:
 - (a) using a vessel within the boundaries of the Wash Fishery Order 1992 or,
 - (b) using a vessel, the overall length of which does not exceed 14 metres, in the areas defined under paragraphs 3a, 3b & 3c below or,
 - (c) using a vessel in the areas defined under paragraphs 3a, 3b & 3c that has been issued with a derogation by the Committee.

The Committee shall issue a derogation to a vessel for one or more of the areas defined under paragraphs 3a, 3b & 3c below, where evidence can be provided by the owners of having fished with that vessel in these areas prior to 1st January 2008. Applications for derogations can be made to the Joint Committee in writing and must be received no later than 6 months after the date of confirmation of this byelaw. Supporting evidence must be provided at the time of application. Any vessel issued a derogation under paragraph 2(c) above may continue to fish until such time as the vessel changes ownership or ceases to fish.

3. The areas to which the byelaw applies are as follows:
 - (a) between a line drawn True East from the control tower at the Royal Air Force Gunnery and Bombing Range at Donna Nook in the County of Lincolnshire (Latitude 53⁰ 28'.22N, Longitude 000⁰ 09'.24E) being the northern extremity of the District to a line drawn True North from Blakeney Church in the County of Norfolk (Latitude 52⁰ 57'.05N Longitude 001⁰ 01'.60E) which lies outside the boundaries of the Wash Fishery Order 1992.
 - (b) between a line drawn True North East from Mundesley Church in the County of Norfolk (Latitude 52⁰ 52'.50N Longitude 001⁰ 26'.15E) to the northern edge of the causeway (Latitude 51⁰ 55'.76N Longitude 001⁰ 16'.90E) situated opposite Lower Marine Parade at Dovercourt in the County of Essex to where it intersects the line of mean low water and thence drawn seaward on a bearing 100⁰ True, being the southern extremity of the District.
 - (c) between a line drawn True North from Blakeney Church in the County of Norfolk (Latitude 52⁰ 57'.05N Longitude 001⁰ 01'.60E) to a line drawn True North East from Mundesley Church in the County of Norfolk (Latitude 52⁰ 52'.50N Longitude 001⁰ 26'.15E) which lies beyond three nautical miles from the 1983 baselines.
4. For the purpose of this byelaw:
 - (a) "the 1983 baselines" means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 IIIp.6452A, amended by 1979Iip.2866)

Explanatory Note
(This note does not form part of the Byelaw)

The purpose of the byelaw is to restrict the exploitation of bivalve molluscs in the ESFJC District. The byelaw would allow access to the stocks but would reduce the possibility of all the stock being removed. Bivalve molluscs are known to play an important role in the ecosystem including being an important food resource for many other species. Restricting access will ensure that more stock is available for natural predation and maintain the biodiversity associated with these species. Smaller vessels are more restricted by weather conditions leading to less fishing opportunity and less exploitation. Any larger vessels that have already taken part in these fisheries would be able to continue until the vessel is either sold or ceases fishing.

A map is included for illustration purposes only. This map is not to be used for navigation – for definitive positions please refer to the byelaw.

This byelaw does not prejudicially affect the historic rights of several fishery described in Section 6(a) of the Sea Fisheries Regulation Act 1966.