

Kent and Essex Inshore Fisheries and Conservation Authority

MARINE AND COASTAL ACCESS ACT 2009 (c.23)

BOTTOM TOWED FISHING GEAR (PROHIBITED AREAS) BYELAW 2017

The Authority for the Kent and Essex Inshore Fisheries and Conservation District, in exercise of the powers conferred by sections 155 and 156 of the Marine and Coastal Access Act 2009 hereby makes the following byelaw for that District.

DEFINITIONS

(1) In this byelaw:

- a) "the Authority" means the Kent and Essex Inshore Fisheries and Conservation Authority as defined in Articles 2 and 4 of the Kent and Essex Inshore Fisheries and Conservation Order 2010 (SI 2010 No 2190);
- b) "bottom towed fishing gear" means any beam trawl, otter trawl, multi-rig trawl, pair trawl, anchor seine, Scottish seine, dredge or other similar fishing instrument designed to take, or disturb, sea fisheries resources on the sea bed;
- c) "the District" means the Kent and Essex Inshore Fisheries and Conservation District as defined in Articles 2 and 3 of the Kent and Essex Inshore Fisheries and Conservation Order 2010 (SI 2010 No. 2190);
- d) "the prohibited areas" means "Prohibited Area 1 – Thanet Coast SAC", "Prohibited Area 2 – Essex Estuaries SAC", "Prohibited Area 3 – Folkestone Pomerania MCZ", "Prohibited Area 4 – Pan Sand Hole", "Prohibited Area 5 – Knob Channel" and "Prohibited Area 6 – East Margate Sands" as defined in the Schedule;
- e) "use" in the context of bottom towed fishing gear means moving, towing or dragging it on the seabed and or above the seabed and or on the surface of the sea and or anchoring and or leaving it on the seabed with or without the intention to take sea fisheries resources.

PROHIBITION

- (2) A person must not use bottom towed fishing gear within the prohibited areas.

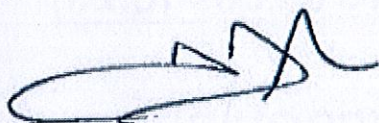
SCIENTIFIC EXEMPTION

- (3) This byelaw shall not apply to a 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 Authority permitting that act for scientific, stocking or breeding purposes.

REVOCATION

- (4) The byelaw with the title 'Bottom Towed Fishing Gear' (Prohibited Areas) Byelaw" made by the Authority on the 6th March 2015 is revoked.

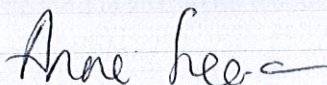
I hereby certify that the above byelaw was made by the Authority at their meeting on the 23rd day of January 2017.



Mr John Lynch
Clerk to the Kent and Essex Inshore Fisheries and Conservation Authority

Paragon House
Albert Street
Ramsgate
Kent.
CT11 9HD

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power conferred by section 155(4) of the Marine and Coastal Access Act 2009 confirms the Bottom Towed Fishing Gear (Prohibited Areas) Byelaw 2017 made by Kent and Essex Inshore Fisheries and Conservation Authority on 23rd January 2017.



Date: 1/2/2018

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

SCHEDULE

Definition of "Prohibited Areas"

Co-ordinates used in this Byelaw are based on WGS 84 datum, where 'WGS 84' means the World Geodetic System, revised in 1984 and further revised in 2004.

"Prohibited Area 1 - Thanet Coast SAC" means the area enclosed by a series of straight lines drawn sequentially from:

Point 1 (51 degrees 22.646 minutes North, 001 degrees 15.598 minutes East) to
Point 2 (51 degrees 23.250 minutes North, 001 degrees 15.545 minutes East) to
Point 3 (51 degrees 23.420 minutes North, 001 degrees 19.482 minutes East) to
Point 4 (51 degrees 23.802 minutes North, 001 degrees 19.651 minutes East) to
Point 5 (51 degrees 24.113 minutes North, 001 degrees 21.248 minutes East) to
Point 6 (51 degrees 24.258 minutes North, 001 degrees 25.645 minutes East) to
Point 7 (51 degrees 23.995 minutes North, 001 degrees 26.836 minutes East) to
Point 8 (51 degrees 22.968 minutes North, 001 degrees 27.729 minutes East) to
Point 9 (51 degrees 21.128 minutes North, 001 degrees 27.748 minutes East) to
Point 10 (51 degrees 19.400 minutes North, 001 degrees 26.322 minutes East) to
Point 11 (51 degrees 19.444 minutes North, 001 degrees 22.656 minutes East) to
Point 12 (51 degrees 19.780 minutes North, 001 degrees 22.655 minutes East) and then by a line drawn along the coast at the level of mean high water spring tide back to Point 1

"Prohibited Area 2 - Essex Estuaries SAC" means the area enclosed by a series of straight lines drawn sequentially from:

Point 1 (51 degrees 37.248 minutes North, 000 degrees 56.692 minutes East) to
Point 2 (51 degrees 37.376 minutes North, 000 degrees 56.724 minutes East) to
Point 3 (51 degrees 37.400 minutes North, 000 degrees 58.065 minutes East) to
Point 4 (51 degrees 36.312 minutes North, 000 degrees 57.038 minutes East) to
Point 5 (51 degrees 34.916 minutes North, 000 degrees 55.137 minutes East) to
Point 6 (51 degrees 34.487 minutes North, 000 degrees 54.403 minutes East) to
Point 7 (51 degrees 33.811 minutes North, 000 degrees 52.788 minutes East) to
Point 8 (51 degrees 33.506 minutes North, 000 degrees 52.250 minutes East) to
Point 9 (51 degrees 32.503 minutes North, 000 degrees 50.138 minutes East) to
Point 10 (51 degrees 32.169 minutes North, 000 degrees 49.143 minutes East) to
Point 11 (51 degrees 31.635 minutes North, 000 degrees 48.020 minutes East) to
Point 12 (51 degrees 31.716 minutes North, 000 degrees 47.917 minutes East)) and then by a line drawn along the coast at the level of mean high water spring tide back to Point 1

"Prohibited Area 3 – Folkestone Pomerania MCZ" means the area enclosed by a series of straight lines drawn sequentially from:

Point 1 (51 degrees 03.337 minutes North, 001 degrees 18.030 minutes East) to
Point 2 (51 degrees 01.110 minutes North, 001 degrees 20.498 minutes East) to
Point 3 (50 degrees 59.328 minutes North, 001 degrees 15.288 minutes East) to
Point 4 (51 degrees 01.624 minutes North, 001 degrees 13.093 minutes East) and then by a straight line back to Point 1

"Prohibited Area 4 – Pan Sand Hole" means the area enclosed by a series of straight lines drawn sequentially from:

Point 1 (51 degrees 28.800 minutes North, 001 degrees 08.400 minutes East) to
Point 2 (51 degrees 28.800 minutes North, 001 degrees 13.200 minutes East) to
Point 3 (51 degrees 25.800 minutes North, 001 degrees 13.200 minutes East) to
Point 4 (51 degrees 25.800 minutes North, 001 degrees 08.400 minutes East) and then by a straight line back to Point 1

"Prohibited Area 5 – Knob Channel" means the area enclosed by a series of straight lines drawn sequentially from:

Point 1 (51 degrees 30.920 minutes North, 001 degrees 04.259 minutes East) to
Point 2 (51 degrees 30.920 minutes North, 001 degrees 08.534 minutes East) to
Point 3 (51 degrees 30.232 minutes North, 001 degrees 08.534 minutes East) to
Point 4 (51 degrees 30.232 minutes North, 001 degrees 04.259 minutes East) and then by a straight line back to Point 1

"Prohibited Area 6 – East Margate Sand" means the area enclosed by a series of straight lines drawn sequentially from:

Point 1 (51 degrees 26.892 minutes North, 001 degrees 21.447 minutes East) to
Point 2 (51 degrees 26.892 minutes North, 001 degrees 26.946 minutes East) to
Point 3 (51 degrees 25.772 minutes North, 001 degrees 26.946 minutes East) to
Point 4 (51 degrees 25.280 minutes North, 001 degrees 21.447 minutes East) and then by a straight line back to Point 1

EXPLANATORY NOTE

(This note is not part of the byelaw)

This Byelaw prohibits the use of bottom towed fishing gear in specified areas to protect the designated features of those areas and therefore prevent damage to or deterioration of the sites.

The prohibited areas are defined in the Schedule to this byelaw. The prohibited areas are identified, for illustrative purposes only, on the maps below.

