



**Kent and Essex
Inshore Fisheries and Conservation Authority**

MARINE AND COASTAL ACCESS ACT 2009

RIVER MEDWAY NURSERY AREA (PROHIBITION OF FISHING) BYELAW

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

INTERPRETATION

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) "carry" means transport by any means;
 - (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;
 - (d) "restricted area" means the area of the River Medway described in the Schedule;
 - (e) "River Medway" means the water body known as the River Medway from a line drawn from Garrison Point at Sheerness (51 degrees 26.863 minutes North, 000 degrees 44.641 minutes East) through the Grain Tower (51 degrees 27.091 minutes North, 000 degrees 43.871 minutes East) to the point of mean high water springs on the shore of the Isle of Grain (51 degrees 27.244 minutes North, 000 degrees 43.352 minutes East) at its mouth, up to its tidal limit at Allington Lock and up to a line drawn across the River Swale from 51 degrees 25.40 minutes North, 000 degrees 43.79 minutes East to 51 degrees 25.419 minutes North, 000 degrees 44.137 minutes East;
 - (f) "sea fisheries resources" has the same meaning as section 153(10) of the Marine and Coastal Access Act 2009

PROHIBITIONS

2. A person must not fish for, or take by any means, sea fisheries resources within the restricted area.

3. Subject to paragraph 4 a person fishing in the District must not carry any sea fisheries resources into or through the restricted area.
4. Paragraph 3 does not apply to any person on a vessel carrying sea fisheries resources from outside the restricted area directly to the marinas and permanent moorings north of Hoo Island

APPLICATION

5. This byelaw does 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, breeding or fisheries management purposes.

SCHEDULE

Definition of 'Restricted Area'

The restricted area is the area enclosed by a series of straight lines drawn sequentially from:

- Point 1 - 51 degrees 24.740 minutes North, 0 degrees 33.039 minutes East to
Point 2 - 51 degrees 24.566 minutes North, 0 degrees 33.039 minutes East (Navigation buoy No 31)
to
Point 3 - 51 degrees 24.006 minutes North, 0 degrees 33.755 minutes East (Navigation buoy No 29)
to
Point 4 - 51 degrees 24.115 minutes North, 0 degrees 35.005 minutes East (Folly Point beacon) to
Point 5 - 51 degrees 24.600 minutes North, 0 degrees 35.636 minutes East (Navigation buoy No 23)
to
Point 6 - 51 degrees 24.881 minutes North, 0 degrees 36.324 minutes East (Kingsnorth Jetty RoRo)
to
Point 7 - 51 degrees 24.970 minutes North, 0 degrees 38.310 minutes East (Oakham Ness Point) to
Point 8 - 51 degrees 25.659 minutes North, 0 degrees 39.227 minutes East (Navigation buoy 'Stoke
Creek') to
Point 9 - 51 degrees 26.084 minutes North, 0 degrees 40.414 minutes East (Elphinstone Point) and
then by a line drawn along the coast at the level of mean high water spring tide back to Point 1

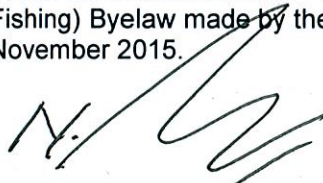
I hereby certify that the above byelaw was made by the Kent and Essex Inshore Fisheries and Conservation Authority at their meeting on the 6 November 2015.



Peter Sass (Clerk)

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 River Medway Nursery Area (Prohibition of Fishing) Byelaw made by the Kent and Essex Inshore Fisheries and Conservation Authority on 6 November 2015.



Nigel Cooding

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

Date: 21 June 2016.

Explanatory Note (this note is not part of byelaw)

The Byelaw prohibits the taking of, and carriage of, sea fisheries resources in the restricted area defined in the byelaw. The prohibition against carrying sea fisheries resources in the restricted area does not apply to any person on a vessel carrying sea fisheries resources from outside the area directly to the marinas and permanent moorings north of Hoo Island. The Byelaw will protect fish populations using the River Medway as a nursery area and will in addition offer protection to the Marine Protected Area (MPA) designations of the site including Special Protected Areas (SPA) and Marine Conservation Zone (MCZ) features.

