

NWIFCA BYELAW 6: PROTECTION FOR EUROPEAN MARINE SITE FEATURES.

Byelaw confirmed 15.05.14

Interpretation

1. In this byelaw:
 - a) 'the Authority' means the North Western Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the North Western Inshore Fisheries and Conservation Order 2010 (SI 2010 No. 2200);
 - b) 'the District' means the North Western Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the North Western Inshore Fisheries and Conservation Order 2010 (SI 2010 No. 2200);
 - c) 'specified areas' means the following areas as defined in the Schedule to this byelaw;
 - i. The Solway Firth EMS *Sabellaria alveolata* reef closed area;
 - ii. The Morecambe Bay EMS Seagrass beds closed areas;
 - iii. The Morecambe Bay EMS Walney Channel boulder and cobble reef closed area;
 - iv. The Morecambe Bay EMS Heysham Flat *Sabellaria alveolata* reef closed area;
 - v. The Dee Estuary EMS Hilbre Island *Sabellaria alveolata* reef closed area; and
 - vi. The Shell Flat & Lune Deep SAC reef closed area;
 - d) "bottom towed fishing gear" means any fishing gear which is capable of being towed, dragged or moved along the seabed including any fishing dredge, beam trawl or otter trawl; and
 - e) "to work fisheries by hand" means to gather sea fisheries resources by hand or using a hand operated implement.
2. Co-ordinates used in this byelaw are measured from WGS 84 datum. The WGS 84 means the World Geodetic System revised in 1984 and 2004.

Prohibitions

3. No person shall use any bottom towed fishing gear in the specified areas except with the written authorisation of and using gear approved by the Authority in accordance with paragraph 5.
4. No person shall collect bait or work fisheries by hand in the Morecambe Bay EMS seagrass beds closed areas except with the written authorisation of and using methods approved by the Authority in accordance with paragraph 5.

Exemptions

5. This byelaw shall not apply to any person performing an act which would otherwise constitute an offence against this byelaw if that act was carried out in accordance with a written authorisation issued by the NWIFCA permitting that act for scientific, management stocking or breeding purposes.
6. An authorisation to use bottom towed gear in the Shell Flat and Lune Deep SAC reef closed area will be issued to an applicant by the Authority provided that:
 - a) an application for an authorisation is received by the Authority within 6 months of this byelaw coming into effect;
 - b) evidence, as agreed by the Authority to be sufficient, is provided that the applicant fished within the closed area for at least 5 days within the last 36 months immediately prior to the byelaw being made;

- c) the same vessel, gear type and size is used by the applicant to fish in the closed area as were used in fishing the closed area prior to the making of this byelaw; and
 - d) the applicant's fishing vessel remains in the same legal and beneficial ownership as on the date of this byelaw being made.
7. An authorisation issued under paragraph 6 will remain valid until such a time as it is revoked by the Authority or any of the conditions set out in paragraph 6 cease to be true at which time the authorisation will cease to have effect and cannot be used to fish in the Shell Flat and Lune Deep SAC reef closed area. The Authority may revoke an authorisation at any time after it has been issued for any reason it considers necessary in accordance with its statutory fisheries management duties.

SCHEDULE

'The Solway Firth EMS *Sabellaria alveolata* reef closed area' means the area enclosed a line connecting the following points A,B,C,D, E in order and returning to Point A along the line of Mean High Water (MHW), as shown, for illustrative purposes only, in Figure 1:

Point A	54° 49'.01 N	3° 25'.69 W
Point B	54° 49'.01 N	3° 27'.95 W
Point C	54° 48'.66 N	3° 28'.52 W
Point D	54° 47'.00 N	3° 27'.42 W
Point E	54° 47'.00 N	3° 25'.96 W

'The Morecambe Bay EMS seagrass beds closed areas' means the separate areas enclosed by: a line connecting the following points F,G, H, I in order and returning to Point F along the line of MHW; a line connecting the following points K, L, M, N in order and returning to Point K; a line connecting the following points O, P, Q, R in order and returning to Point O along the line of MHW; and a line connecting the following points S, T, V in order and then from V along the line of MHW to the point where the line from V to W crosses the line of MHW and then from that point to W and returning to Point S along the line of MHW, as shown, for illustrative purposes only, in Figure 2:

Point F	54° 04'.46 N	3° 10'.39 W
Point G	54° 04'.46 N	3° 10'.30 W
Point H	54° 04'.34 N	3° 10'.27 W
Point I	54° 04'.42 N	3° 09'.82 W

Point K	54° 04'.37 N	3° 12'.82 W
Point L	54° 04'.40 N	3° 12'.18 W
Point M	54° 04'.08 N	3° 12'.14 W
Point N	54° 04'.06 N	3° 12'.77 W

Point O	54° 05'.87 N	3° 11'.25 W
Point P	54° 05'.45 N	3° 12'.34 W
Point Q	54° 04'.79 N	3° 10'.72 W
Point R	54° 04'.91 N	3° 10'.41 W

Point S	54° 04'.31 N	3° 09'.51 W
Point T	54° 04'.39 N	3° 09'.34 W
Point V	54° 04'.24 N	3° 09'.13 W
Point W	54° 04'.15 N	3° 09'.29 W

'The Morecambe Bay EMS Walney Channel boulder and cobble reef closed area' means the area enclosed by a line connecting the following points A, B, C, D, E in order and returning to Point A, as shown, for illustrative purposes only, in Figure 2:

Point A	54° 04'.97 N	3° 12'.28 W
Point B	54° 04'.40 N	3° 10'.44 W
Point C	54° 04'.32 N	3° 10'.39 W
Point D	54° 04'.20 N	3° 10'.56 W
Point E	54° 04'.82 N	3° 12'.44 W

'The Morecambe Bay EMS Heysham Flat *Sabellaria alveolata* reef closed area' means the area enclosed by a line connecting the following points A, B, C, D, E in order and returning to Point A, as shown, for illustrative purposes only, in Figure 3:

Point A	54° 03'.43 N	2° 55'.23 W
Point B	54° 03'.70 N	2° 54'.56 W
Point C	54° 03'.70 N	2° 54'.30 W
Point D	54° 03'.19 N	2° 54'.30 W
Point E	54° 03.19' N	2° 55'.16 W

'The Dee Estuary EMS Hilbre Island *Sabellaria alveolata* reef closed area' means the area enclosed by a line connecting the following points A, B, C, D in order and returning to Point A, as shown, for illustrative purposes only, in Figure 4:

Point A	53° 22'.94 N	3° 13'.87 W
Point B	53° 23'.02 N	3° 13'.74 W
Point C	53° 22'.58 N	3° 13'.05 W
Point D	53° 22'.52 N	3° 13'.14 W

'The Shell Flat and Lune Deep SAC reef closed area' means the area enclosed a line connecting the following points A,B,C,D, E, F, G, H, I, J, K, L, M in order and returning to Point A, as shown, for illustrative purposes only, in Figure 5:

Point A	53° 57'.72 N	3° 5'.88 W
Point B	53° 57'.53 N	3° 5'.71 W
Point C	53° 57'.28 N	3° 5'.91 W
Point D	53° 56'.71 N	3° 7'.35 W
Point E	53° 56'.38 N	3° 9'.20 W
Point F	53° 55'.79 N	3° 10'.27 W
Point G	53° 55'.15 N	3° 11'.55 W
Point H	53° 54'.34 N	3° 12'.93 W
Point I	53° 54'.47 N	3° 13'.37 W
Point J	53° 55'.22 N	3° 12'.55 W
Point K	53° 56'.22 N	3° 10'.60 W
Point L	53° 56'.89 N	3° 8'.54 W
Point M	53° 57'.01 N	3° 7'.70 W

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

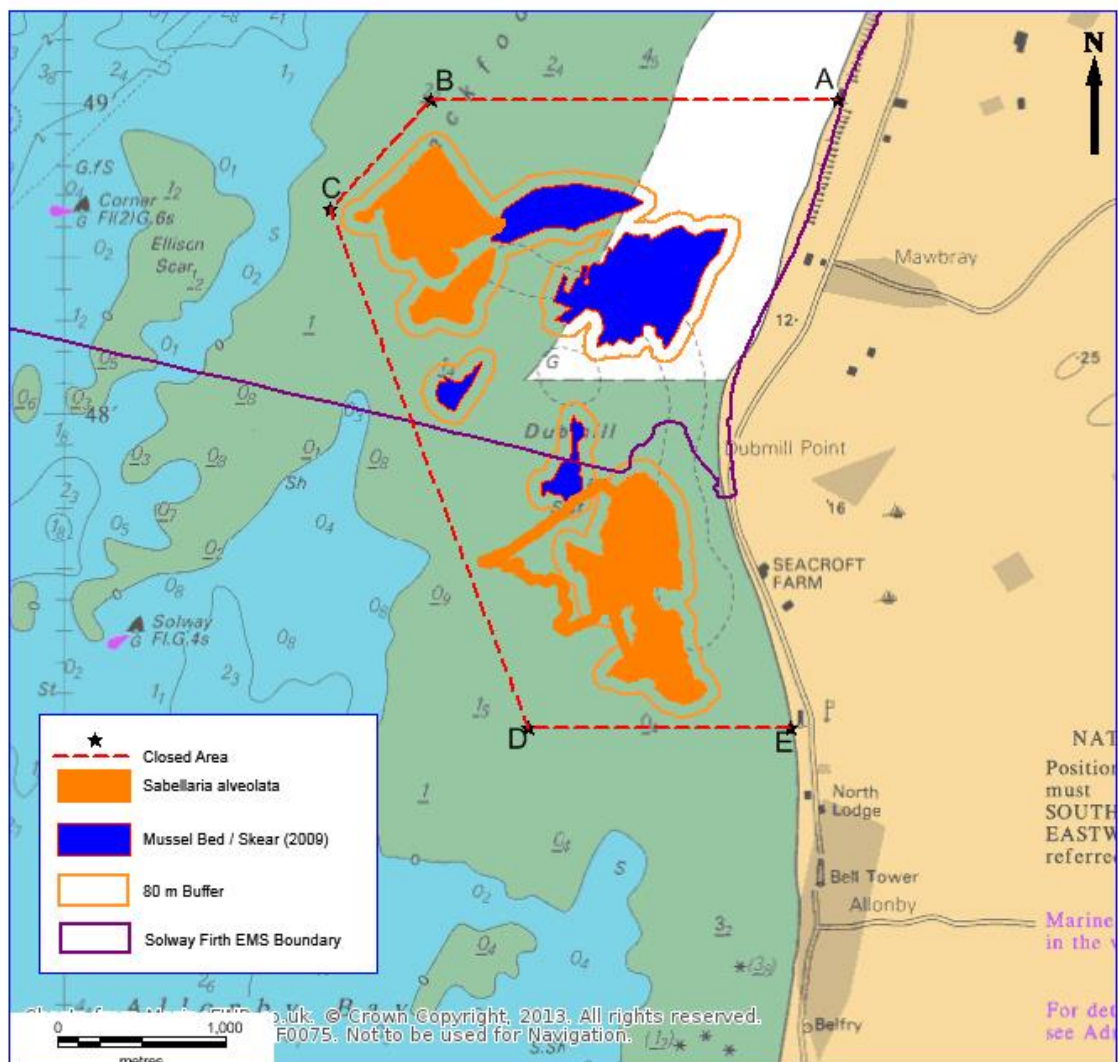
This byelaw prohibits the use without written permission from the NWIFCA of all bottom towed fishing gear in parts of European Marine Sites (EMS) in the NWIFCA District which contain features of conservation importance which could be damaged by such gear. This byelaw further prohibits bait digging and other hand gathering activities in parts of Morecambe Bay SAC containing seagrass beds.

The specified areas affected by this byelaw are defined in the Schedule to this byelaw and identified, for illustrative purposes only, on the maps in Figures 1-5.

Paragraphs 6 and 7 allow the Authority to grant authorisation to enter the Shell Flat and Lune Deep SAC reef closed area while using towed gear, to fishers who can show with evidence that they fished this area with their current vessel prior to the byelaw being made.

North Western Inshore Fisheries and Conservation Authority
Byelaw 6 Protection for European Marine Site Features

Figure 1. The Solway Firth EMS *Sabellaria alveolata* reef closed area



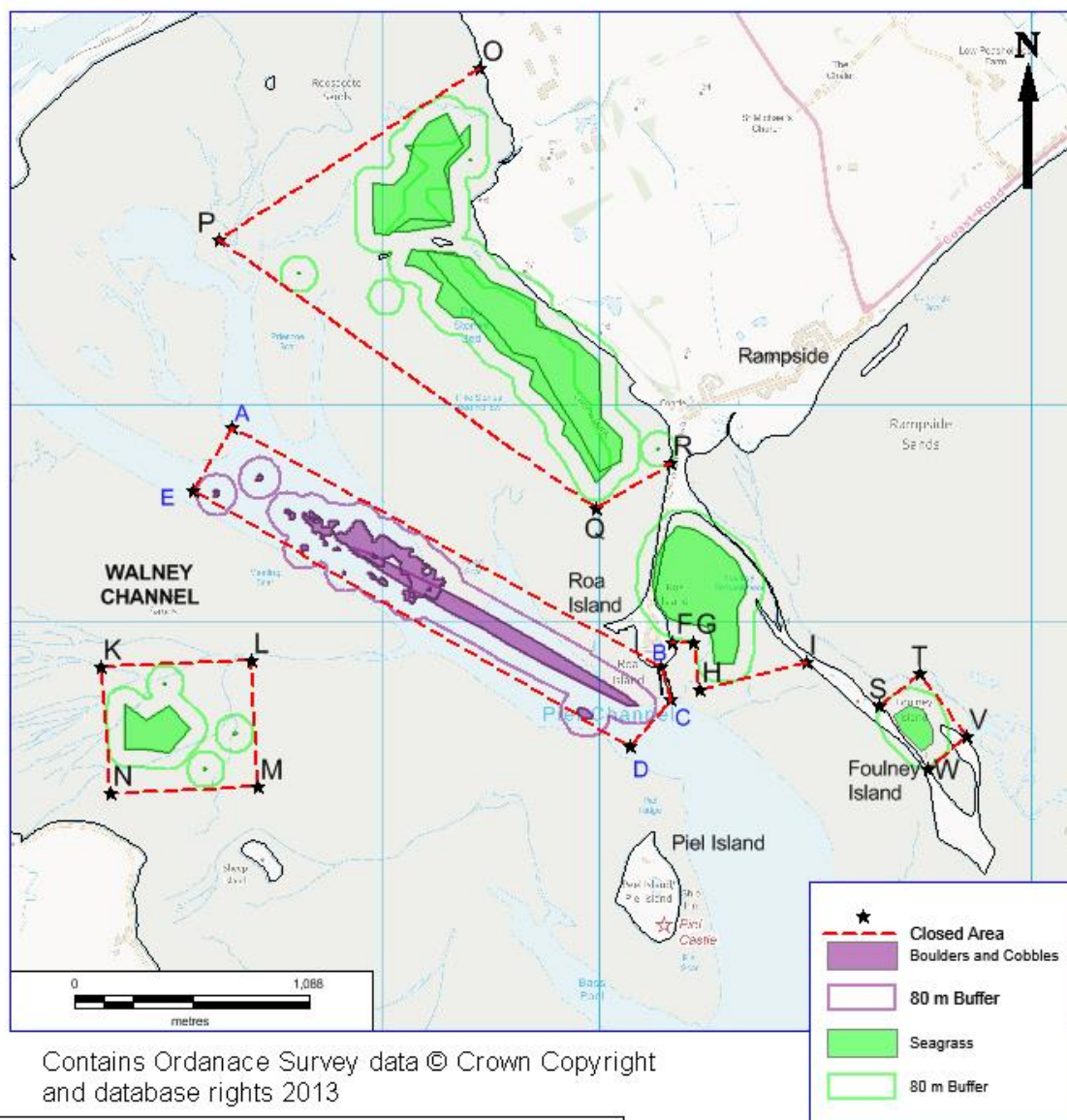
Coordinates

A	54° 49.01' N	3° 25.69' W
B	54° 49.01' N	3° 27.95' W
C	54° 48.66' N	3° 28.52' W
D	54° 47.00' N	3° 27.42' W
E	54° 47.00' N	3° 25.96' W

This map is for illustrative purposes only
NOT TO BE USED FOR NAVIGATION
Created December 2013 NWIFCA

North Western Inshore Fisheries and Conservation Authority
Byelaw 6 Protection for European Marine Site Features

Figure 2. The Morecambe Bay EMS seagrass beds closed area and Walney Channel boulder and cobble reef closed area

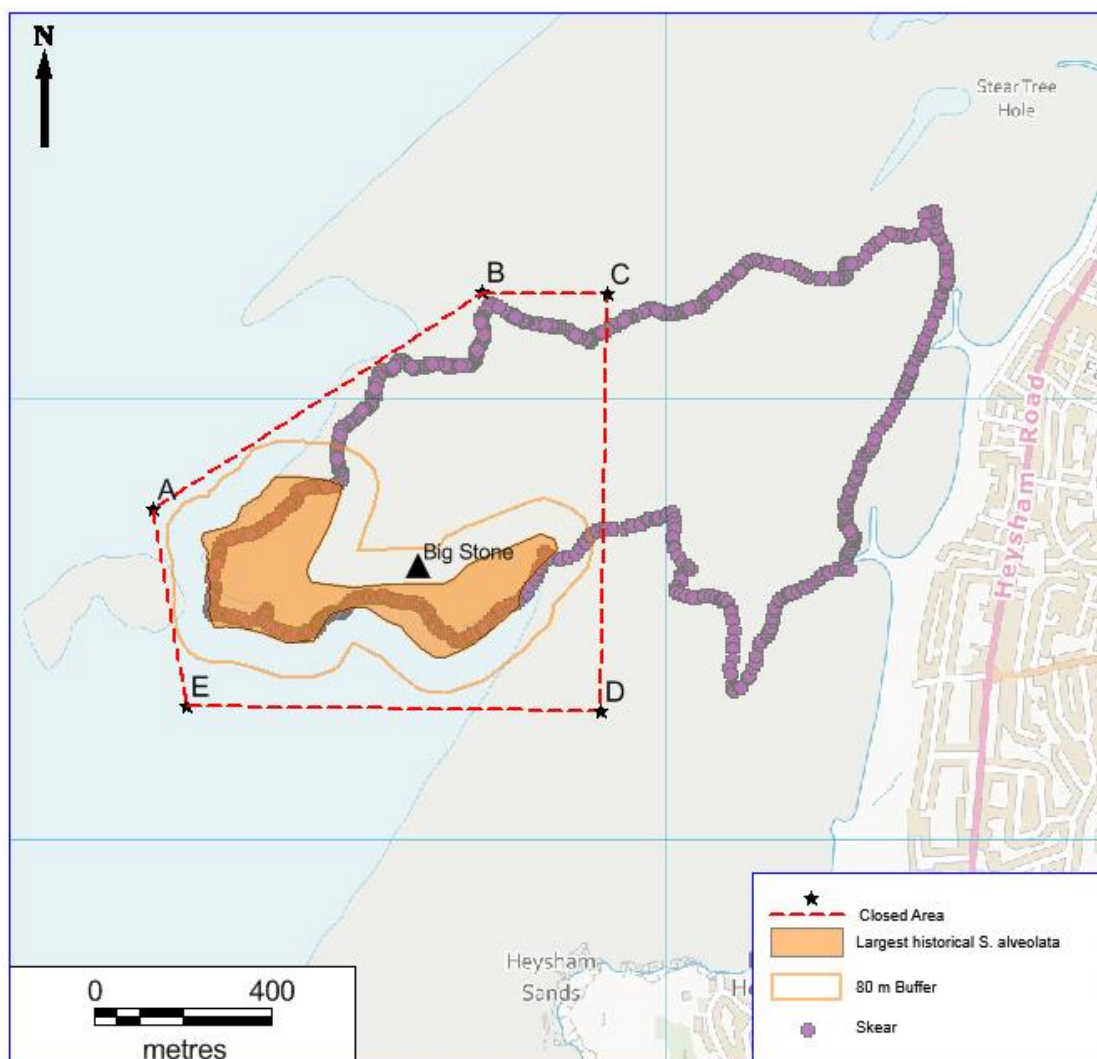


Coordinates

A 54° 04.97' N 3° 12.28' W	K 54° 04.37' N 3° 12.82' W
B 54° 04.40' N 3° 10.44' W	L 54° 04.40' N 3° 12.18' W
C 54° 04.32' N 3° 10.39' W	M 54° 04.08' N 3° 12.14' W
D 54° 04.20' N 3° 10.56' W	N 54° 04.06' N 3° 12.77' W
E 54° 04.82' N 3° 12.44' W	O 54° 05.87' N 3° 11.25' W
	P 54° 05.45' N 3° 12.34' W
	Q 54° 04.79' N 3° 10.72' W
	R 54° 04.91' N 3° 10.41' W
F 54° 04.46' N 3° 10.39' W	S 54° 04.31' N 3° 09.51' W
G 54° 04.46' N 3° 10.30' W	T 54° 04.39' N 3° 09.34' W
H 54° 04.34' N 3° 10.27' W	V 54° 04.24' N 3° 09.13' W
I 54° 04.42' N 3° 09.82' W	W 54° 04.15' N 3° 09.29' W

This map is for illustrative purposes only
NOT TO BE USED FOR NAVIGATION
Created December 2013 NWIFCA

North Western Inshore Fisheries and Conservation Authority
 Byelaw 6 Protection for European Marine Site Features
 Figure 3. The Morecambe Bay EMS Heysham Flat *Sabellaria alveolata* reef closed area



Contains Ordnance Survey data © Crown Copyright and database rights 2013

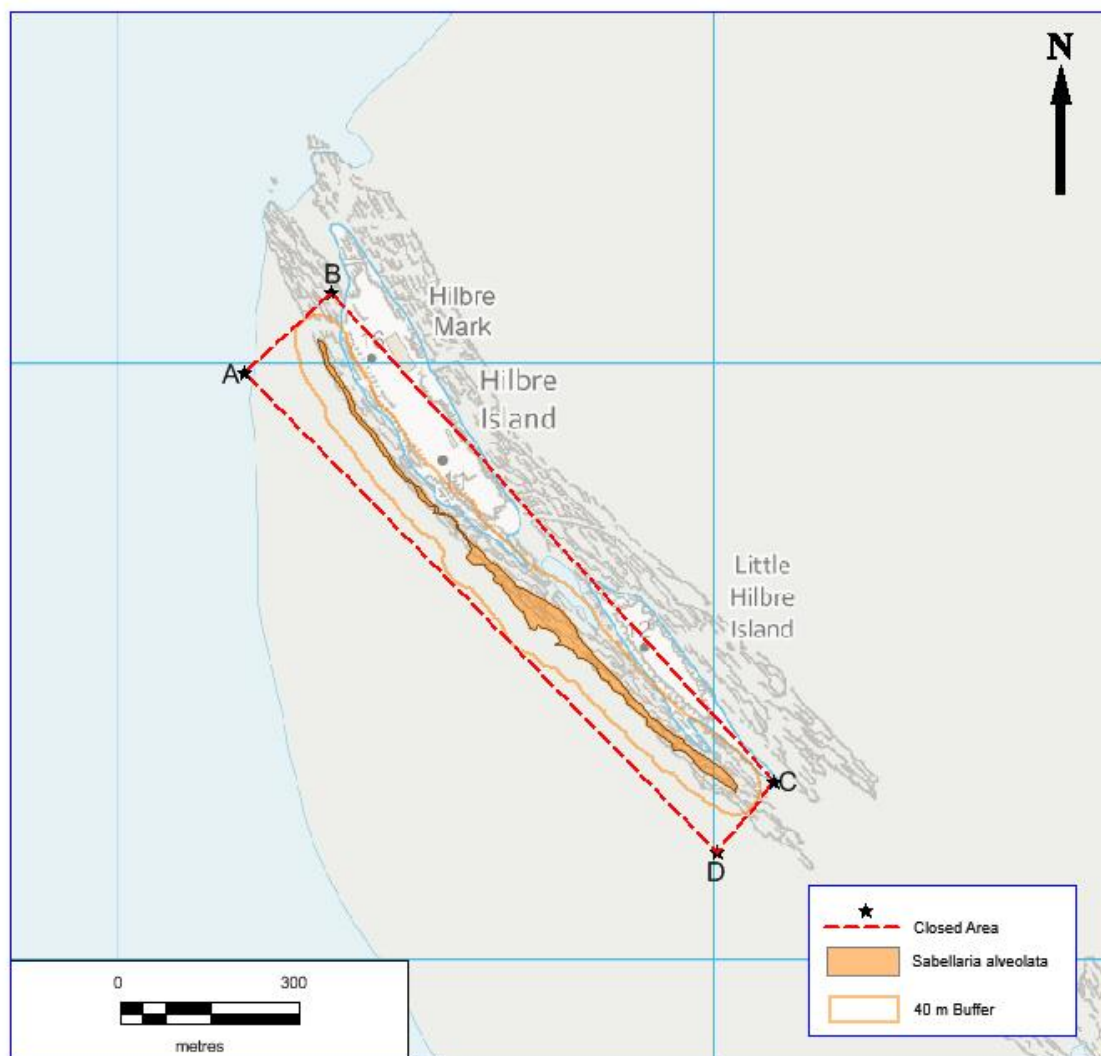
Coordinates

A 54° 03.43' N 2° 55.23' W
 B 54° 03.70' N 2° 54.56' W
 C 54° 03.70' N 2° 54.30' W
 D 54° 03.19' N 2° 54.30' W
 E 54° 03.19' N 2° 55.16' W

This map is for illustrative purposes only
 NOT TO BE USED FOR NAVIGATION
 Created December 2013 NWIFCA

North Western Inshore Fisheries and Conservation Authority
Byelaw 6 Protection for European Marine Site Features

Figure 4. The Dee Estuary EMS Hilbre Island *Sabellaria alveolata* reef closed area



Contains Ordnance Survey data © Crown Copyright and database rights 2013

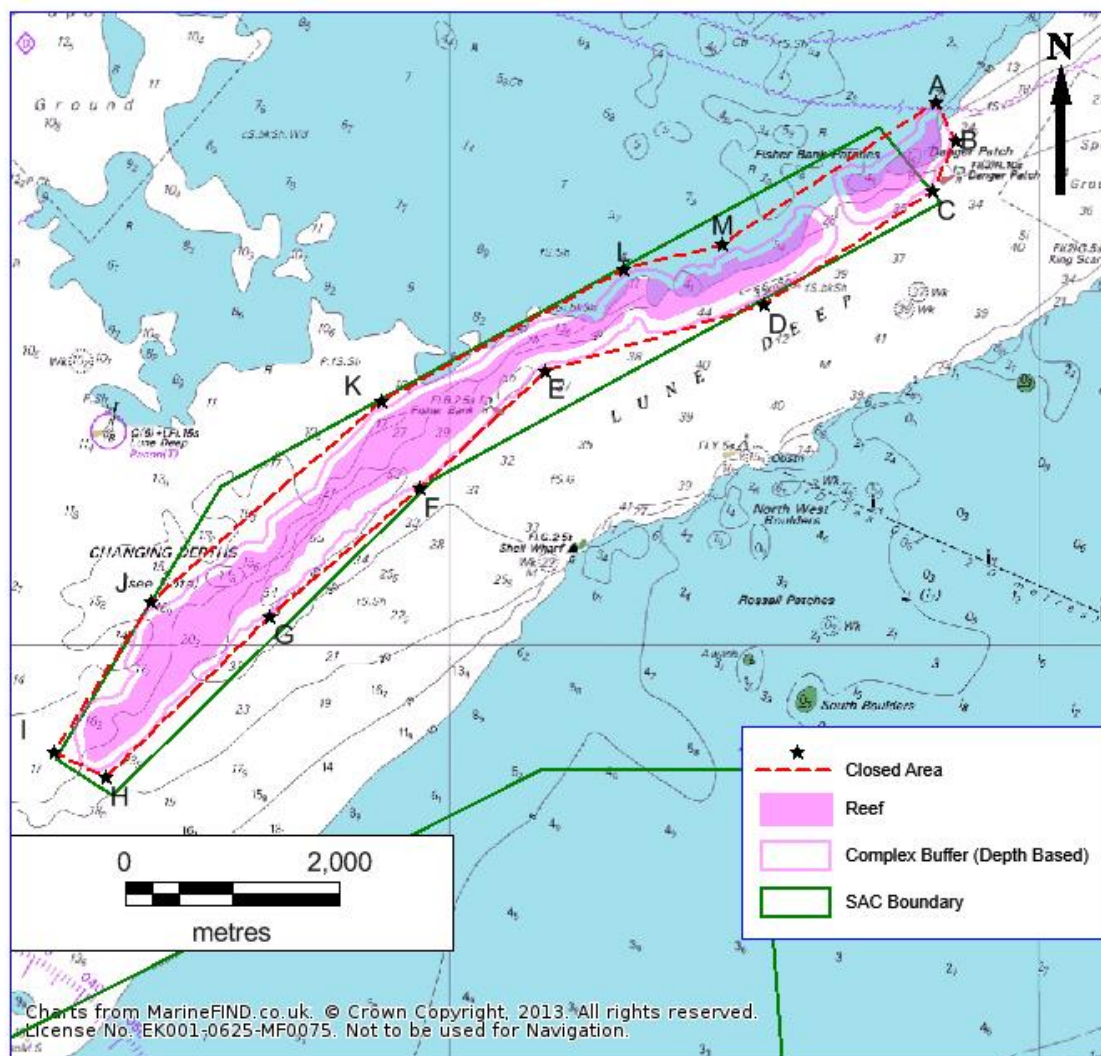
Coordinates

A	53° 22.94' N	3° 13.87' W
B	53° 23.02' N	3° 13.74' W
C	53° 22.58' N	3° 13.05' W
D	53° 22.52' N	3° 13.14' W

This map is for illustrative purposes only
NOT TO BE USED FOR NAVIGATION
Created December 2013 NWIFCA

North Western Inshore Fisheries and Conservation Authority
Byelaw 6 Protection for European Marine Site Features

Figure 5. The Shell Flat & Lune Deep SAC reef closed area



Coordinates

A	53° 57.72' N	3° 5.88' W
B	53° 57.53' N	3° 5.71' W
C	53° 57.28' N	3° 5.91' W
D	53° 56.71' N	3° 7.35' W
E	53° 56.38' N	3° 9.20' W
F	53° 55.79' N	3° 10.27' W
G	53° 55.15' N	3° 11.55' W
H	53° 54.34' N	3° 12.93' W
I	53° 54.47' N	3° 13.37' W
J	53° 55.22' N	3° 12.55' W
K	53° 56.22' N	3° 10.60' W
L	53° 56.89' N	3° 8.54' W
M	53° 57.01' N	3° 7.70' W

This map is for illustrative purposes only

NOT TO BE USED FOR NAVIGATION

Created December 2013 NWIFCA

