STATUTORY INSTRUMENTS

1989 No. 671

SEA FISHERIES

The Southern Sea Fisheries District Order 1989

Made - - - -	*16th April 1989*
Coming into force	*17th April 1989*

The Minister of Agriculture, Fisheries and Food, on the application of the local fisheries committee for the Southern Sea Fisheries District and after consultation with every council concerned, in the exercise of the powers conferred by sections 1, 2(1) and (5) and 18(1) of the Sea Fisheries Regulation Act 1966(**a**), and of all other powers enabling him in that behalf, hereby makes the following Order, a draft of which has lain before Parliament for forty days prior to its being made:–

Title, commencement and interpretation

1.—(1) This Order may be cited as the Southern Sea Fisheries District Order 1989 and shall come into force the day after the day on which it is made.

(2) In this Order –

"the Act" means the Sea Fisheries Regulation Act 1966;

"the quadrennial period" means the period of four years beginning on 1st July 1989 and every fourth anniversary of that day.'

Sea Fisheries District

2.—(1) There shall continue to be a sea fisheries district comprising so much of the sea within the national waters of the United Kingdom adjacent to England and so much of the sea within three nautical miles from the baselines from which the breadth of the territorial sea of the United Kingdom adjacent to England is measured, with the adjoining coast, as lies within the following limits, namely, on the east, a line drawn along the western side of the road-bridge leading from Langston to Hayling Island in the county of Hampshire and continued from the southern extremity of the said bridge straight to the flagstaff of the Hayling Island coastguard station, and thence seawards in a true southerly direction, being the western boundary of the Sussex Sea Fisheries District; and on the west, a line drawn true south from the seaward extremity of the boundary between the counties of Dorset and Devon near Lyme Regis, being the eastern boundary of the Devon Sea Fisheries District.

(2) Save as provided in article 2(3) below, the sea fisheries district shall not extend above a line drawn at or near the mouth of every river or stream flowing into the sea or into any estuary, or of any estuary within the limits of the said district, as follows:–

(**a**) 1966 c.38, amended by the Local Government Act 1985 (c.51), section 16 and Schedule 8, paragraph 19.

A line at or near the mouth of the River Avon drawn true south-east from the south-easternmost corner of Haven House Inn, Mudeford Quay near Christchurch to a point distant two thousand feet therefrom, thence continued straight in a north-easterly direction to a point true south of, and distant two thousand feet from, the south-westernmost corner of the building known as Highcliffe Castle, and thence continued straight to such south-westernmost corner;

A line at or near the mouth of the River Trent or Piddle across the said river, along the eastern side of the road-bridge leading from Wareham to Wareham Railway Station;

A line at or near the mouth of the River Frome across the said river, along the eastern side of the road-bridge leading from Wareham to Stoborough;

A straight line at or near the mouth of the River Wey from the seaward extremity of the outer pier or breakwater at the mouth of the Nothe to the seaward extremity of the Pile Pier;

A straight line across every such river or stream not herein before specified, such line being drawn at the limit of ordinary high water.

(3) The sea fisheries district shall extend north of a line from Hill Head to Stansore Point to include the port of Southampton as defined in section 5 of the Southampton Harbour Act 1887(**a**) (except that for the purposes of this Order the port shall include the River Hamble above Bursledon bridge so far as it is tidal) and shall include such part of the area of the sea known as "The Fleet" as extends from Portland Harbour to the eastern boundary of the parish of Abbotsbury, being the boundary of that parish for the purposes of the Local Government Act 1972(**b**), at the date of the making of this Order.

(4) In respect of such rivers, streams and estuaries above the lines beyond which the sea fisheries district does not extend the South West Water Authority, the Southern Water Authority and the Wessex Water Authority shall each within their respective areas have the powers of a local fisheries committee.

(5) The sea fisheries district shall continue to be known as the Southern Sea Fisheries District.

Local Fisheries Committee

3.—(1) There shall continue to be a local fisheries committee constituted for the regulation of the sea fisheries carried on within the Southern Sea Fisheries District.

(2) The Committee shall be a joint committee of the Councils referred to in column 1 of Schedule 1 to this order and shall consist of twenty members. The number of members appointed by each constituent Council shall be the number which is set out in column 2 of that Schedule opposite the reference to such Council. Eight additional members shall be appointed by the Minister of Agriculture, Fisheries and Food and one additional member each by the Southern Water Authority and the Wessex Water Authority.

(3) Subject to paragraph (5) of this article the persons who were members of the Committee immediately before the coming into force of this Order shall continue to hold office until the end of June 1989. After that date the members shall come into office on the day specified in the instrument appointing them and shall hold office until the end of the quadrennial period in which that day falls.

(4) Retiring members shall be eligible for re-appointment.

(5) Where for any reason whatsoever there occurs a casual vacancy in the Committee, the body by whom the vacating member was appointed may fill the vacancy by the appointment of a new member. It shall be the duty of the Clerk of the Committee forthwith to notify every such vacancy to the appointing body.

(**a**) 1887 c.lii. (**b**) 1972 c.70.

(6) No act or proceeding of the Committee shall be questioned on account of any vacancy in the Committee, and no defect in the appointment of any person acting as a member of the Committee shall vitiate any proceedings of the Committee in which he has taken part.

(7) No Council shall make, vary or revoke any regulation or standing order respecting the quorum or proceedings of the Committee or as to the area within which it is to exercise its authority, except that any Council may make a regulation requiring the Committee to submit to such Council once in each year an estimate of expenses proposed to be incurred by it under the Act, and once in each year an abstract of its accounts for the preceding year, and to afford to any person appointed for the purpose by the Council access at all reasonable times to the books containing its accounts.

(8) Subject to any restriction or condition made under section 10 of the Act, the Committee shall not be required to report its proceedings to any Council, nor shall its acts or proceedings be submitted to any Council for approval.

(9) The Committee shall hold four quarterly meetings in each year for the transaction of general business, in addition to any special or adjourned meetings.

(10) Five members shall be a quorum at any meeting of the Committee.

(11) The Committee may from time to time appoint a sub-committee or sub-committees and may assign to such sub-committee or sub-committees such duties as it may from time to time determine.

Expenses

4. The expenses of the Committee shall be chargeable to the constituent Councils in the respective proportions set out in column 3 of Schedule 1 to this Order opposite the reference to each constituent Council and the precepts which the Committee shall from time to time issue to the several Councils for the sums required to defray their estimated or actual expenditure shall be calculated accordingly and such sums shall be expenses for general county purposes.

Revocation

5. The Orders specified in Schedule 2 to this Order are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th April 1989.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

SCHEDULE 1

Articles 3 and 4

CONSTITUTION AND EXPENSES

Column 1	Column 2	Column 3
Constituent Councils	Number of Representatives	Proportion of Expenses (per cent)
Dorset County Council	4	40
Hampshire County Council	4	40
Isle of Wight County Council	2	20

SCHEDULE 2

Article 5

ORDERS REVOKED

Order	References
The Order made by the Board of Trade on 26 August 1889 which conferred the powers of a local fisheries committee on the Southampton Harbour Board	C.5887
The Order made by the Board of Trade on 7 June 1893 which created the Southern Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district	HC No.247 of Session 1893-94
The Order made by the Board of Agriculture and Fisheries on 30 January 1904 which varied the Order made on 7 June 1893	SR & O 1904/325
Southern Sea Fisheries District (Extension of District) Order 1954	SI 1955/77
Southern Sea Fisheries District (Expenses) Order 1959	SI 1959/679
Southern Sea Fisheries District (Constitution of Committee and Expenses) (Variation) Order 1973	SI 1973/2202
Southern Sea Fisheries District (Variation) Order 1978	SI 1978/1715

EXPLANATORY NOTE

(This note is not part of the Order)

This Order which re-enacts with amendments an Order made by the Board of Trade on 7 June 1893 as amended makes new provision for the composition of the Southern Sea Fisheries District and for the ratio in which expenses are to be borne by the constituent Councils in consequence of the inclusion of Southampton Water in the Sea Fisheries District.

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