STATUTORY INSTRUMENTS

1978 No. 1715

SEA FISHERIES

The Southern Sea Fisheries District (Variation) Order 1978

Laid before Parliament in draft

Made - - - 28*th November* 1978
Coming into Operation 1*st December* 1978

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 county council concerned, in exercise of the powers conferred on him by sections 1 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:—

Citation, Commencement and Interpretation

1.—(1) This Order may be cited as the Southern Sea Fisheries District (Variation) Order 1978 and shall come into operation on 1st December 1978.

(2) In this Order "the principal order" means the order made by the Board of Trade on 7 June 1893(b) (which created the Southern Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district) as varied(c).

(3) The Interpretation Act 1889(d) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Variation of Principal Order

2.—(1) For article 1 of the principal order (Creation of District) there shall be substituted the following:—

"1. Creation of District
A sea fisheries district is hereby created comprising so much of the sea within the national waters of the United Kindom 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 southernly 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

(a) 1966 c. 38. (b) S.R. & O. 1893/7 June. (c) S.I. 1955/77.
(d) 1889 c. 63.

boundary between the counties of Dorset and Devon near Lyme Regis, being the eastern boundary of the Devon Sea Fisheries District.

Provided that a line shall be drawn in manner following at or near the mouth of every river or stream flowing into the sea, or into any estuary, or of any estuary, within such limits, namely:—

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 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;

And such lines shall be the lines above which the sea fisheries district shall not extend into any such river or stream;

Provided also that the district shall not extend north of a line from Hill Head to Stone Point being the limit of the Port of Southampton as defined in the 5th Section of the Southampton Harbour Act, 1887(a) and the district shall include such part only 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.

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 within their respective areas have the powers of a local fisheries committee.

The sea fisheries district hereby created shall be called the Southern Sea Fisheries District."

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

(2) Article 4 of the principal order (Definitions) shall be omitted.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th November 1978.

(L.S.)

John Silkin,

Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order varies the description of the limits of the Southern Sea Fisheries District (created in 1893 by order of the Board of Trade under the Sea Fisheries Regulation Act 1888 (c. 54)). The seaward limits of the district extend to three nautical miles from the baselines from which United Kingdom territorial waters are measured. The baselines in question were established by the Territorial Waters Order in Council 1964 (S.I. 1965 III, p. 6452A).

The Order prescribes lines at or near the mouths of certain rivers or streams flowing into the sea or into any estuary within the limits of the district above which the district is not to extend into any such river or stream. The Order provides that in respect of such rivers or streams above the lines beyond which the district does not extend the South West Water Authority, the Southern Water Authority and the Wessex Water Authority shall within their respective areas have the powers of a local fisheries committee.

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