

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

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MARINE AND COASTAL ACCESS ACT 2009 (c.23)

SCALLOP FISHING BYELAW 2019

The Authority for the Southern 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 make the following byelaw for that District.

INTERPRETATION

- (1) In this byelaw:
- a) "District" means the area defined in Articles 2 and 3 of the Southern Inshore Fisheries and Conservation Order 2010 (SI 2010 No 2198);
 - b) "scallop" refers to the species *Pecten maximus*;
 - c) "Solent" refers to the area defined in the Schedule;
 - d) "The Authority" means the Southern Inshore Fisheries and Conservation Authority (IFCA) as defined in Articles 2 and 4 of the Southern Inshore Fisheries and Conservation Order 2010.

PROHIBITIONS

- (2) A person must not fish for or take any scallop from any fishery within the District on any day before 0700 local time or after 1900 local time.
- (3) When dredging for scallop within the District:
- a) the maximum number of dredges which may be towed at any time is twelve;
 - b) all dredges must be fitted with a spring-loaded tooth bar and the mouth of any dredge must not exceed 85 centimetres in overall width;
 - c) no more than two tow bars may be used at any time;
 - d) the maximum length of any tow bar must not exceed 5.18 metres including attachments.

EXCEPTIONS

- (4) Paragraph (2) does not apply within the Solent.

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- (5) In the Solent, a person must not fish for or take any scallop from any fishery on any day before 0600 local time or after 1800 local time.
- (6) Paragraphs (2) and (3) do not apply when a written dispensation is issued under paragraph (7) and the authorisation is valid in accordance with paragraph (8).

DISPENSATIONS

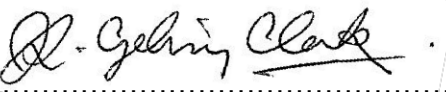
- (7) The Authority may issue a dispensation for either scientific, educational, stocking or breeding purposes.
- (8) The dispensation will only be valid if:
 - a) fishing operations undertaken are in accordance with the purpose for which the dispensation was issued;
 - b) the dispensation is carried on board and produced for inspection when requested by an Inshore Fisheries and Conservation Officer of the Authority or any other person authorised by the Authority to make such a request.

REVOCATION

- (9) The byelaw entitled 'Scallop Fishing' made by Southern Sea Fisheries District Committee in exercise of its powers under sections 5 and 5a of the Sea Fisheries Regulation Act 1966, confirmed on the 16th November 2001 and in force immediately before the making of this byelaw is hereby revoked.

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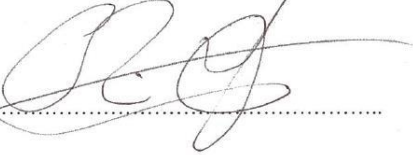
I HEREBY CERTIFY THAT THE ABOVE BYELAW WAS MADE BY SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY AT THEIR MEETING ON THE 13TH DECEMBER 2018.



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Robert Clark
Chief Officer
Southern Inshore Fisheries and Conservation Authority

The Secretary of State for the Environment, Food and Rural Affairs in exercise of the power conferred by Section 155(3) of the Marine and Coastal Access Act 2009 confirms the Scallop Fishing Byelaw 2019 made by Southern Inshore Fisheries and Conservation Authority on the 13th December 2018. The Scallop Fishing Byelaw 2019 will come into force on the 1st November 2021.



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Colin Faulkner
Deputy Director, External Fisheries Negotiations & Trade Policy
Department for Environment, Food & Rural Affairs

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

Date: 14 October 2020

Explanatory Note (not part of byelaw)

The purpose of this byelaw is to manage the harvesting of scallops via dredge within the Southern IFCA District through gear specification and daily curfews. The byelaw seeks to support the development of sustainable bivalve fisheries. The byelaw includes an exception for the Solent. The Solent is therefore exempt of the District wide 1900 to 0700 curfew but subject to the 1800 to 0600 curfew set out in the Southern IFCA Solent Dredge Permit Byelaw.

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SCHEDULE

The Solent

“**Solent**” means that part of the district as lies below mean high water springs and the area enclosed by the following coordinates:

from Hurst Point, **POINT 1** ($50^{\circ} 42.430'N$ $001^{\circ} 32.935'W$);
to Fort Victoria, **POINT 2** ($50^{\circ} 41.973'N$ $001^{\circ} 32.045'W$);
following mean high water springs to **POINT 3** ($50^{\circ} 43.429'N$ $001^{\circ} 24.712'W$);
following a straight line to **POINT 4** ($50^{\circ} 43.436'N$ $001^{\circ} 24.610'W$),
following mean high water springs to Culver Cliff, **POINT 5** ($50^{\circ} 40.034'N$ $1^{\circ} 5.747'W$);
following a straight line due east to **POINT 6** ($50^{\circ} 40.065'N$ $0^{\circ} 56.255'W$);
following a straight line due north to **POINT 7** ($50^{\circ} 46.631'N$ $0^{\circ} 56.255'W$);
following mean high-water springs to **POINT 8** ($50^{\circ} 47.020'N$ $001^{\circ} 21.197'W$);
following a straight line to **POINT 9** ($50^{\circ} 46.253'N$ $001^{\circ} 24.322'W$);
returning to Hurst Point, **POINT 1** ($50^{\circ} 42.430'N$ $001^{\circ} 32.935'W$) following mean high water springs.

