

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

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MARINE AND COASTAL ACCESS ACT 2009 (2009 c23)

POOLE HARBOUR SHELLFISH HAND GATHERING BYELAW

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 makes the following byelaw for that District.

DEFINITIONS

(1) In this byelaw:

- a) "the Authority" means the Southern Inshore Fisheries and Conservation Authority as defined in Articles 2 and 4 of the Southern Inshore Fisheries and Conservation Order 2010 (SI 2010 No 2198);
- b) "the District" means the area defined in Articles 2 and 3 of the Southern Inshore Fisheries and Conservation Order 2010 (SI 2010 No 2198).

PROHIBITION

(2) Within the areas defined in the Schedule, from 1st November to 31st March in the following year, both dates inclusive, a person must not:

- a) Fish for or take from a fishery shellfish of any kind:
 - i. By hand picking; or
 - ii. Using a handrake or similar instrument.
- b) Transport a handrake or other similar instrument for the purpose of the exploitation of shellfish of any kind.

EXCEPTIONS

(3) This byelaw shall 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 dispensation issued by the Authority authorising that act for scientific, stocking or breeding purposes.

REVOCATION

(4) The byelaw with the title 'Prohibition on using or carrying a shellfish dredge, scoop or handrake in certain areas of Poole Harbour' made by the Southern Sea Fisheries

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District Committee on 18th January 2007 and in force immediately before the making of this byelaw is revoked.

- (5) The byelaw with the title 'Carriage of clams' made by the Southern Sea Fisheries District Committee on 10th July 2003 and in force immediately before the making of this byelaw is revoked.

I hereby certify that the above byelaw was made by Southern Inshore Fisheries and Conservation Authority at their meeting on 11th December 2014.

Robert Clark

Chief Officer

Southern Inshore Fisheries and Conservation Authority
64 Ashley Road, Parkstone, Poole Dorset BH14 9BN

The Secretary of State for Environment, Food and Rural Affairs in exercise of the powers conferred by section 155 (3) of the Marine and Coastal Access Act 2009, confirms the Poole Harbour Shellfish Hand Gathering Byelaw made by the Southern IFCA on 11th December 2014. The byelaw comes into force on 1st July 2015

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

Date:

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SCHEDULE

DEFINITIONS OF "THE PROHIBITED AREAS"

AREA 1 – NEWTON BAY

The area enclosed by a line drawn from:

Point 1 (50 Degrees 40.351 Minutes North, 001 Degrees 59.493 Minutes West) to

Point 2 (50 Degrees 40.402 Minutes North, 001 Degrees 59.750 Minutes West)

From point 2 along the coast at the level of mean high water spring tide to point 1

AREA 2 – OWER BAY

The area enclosed by a line drawn from:

Point 3 (50 Degrees 40.522 minutes North, 002 Degrees 00.101 minutes West) to

Point 4 (50 Degrees 40.670 minutes North, 002 Degrees 00.464 minutes West)

From point 3 along the coast at the level of mean high water spring tide to point 4

AREA 3 – WYCH LAKE AND MIDDLEBERE LAKE

The area enclosed by a line drawn from:

Point 5 (50 Degrees 41.255 minutes North, 002 Degrees 01.755 minutes West) to

Point 6 (50 Degrees 40.891 minutes North, 002 Degrees 01.030 minutes West)

From point 6 along the coast at the level of mean high water spring tide to point 5

AREA 4 – ARNE BAY

The area enclosed by a line drawn from:

Point 7 (50 Degrees 41.950 minutes North, 002 Degrees 01.640 minutes West) to

Point 8 (50 Degrees 42.199 minutes North, 002 Degrees 01.849 minutes West)

From point 8 along the coast at the level of mean high water spring tide to point 7

AREA 5 – KEYSWORTH

The area enclosed by a line drawn from:

Point 9 (50 Degrees 42.400 minutes North, 002 Degrees 04.510 minutes West) to

Point 10 (50 Degrees 42.250 minutes North, 002 Degrees 04.075 minutes West) to

Point 11 (50 Degrees 41.843 minutes North, 002 Degrees 04.545 minutes West) to

Point 12 (50 Degrees 41.881 minutes North, 002 Degrees 04.272 minutes West)

From point 12 along the coast at the level of mean high water spring tide to point 9

AREA 6 – BRANDS BAY SOUTH

The area enclosed by a line drawn from:

Point 13 (50 Degrees 40.156 minutes North, 001 Degrees 58.984 minutes West) to

Point 14 (50 Degrees 40.156 minutes North, 001 Degrees 58.249 minutes West)

From point 13 along the coast at the level of mean high water spring tide to point 14

AREA 7 – BRANDS BAY WEST

The area enclosed by a line drawn from:

Point 13 (50 Degrees 40.156 minutes North, 001 Degrees 58.984 minutes West) to

Point 15 (50 Degrees 40.610 minutes North, 001 Degrees 58.702 minutes West)

From point 15 along the coast at the level of mean high water spring tide to point 13

AREA 8 – HOLES BAY

The area enclosed by a line drawn from:

Point 16 (50 Degrees 42.771 minutes North, 001 Degrees 59.539 minutes West) to

Point 17 (50 Degrees 42.734 minutes North, 001 Degrees 59.591 minutes West)

From point 16 along the coast at the level of mean high water spring tide to point 17

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AREA 9 – BLUE LAGOON

The area enclosed by a line drawn from:

Point 18 (50 Degrees 42.488 minutes North, 001 Degrees 57.207 minutes West) to

Point 19 (50 Degrees 42.478 minutes North, 001 Degrees 57.193 minutes West)

From point 18 along the coast at the level of mean high water spring tide to point 19

AREA 10 – LYCHETT BAY

The area enclosed by a line drawn from:

Point 20 (50 Degrees 43.212 minutes North, 002 Degrees 02.412 minutes West) to

Point 21 (50 Degrees 43.205 minutes North, 002 Degrees 02.439 minutes West)

From point 21 along the coast at the level of mean high water spring tide to point 21.

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Explanatory Note (not part of byelaw)

This byelaw is limited to certain defined areas of Poole Harbour. Its purpose is to manage the gathering of shellfish of any kind, including cockles and clams, through the use of a handrake or other similar instrument or by hand gathering, in those areas. The byelaw prohibits fishing for or taking shellfish by hand and the use or transportation of a handrake or other similar instrument, for fishing purposes within those areas at certain times of the year.