

2023 No. 3

ENVIRONMENTAL PROTECTION

MARINE MANAGEMENT

WILDLIFE

**The North East of Farnes Deep Highly Protected Marine Area
(Marine Conservation Zone) Designation Order 2023**

Made - - - -

14th June 2023

Coming into force - -

5th July 2023

The Secretary of State makes the following Order in exercise of the powers conferred by sections 116(1), 117(2), 118(1) and (6) and 123(1) of the Marine and Coastal Access Act 2009 (“the Act”)(a).

The Secretary of State thinks it desirable to make this Order for the purpose of conserving marine flora and fauna, marine habitats and features of geological and geomorphological interest in accordance with section 117(1) and (7) of the Act.

The Secretary of State has published a notice of the proposal to make this Order in accordance with section 119(2) and (3) of the Act and consulted persons who the Secretary of State thinks are likely to be interested in, or affected by, the making of this Order in accordance with section 119(4) of the Act.

The Secretary of State has had regard to any retained EU obligations or obligations under international law that relate to the conservation or improvement of the marine environment, in accordance with section 123(5) of the Act.

Citation and commencement

1. This Order may be cited as the North East of Farnes Deep Highly Protected Marine Area (Marine Conservation Zone) Designation Order 2023 and comes into force on 5th July 2023.

Interpretation

2.—(1) In this Order, “the North East of Farnes Deep Highly Protected Marine Area” means the area designated as a marine conservation zone by article 3(1).

(a) 2009 c. 23. See section 116(5) for the definition of “appropriate authority”.

(2) References in this Order to “co-ordinates” are references to co-ordinates of latitude and longitude according to the World Geodetic System 1984(a).

Area designated: the North East of Farnes Deep Highly Protected Marine Area

3.—(1) The area described in paragraph (2) is designated as a marine conservation zone.

(2) The area is the marine area enclosed by the four boundary lines which are described in the Schedule, in each case by reference to—

- (a) the co-ordinates of the points joined by the line, and
- (b) a topographical description of the line.

(3) In paragraph (2), “marine area”, in relation to the area designated, means—

- (a) any area of sea bed or other land (whether or not covered by water) within that area, and
- (b) all of the water covering any part of that sea bed or other land.

(4) The area designated in accordance with this article may be referred to as “the North East of Farnes Deep Highly Protected Marine Area”.

Protected feature

4.—(1) The protected feature of the North East of Farnes Deep Highly Protected Marine Area is the marine ecosystem of the area.

(2) In this Article—

“the marine ecosystem” means all marine flora and fauna, all marine habitats and all geological or geomorphological interests, including all abiotic elements and all supporting ecosystem functions and processes, in or on the sea bed, water column and the surface of the sea;

“water column” means the vertically continuous mass of water from the surface of the sea to the sea bed.

Conservation objective

5.—(1) The conservation objective of the North East of Farnes Deep Highly Protected Marine Area is to—

- (a) achieve full recovery of the protected feature, including its structure and functions, its qualities and the composition of its characteristic biological communities present within the North East of Farnes Deep Highly Protected Marine Area, to a natural state, and
- (b) prevent further degradation and damage to the protected feature, subject to natural change.

(2) Paragraph (1) does not prevent human intervention to enable or facilitate recovery or enable or facilitate the prevention of degradation or damage.

(3) In paragraph (1), “protected feature” has the meaning given by article 4.

Benyon

Minister of State

14th June 2023

Department for Environment, Food and Rural Affairs

(a) The World Geodetic System 1984 (“WGS 84”) defines a reference frame for the earth, for use in geodesy and navigation. It was developed by the United States’ National Geospatial-Intelligence Agency and is maintained by it. WGS 84 is defined at paragraph 2.1 of the United States’ National Imagery and Mapping Agency Technical Report TR8350.2, third edition, amendment 1 of 3rd January 2000 entitled “Department of Defense World Geodetic System 1984” (<https://gis-lab.info/docs/nima-tr8350.2-wgs84fin.pdf>). Hard copies are available upon request by writing to Defra Helpline, Seacole Building, 2 Marsham Street, London. SW1P 4DF.

SCHEDULE

Article 3(2)

Boundary lines of the area designated – the North East of Farnes Deep Highly Protected Marine Area

<i>Boundary line</i>	<i>Set of co-ordinates of points which boundary line joins</i>	<i>Topographical description of boundary line</i>
1.	A, B	Geodesic line
2.	B, C	Geodesic line
3.	C, D	Geodesic line
4.	D, A	Geodesic line

where—

“A” is 55° 51' 56.000" N and 00° 46' 45.000" W;

“B” is 55° 52' 24.000" N and 00° 27' 56.000" W;

“C” is 55° 38' 54.000" N and 00° 26' 57.000" W;

“D” is 55° 38' 26.000" N and 00° 45' 35.000" W.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates an area as a marine conservation zone, to be known as the North East of Farnes Deep Highly Protected Marine Area.

The area designated is defined in article 3 and the Schedule. The protected feature is specified by article 4 and the conservation objective is set out in article 5.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.