
 STATUTORY INSTRUMENTS

1981 No. 994

SEA FISHERIES

SHELLFISH

The Lobsters (Control of Deposit) Order 1981

Made - - - - 13th July 1981

Coming into Operation 3rd August 1981

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, in exercise of the powers conferred on them by section 12 of the Sea Fisheries (Shellfish) Act 1967^(a) and now vested in them^(b), and of all other powers enabling them in that behalf, hereby make the following order:—

Citation and commencement

1. This order may be cited as the Lobsters (Control of Deposit) Order 1981, and shall come into operation on 3rd August 1981.

Interpretation

2. References in this order to areas of tidal water are references to areas of tidal water (whether forming part of the sea or not) within the seaward limits of the territorial waters adjacent to England, Scotland or Wales.

Designation of waters and land in England

3.—(1) The Minister of Agriculture, Fisheries and Food hereby designates for the purposes of this order—

- (a) the areas of tidal water specified in Part I of the Schedule hereto, and
- (b) any area of inland water which is used in connection with the treating or storing of shellfish and from which any water is, or is capable of being, discharged whether directly or indirectly into any area of tidal water designated by this paragraph.

(2) The said Minister hereby also designates for the purposes of this order the foreshore adjacent to any area of tidal water designated by paragraph (1) of this article and an area consisting of all land which, being land in England, is within one mile from the high water mark of any area of tidal water so designated or within one mile of any area of inland water so designated.

Designation of waters and land in Scotland

4.—(1) The Secretary of State for Scotland hereby designates for the purposes of this order—

- (a) the areas of tidal water specified in Part II of the Schedule hereto, and
- (b) any area of inland water which is used in connection with the treating or storing of shellfish and from which any water is, or is capable of being, discharged whether directly or indirectly into any area of tidal water designated by this paragraph.

^(a) 1967 c. 83.

^(b) By the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

(2) The said Secretary of State hereby also designates for the purposes of this order the foreshore adjacent to any area of tidal water designated by paragraph (1) of this article and an area consisting of all land which, being land in Scotland, is within one mile from the high water mark of any area of tidal water so designated or within one mile of any area of inland water so designated.

Designation of waters and land in Wales

5.—(1) The Secretary of State for Wales hereby designates for the purposes of this order—

- (a) the areas of tidal water specified in Part III of the Schedule hereto, and
- (b) any area of inland water which is used in connection with the treating or storing of shellfish and from which any water is, or is capable of being, discharged whether directly or indirectly, into any area of tidal water designated by this paragraph.

(2) The said Secretary of State hereby also designates for the purposes of this order the foreshore adjacent to any area of tidal water designated by paragraph (1) of this article and an area consisting of all land which, being land in Wales, is within one mile from the high water mark of any area of tidal water so designated or within one mile of any area of inland water so designated.

Prohibition of deposit

6. The deposit in any area of water designated by article 3, 4 or 5 of this order of any lobster of the species *Homarus gammarus* or the species *Homarus americanus*, being a lobster taken from any shellfish bed outside that area of water, is hereby prohibited.

Exceptions

7. The prohibition imposed by article 6 of this order shall not apply to any lobster if—

- (a) it is deposited under the authority of a licence granted by the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland or the Secretary of State for Wales, as the case may be, and
- (b) the conditions (if any) specified in that licence are complied with.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 9th July 1981.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

13th July 1981.

George Younger,
Secretary of State for Scotland.

10th July 1981.

Nicholas Edwards,
Secretary of State for Wales.

SCHEDULE Articles 3(1), 4(1) and 5(1)

DESIGNATED TIDAL WATERS

In this Schedule a group of two letters and eight figures identifying or associated with any point represents the map co-ordinates of that point estimated to the nearest ten metres on the grid of the national reference system used by the Ordnance Survey on its maps and plans.

PART I

ENGLAND

- E1 The area of tidal water between (a) a line drawn due east from NT 97945753, being the point where the border with Scotland intersects the coastline, and (b) a line drawn due east from the Heugh Lighthouse, Hartlepool at NZ 53213379.
- E2 The area of tidal water between (a) a line drawn due east from the Heugh Lighthouse, Hartlepool at NZ 53213379 and (b) a line drawn due east from the Flamborough Lighthouse at TA 25437065.
- E3 The area of tidal water between (a) a line drawn due east from the Flamborough Lighthouse at TA 25437065 and (b) a line drawn due east from Donna Nook at TF 43029971.
- E4 The area of tidal water between (a) a line drawn due east from Donna Nook at TF 43029971 and (b) a line drawn due east from the landward end of the jetty at Landguard Point, Felixstowe at TM 28303117.
- E5 The area of tidal water between (a) a line drawn due east from the landward end of the jetty at Landguard Point, Felixstowe at TM 28303117 and (b) a line drawn due east from the North Foreland Lighthouse at TR 39866962.
- E6 The area of tidal water between (a) a line drawn due east from the North Foreland Lighthouse at TR 39866962 and (b) a line drawn due south from the southernmost tip of Selsey Bill at SZ 85709212.
- E7 The area of tidal water between (a) a line drawn due south from the southernmost tip of Selsey Bill at SZ 85709212 and (b) a line drawn due south from the lighthouse on the southern end of the Bill of Portland at SY 67746836.
- E8 The area of tidal water between (a) a line drawn due south from the lighthouse on the southern end of the Bill of Portland at SY 67746836 and (b) a line drawn due south from the lighthouse at Start Point at SX 82943712.
- E9 The area of tidal water between (a) a line drawn due south from the lighthouse at Start Point at SX 82943712 and (b) a line drawn due south from the Lizard Lighthouse at SW 70401156.
- E10 The area of tidal water between (a) a line drawn due south from the Lizard Lighthouse at SW 70401156 and (b) a line drawn due west from Dr Syntax's Head at SW 34142536.
- E11 The area of tidal water between (a) a line drawn due west from Dr Syntax's Head at SW 34142536 and (b) a line defined as follows—the centre of the low water channel of the River Wye starting at the M4 road bridge at ST 54359119 to its junction with the centre line of the low water channel of the River Severn at ST 53968861, thence the centre line of the main low water channel of the River Severn to ST 50858587, thence the equidistant line of the estuary between the high water marks on the coasts of England and Wales to the mid-point of a line joining Bull Point Lighthouse at SS 46264678 and Port-Eynon Point at SS 47068428; thence along a line bearing of 270° (True).
- E12 The area of tidal water between (a) a line defined as follows—a line drawn from the embankment at a point (south of Burton Point) at SJ 30127331 being defined on the Ordnance Survey Map as the "Boundary between the Counties of Merseyside and Cheshire and the County of Clwyd adopted for the purposes of the Ordnance Survey" to SJ 19078307, thence continuing the

line to the mid-point of a line joining the disused lighthouse on the Point of Air at SJ 12098527 to Hilbre Point at SJ 20338842, thence along a line bearing of 323° (True) and (b) a line defined as follows—the centre line of the River Sark starting at its mouth to its junction with the low water channel of the River Esk, the centre line of the low water channel of the River Esk to its junction with the low water channel of the River Eden, the centre line of the low water channel of the River Eden to its junction with the 13 Easting gridline (Ordnance Survey Maps), the equidistant line of the estuary between the high water marks on the coasts of England and Scotland to the mid-point of a line joining Little Ross Lighthouse at NX 65964320 to St. Bees Lighthouse at NX 94141438, thence along a line bearing of 224° (True).

- E13 The area of tidal water adjacent to the Isles of Scilly.

PART II

SCOTLAND

- S1 The area of tidal water between (a) a line drawn due east from NT 97945752 being the point where the border with England intersects the coastline and (b) a line defined as follows—a line drawn due north from Newburgh at NO 23491863 to the centre line of the channel of the River Tay known as South Deep, thence the centre line of South Deep and thence the centre line of the main low water channel to the mid-point of a line joining the end of the west breakwater at Tayport at NO 45732922 and the south-east corner of the castle at Broughty Ferry at NO 46483042 (Trig Point), thence along a line bearing of 90° (True).
- S2 The area of tidal water between (a) a line defined as follows—a line drawn due north from Newburgh at NO 23491863 to the centre line of the channel of the River Tay known as South Deep, thence the centre line of South Deep and thence the centre line of the main low water channel to the mid-point of a line joining the end of the west breakwater at Tayport at NO 45732922 and the south-east corner of the castle at Broughty Ferry at NO 46483042 (Trig Point), thence along a line bearing of 90° (True) and (b) a line drawn due east from the mouth of the River Don at NJ 95460958.
- S3 The area of tidal water between (a) a line drawn due east from the mouth of the River Don at NJ 95460958 and (b) a line drawn due north from Troup Head at NJ 82496736.
- S4 The area of tidal water between (a) a line drawn due north from Troup Head at NJ 82496736 and (b) a line drawn from Dornoch Point at NH 80778733 along a line bearing of 60° (True).
- S5 The area of tidal water between (a) a line drawn from Dornoch Point at NH 80778733 along a line bearing of 60° (True) and (b) a line drawn due north from Strathy Point at NC 82786996.
- S6 The area of tidal water between (a) a line drawn due north from Strathy Point at NC 82786996 and (b) a line defined as follows—a line drawn from the hotel at Morar at NM 67739293 (including waters adjacent to the islands of Skye, Raasay, Rona and Scalpay) to the mid-point of a line joining the northerly tip of Eigg (Sgorr Sgaileach) at NM 48459125 and Point of Sleat at NM 56209910, thence along a line bearing of 310° (True).
- S7 The area of tidal water between (a) a line defined as follows—a line drawn from the hotel at Morar at NM 67739293 (including waters adjacent to the islands of Skye, Raasay, Rona and Scalpay) to the mid-point of a line joining the northerly tip of Eigg (Sgorr Sgaileach) at NM 48459125 and Point of Sleat at NM 56209910, thence along a line bearing of 310° (True) and (b) a line defined as follows—the centre line of the River Sark starting at its mouth to its junction with the low water channel of the River Esk, the centre line of the low water channel of the River Esk to its junction with the low water channel of the River Eden, the centre line of the low water channel of the River Eden to its junction with the 13 Easting gridline (Ordnance Survey

Maps), the equidistant line of the estuary between the high water marks on the coasts of Scotland and England to the mid-point of a line joining Little Ross Lighthouse at NX 65964320 to St. Bees Lighthouse at NX 94141438, thence along a line bearing of 224° (True) (including waters adjacent to the islands of Rhum, Eigg, Muck, Canna, Tiree, Coll, Mull, Jura, Colonsay, Islay, Bute and Arran).

- S8 The area of tidal water adjacent to the Shetland Islands.
 S9 The area of tidal water adjacent to the Orkney Islands.
 S10 The area of tidal water adjacent to the Outer Hebrides.

PART III

WALES

- W1 The area of tidal water between (a) a line defined as follows—the centre line of the low water channel of the River Wye starting at the M4 road bridge at ST 54359119 to its junction with the centre line of the low water channel of the River Severn at ST 53968861, thence the centre line of the main low water channel of the River Severn to ST 50858587, thence the equidistant line of the estuary between the high water marks on the coasts of Wales and England to the mid-point of a line joining Bull Point Lighthouse at SS 46264678 and Port-Eynon Point at SS 47068428, thence along a line bearing of 270° (True) and (b) a line drawn due west from Cemaes Head at SN 13145008.
- W2 The area of tidal water between (a) a line drawn due west from Cemaes Head at SN 13145008 and (b) a line drawn due west from Braich y Pwll at SH 13552583.
- W3 The area of tidal water between (a) a line drawn due west from Braich y Pwll at SH 13552583 and (b) a line defined as follows—a line drawn from the embankment at a point (south of Burton Point) at SJ 30127331 being defined on the Ordnance Survey Map as the “Boundary between the Counties of Merseyside and Cheshire and the County of Clwyd adopted for the purposes of the Ordnance Survey” to SJ 19078307, thence continuing the line to the mid-point of a line joining the disused lighthouse on the Point of Air at SJ 12098527 to Hilbre Point at SJ 20338842, thence along a line bearing of 323° (True).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order designates—

- (a) specified areas of tidal water within the seaward limits of the territorial waters adjacent to England, Scotland and Wales, and
 (b) any area of inland water which is used for treating or storing shellfish and from which water is capable of being discharged into any of the specified areas of tidal water.

The order prohibits the deposit in any area of water so designated of lobsters taken from any shellfish bed outside that area of water except in accordance with a licence granted by the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland or the Secretary of State for Wales, as the case may be.

The order also designates all land within one mile of any designated area of water, and by virtue of section 12(3) of the Sea Fisheries (Shellfish) Act 1967 the prohibition on the deposit of lobsters in the designated areas of water applies also to the deposit of lobsters on the designated land.

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