

2007 No. 185

SEA FISHERIES

**The Inshore Fishing (Prohibited Methods of Fishing)
(Loch Creran) Order 2007**

<i>Made</i>	<i>6th March 2007</i>
<i>Laid before the Scottish Parliament</i>	<i>7th March 2007</i>
<i>Coming into force</i>	<i>29th March 2007</i>

The Scottish Ministers, in exercise of the powers conferred by sections 1 and 2A of the Inshore Fishing (Scotland) Act 1984(a) and all other powers enabling them in that behalf, and having consulted such bodies as they consider appropriate, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Inshore Fishing (Prohibited Methods of Fishing) (Loch Creran) Order 2007 and shall come into force on 29th March 2007.

Interpretation

2. In this Order—

“creel” means a basket, small cage, pot, receptacle or container with one or more openings or entrances, which may be baited and is placed on the seabed for the purpose of catching shellfish and crustacea;

“Loch Creran” means upper Loch Creran and lower Loch Creran;

“lower Loch Creran” means the area of Scottish inshore waters lying to the east side of a straight line drawn between points AQ and AR and to the west side of a straight line drawn between points AJ and AK;

“permitted creeling area” means the area of upper Loch Creran lying within the polygon formed by joining with straight lines and in alphabetical order the points AL to AP and by a straight line from point AP to point AL;

“scallop dredge” means any appliance with a rigid framed mouth which is towed through the water and is manufactured, adapted, used or intended for use for the purpose of fishing for scallops;

“upper Loch Creran” means the area of Scottish inshore waters lying to the east side of a straight line drawn between points AJ and AK;

“Zone 1” means the area of lower Loch Creran lying within the polygon formed by joining with straight lines and in alphabetical order points A to D and by a straight line drawn between points D and A;

(a) 1984 c.26; section 2A was inserted by the Environment Act 1995 (c.25), section 103(2). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

“Zone 2” means the area of lower Loch Creran lying within the polygon formed by joining with straight lines and in alphabetical order points E to H and by a straight line drawn between points H and E;

“Zone 3” means the area of lower Loch Creran bounded by the line defined by joining with straight lines and in alphabetical order points I to AI, by the low water mark of ordinary spring tides, and by a straight line drawn between points AJ and AK; and

points A to AR mean the points so identified in the Schedule.

Prohibited methods of fishing – Loch Creran

3.—(1) Fishing in Loch Creran by means of a scallop dredge is prohibited.

(2) Fishing in Loch Creran by vessels of over 10 metres overall length using a trawl is prohibited.

Additional prohibitions – Zones 1, 2 and 3

4. Fishing by means of—

- (a) a trawl; or
- (b) a creel,

in Zones 1, 2 and 3 is prohibited.

Additional prohibitions – upper Loch Creran

5.—(1) Fishing by means of a trawl in upper Loch Creran is prohibited.

(2) Fishing by means of a creel in any part of upper Loch Creran other than the permitted creeling area is prohibited.

Exception for scientific investigation

6. The prohibitions in articles 3 to 5 do not apply to any activity carried out by, or authorised by, the Scottish Ministers for the purpose of scientific investigation.

St Andrew’s House,
Edinburgh
6th March 2007

ROSS FINNIE
A member of the Scottish Executive

SCHEDULE

Article 2

Definition of Points

NAME	Latitude (WGS84)	Longitude (WGS84)
A	56 32.392	-5 24.497
B	56 32.437	-5 24.035
C	56 32.346	-5 24.002
D	56 32.308	-5 24.473
E	56 32.241	-5 23.95
F	56 32.262	-5 23.748
G	56 32.009	-5 23.675
H	56 31.992	-5 23.873
I	56 31.429	-5 22.974
J	56 31.377	-5 22.97
K	56 31.479	-5 22.508
L	56 31.336	-5 22.11
M	56 31.512	-5 21.473
N	56 31.53	-5 21.315
O	56 31.943	-5 19.996
P	56 32.153	-5 19.977
Q	56 32.472	-5 19.532
R	56 32.6	-5 19.485
S	56 32.783	-5 19.126
T	56 32.963	-5 18.259
U	56 32.879	-5 18.077
V	56 32.311	-5 18.429
W	56 32.199	-5 18.833
X	56 32.115	-5 18.79
Y	56 31.869	-5 19.194
Z	56 31.888	-5 19.402
AA	56 31.611	-5 19.955
AB	56 31.231	-5 20.490
AC	56 31.274	-5 20.69
AD	56 31.295	-5 20.905
AE	56 31.27	-5 21.537
AF	56 30.806	-5 22.627
AG	56 31.201	-5 23.688
AH	56 31.703	-5 23.656
AI	56 31.504	-5 23.937
AJ	56 32.865	-5 17.434
AK	56 32.816	-5 17.445
AL	56 32.959	-5 16.42
AM	56 33.154	-5 15.795
AN	56 32.968	-5 15.157
AO	56 32.87	-5 15.644
AP	56 32.805	-5 16.273
AQ	56 32.302	-5 25.060
AR	56 32.083	-5 25.043

EXPLANATORY NOTE

(This note is not part of the Order)

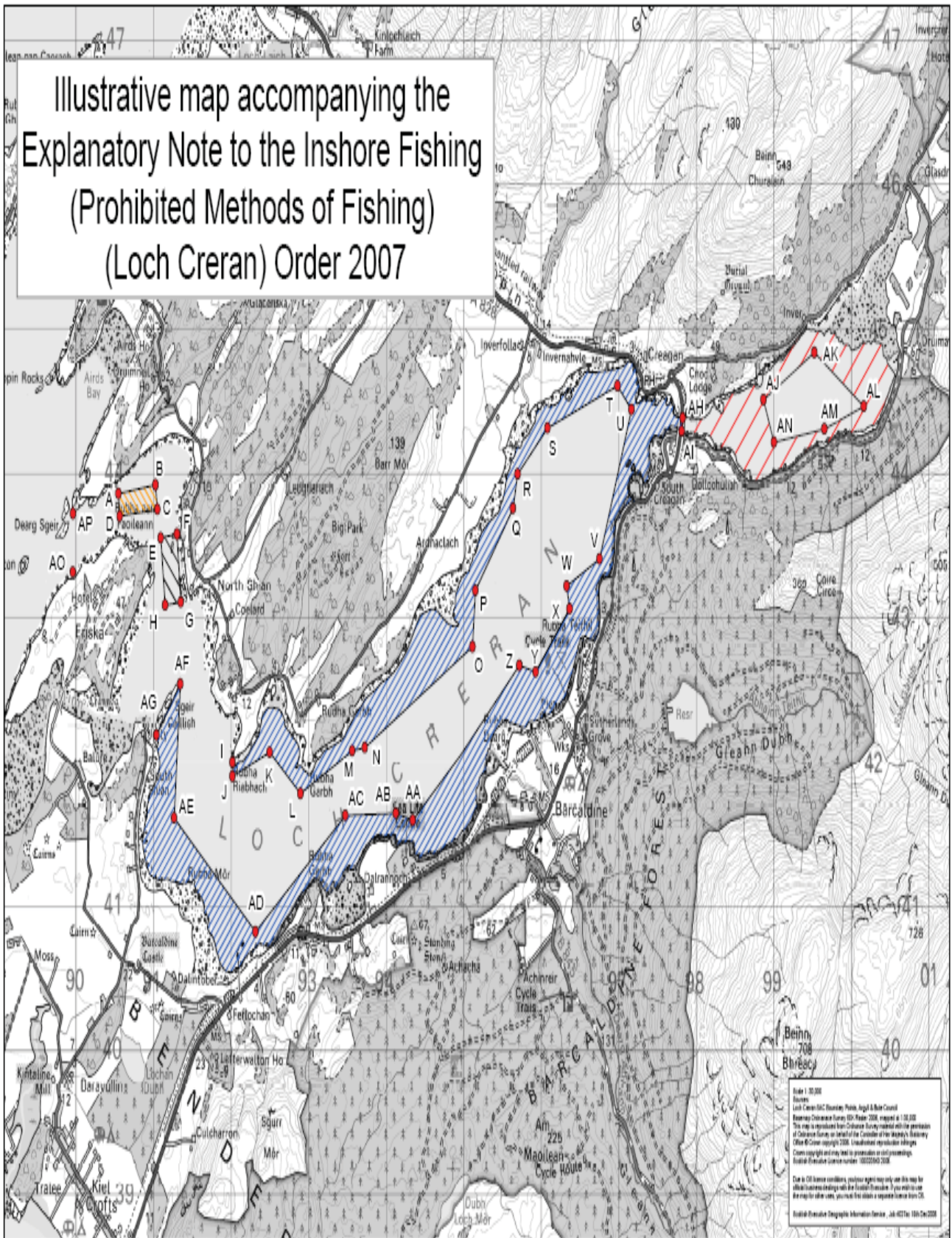
This Order, made under sections 1 and 2A of the Inshore Fishing (Scotland) Act 1984, restricts fishing in Loch Creran. It prohibits fishing for scallops by means of a dredge and trawling by vessels of over 10 metres in length anywhere in Loch Creran (article 3).

Articles 4 and 5 impose additional restrictions on the means of fishing allowed in lower and upper Loch Creran. Fishing by means of a trawl or a creel is prohibited in three defined zones of lower Loch Creran (Zones 1 to 3, defined in article 2 and shown on the illustrative map which accompanies this note). Fishing by means of a trawl is prohibited in upper Loch Creran, and fishing by means of a creel is prohibited anywhere in upper Loch Creran other than the permitted creeling area (defined in article 2 and shown on the illustrative map). The prohibitions are subject to an exception for activities carried out by, or with the authority of, the Scottish Ministers for the purpose of scientific investigation (article 6).

By virtue of section 4 of the Inshore Fishing (Scotland) Act 1984, any person who contravenes a prohibition contained in this Order shall be guilty of an offence and liable on summary conviction to a fine of up to £5,000 and on conviction on indictment to an unlimited fine.

A Regulatory Impact Assessment has been prepared and is available from the Scottish Executive Rural Affairs Department, Pentland House, 47 Robb's Loan, Edinburgh EH14 1TW.

Illustrative map accompanying the
 Explanatory Note to the Inshore Fishing
 (Prohibited Methods of Fishing)
 (Loch Creran) Order 2007



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**The Inshore Fishing (Prohibited Methods of Fishing)
(Loch Creran) Order 2007**

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