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STATUTORY INSTRUMENTS

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1978 No. 438

**SEA FISHERIES**

**The Eastern Sea Fisheries District (Variation) Order 1978**

*Laid before Parliament in draft*

*Made - - - - - 16th March 1978*

*Coming into Operation 1st April 1978*

The Minister of Agriculture, Fisheries and Food, on the application of the local fisheries committee for the Eastern Sea Fisheries District and after consultation with every county council concerned, in exercise of the powers conferred on him by section 1 of the Sea Fisheries Regulation Act 1966(a) and of all other powers enabling him in that behalf, hereby makes the following order:—

*Citation, Commencement and Interpretation*

1.—(1) This order may be cited as the Eastern Sea Fisheries District (Variation) Order 1978 and shall come into operation on 1st April 1978.

(2) In this order—

“the Act” means the Sea Fisheries Regulation Act 1966;

“the principal order” means the order made by the Board of Trade on 7th November 1893(b) (which created the Eastern Sea Fisheries District and constituted a local fisheries committee for the regulation of sea fisheries within that district) as varied by an order made by the Board of Agriculture and Fisheries on 1st July 1907(c) and as further varied by the Eastern Sea Fisheries District (Constitution of Committee and Expenses) (Variation) Order 1973(d);

“first members” means the first members of the Committee as varied by this order;

“quadrennial period” means the period of four years beginning with 1st July 1981 and with every fourth anniversary of that day(e).

(3) The Interpretation Act 1889(f) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

2. For article 1 of the principal order (Creation of District) there shall be substituted the following article:—

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(a) 1966 c. 38.  
(c) S.R. & O. 1907/641.  
(e) S.I. 1973/1610.

(b) S.R. & O. 1893/439.  
(d) S.I. 1973/2197.  
(f) 1889 c. 63.

## “Creation of District

“1. A sea fisheries district is hereby created comprising so much of the sea within the national waters of the United Kingdom adjacent to England and so much of the sea within three nautical miles from the baselines from which the breadth of the territorial sea of the United Kingdom adjacent to England is measured, with the adjoining coast, as lies within the following limits, namely:—

on the north, a line drawn true east from Donna Nook Beacon in the county of Lincolnshire; and

on the south, a straight line drawn seawards through the two lighthouses at Dovercourt, in the county of Essex, and thence northwards following the line of mean low water being the Essex county boundary and following that boundary to a line drawn across the River Stour following the bridge carrying the railway at Cattawade.

Provided that a line shall be drawn at or near the mouth of every river or stream flowing into the sea or into any estuary within such limits, as follows:

A line at or near the mouth of the River Ouse and of the New Bedford River, drawn along the Denver Sluice, and continued in a true westerly direction from the westernmost extremity of such sluice until it reaches high-water mark on the left bank of the said New Bedford River;

A line drawn across the River Yare between the seaward extremities of Great Yarmouth harbour breakwaters;

A line drawn across Lake Lothing following the double bascule lifting bridge carrying the A12 road at Lowestoft;

A line drawn across the River Blyth following the bridge carrying the A12 road at Blythburgh;

A line drawn across the River Alde following the bridge carrying the B1069 road at Snape;

A line drawn across the River Butley at the highest point to which ordinary tides flow, including Butley Creek;

A line drawn across the River Deben following the bridge carrying the A1152 road at Melton;

A line drawn across the River Orwell following the bridge carrying the A137 road at Ipswich;

A line drawn across the River Stour following the bridge carrying the railway at Cattawade;

A straight line across every such river or stream not herein-before specified, such line being drawn at the highest point to which ordinary tides flow into such rivers or streams respectively;

And such lines shall be the lines above which the Sea Fisheries District shall not extend into any such river or stream.

The sea fisheries district hereby created shall be called the Eastern Sea Fisheries District.”

3. For articles 2 to 12 of, and the Schedule to, the principal order (constitution of committee and expenses) there shall be substituted the following:—

**“Constitution of Committee**

“2. A local fisheries committee (in this order called “the Committee”) shall be constituted for the regulation of sea fisheries within the Eastern Sea Fisheries District. The Committee shall be a joint committee of the County Councils referred to in column 1 of the Schedule to this Order and shall consist of twenty members. The number of members appointed by each constituent council shall be the number which is set out in column 2 of the Schedule opposite the reference to such councils. Nine additional members shall be appointed by the Minister of Agriculture, Fisheries and Food and one additional member by the Anglian Water Authority.

“3. The first members shall come into office on 1st April 1978 or in the case of a first member who is for any reason appointed after that day, on the day on which the appointment is made, and shall hold office until the end of June 1981. Any subsequent members shall come into office at the beginning of the quadrennial period next following the day on which they are appointed and shall hold office for that quadrennial period. Provided that if for any reason any member is appointed on or after the beginning of a quadrennial period, he shall come into office on the day on which he is appointed and shall hold office for the remainder of that period. Retiring members shall be eligible for re-appointment.

“4. Where for any reason whatsoever there occurs a casual vacancy in the Committee, the body by whom the vacating member was appointed may fill the vacancy by the appointment of a new member. It shall be the duty of the clerk of the Committee forthwith to notify every such vacancy to the appointing body.

“5. No act or proceeding of the Committee shall be questioned on account of any vacancy in the Committee, and no defect in the appointment of any person acting as a member of the Committee shall vitiate any proceedings of the Committee in which he has taken part.

“6. No Council shall make, vary or revoke any regulation or standing order respecting the quorum or proceedings of the Committee or as to the area in which it is to exercise its authority. Provided that any Council may make a regulation requiring the Committee to submit to such Council once in each year an estimate of expenses proposed to be incurred by it under the Act, and once in each year an abstract of its accounts for the preceding year, and to afford to any person appointed for the purpose by the Council access at all reasonable times to the books containing its accounts.

“7. Subject to any restriction or condition made under section 10 of the Act, the Committee shall not be required to report its proceedings to any Council, nor shall its acts or proceedings be submitted to any Council for approval.

“8. The first meeting of the Committee shall be summoned by the Chairman of the County Council of Norfolk.

"9. The Committee shall hold four quarterly meetings in each year for the transaction of general business, in addition to any special or adjourned meeting.

"10. Five members shall be a quorum at any meeting of the Committee.

"11. The Committee may, from time to time, appoint a sub-committee or sub-committees and may assign to such sub-committee or sub-committees such duties as it may from time to time determine.

"Expenses

"12. The expenses of the Committee shall be chargeable to the constituent Councils in the respective proportions set out in column 3 of the Schedule hereto, opposite the reference to each constituent Council and shall be expenses for general county purposes.

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" SCHEDULE

(Constitution and Expenses)

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| Column 1<br>Constituent Councils | Column 2<br>Number of<br>Representatives | Column 3<br>Proportion of<br>Expenses |
|----------------------------------|--|---------------------------------------|
| Norfolk County Council           | 4  | 4/10                                  |
| Lincolnshire County Council      | 3  | 3/10                                  |
| Suffolk County Council           | 3  | 3/10                                  |

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In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th March 1978.

(L.S.)

*John Silkin,*  
Minister of Agriculture, Fisheries and Food.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order enlarges the Eastern Sea Fisheries District created in 1893 by order of the Board of Trade under the Sea Fisheries Regulations Act 1888 (c. 54). The southern limits of the district now meets the northern limits of the Kent and Essex Sea Fisheries District and the district now includes an area over which the Anglian Water Authority previously exercised the powers of a local fisheries committee (see the Anglian Water Authority (Sea Fisheries) Revocation Order 1978, S.I. 1978/74).

The Order varies the constitution of the Eastern Local Fisheries Committee in consequence of Suffolk County Council being made a constituent council of the Committee and consequential adjustments are made to the Committee's membership and to the liability of constituent councils to contribute to its expenses.