

1999 No. 697

SEA FISHERIES

The Calshot Oyster Fishery (Variation) Order 1999

<i>Made - - - -</i>	<i>9th March 1999</i>
<i>Laid before Parliament</i>	<i>10th March 1999</i>
<i>Coming into force</i>	<i>1st April 1999</i>

Whereas an application for an Order to vary the Calshot Oyster Fishery Order 1982(a) was made under section 1 of the Sea Fisheries (Shellfish) Act 1967(b) to the Minister of Agriculture, Fisheries and Food (hereinafter referred to as “the Minister”) by Calshot Oyster Fishermen Limited (hereinafter referred to as “the grantees”);

And whereas the Minister prepared a draft Order and served a copy of it on the grantees in accordance with paragraph 1 of Schedule 1 to that Act;

And whereas the grantees caused printed copies of the draft Order to be published and circulated, and gave notice of the application, in accordance with paragraph 2 of that Schedule;

And whereas several objections were received by the Minister under paragraph 3 of that Schedule;

And whereas the Minister considered certain objections, which had been duly made and not withdrawn, to be neither frivolous nor irrelevant;

And whereas the Minister appointed an inspector in accordance with paragraph 4(2) of that Schedule to make an inquiry into the subject matter of the proposed Order;

And whereas the inspector, after making such an inquiry, made a report to the Minister in accordance with paragraph 4(7) of that Schedule;

And whereas the Minister has considered the objections and the inspector’s report and thinks it expedient to make the Order;

Now, therefore, the Minister, in exercise of the powers conferred on him by the said section 1 and of all other powers enabling him in that behalf, and with the consent of the Crown Estate Commissioners, hereby makes the following Order:—

Title, commencement and interpretation

1.—(1) This Order may be cited as the Calshot Oyster Fishery (Variation) Order 1999 and shall come into force on 1st April 1999.

(a) S.I. 1982/135 as varied by S.I. 1989/178 and 1995/1258.

(b) 1967 c. 83; section 1 was amended by section 15(2) of the Sea Fisheries Act 1968 (c. 77), paragraph 15 of Schedule 2 to the Fishery Limits Act 1976 (c. 86) and section 1 of the Sea Fisheries (Shellfish) (Amendment) Act 1997 (c. 3), and is to be read with section 15(3) to (5) of the Sea Fisheries Act 1968; Schedule 1 was amended by section 15(7) of the Sea Fisheries Act 1968; section 22(1) contains a definition of “the appropriate Minister”.

(2) In this Order “the principal Order” means the Calshot Oyster Fishery Order 1982.

Variation of the principal Order

2.—(1) The principal Order shall be varied in accordance with the following paragraph of this article.

(2) In article 3(2) (right of several fishery), there shall be substituted for the area comprising the fishery so much of the area of the Solent in the vicinity of Calshot Spit as is shown coloured red, blue and green on the map (which shall be substituted for the definitive map) marked “Map referred to in the Calshot Oyster Fishery (Variation) Order 1999”, prepared in duplicate and sealed with the official seal of the Minister of Agriculture, Fisheries and Food, one copy of which is available at the grantees’ offices and the other at the offices of the Minister.

9th March 1999

Elliot Morley
Parliamentary Secretary,
Ministry of Agriculture, Fisheries and Food

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 1st April 1999, substitutes for the existing area of the Calshot Oyster Fishery an extended area defined in a map sealed by the Minister of Agriculture, Fisheries and Food (article 2(2)).

The map may be inspected (subject to prior appointment) during office hours at the offices of Calshot Oyster Fisherman Limited at Crampmoor Farm, Crampmoor Lane, Romsey, Hampshire SO51 9AJ or at the offices of the Ministry of Agriculture, Fisheries and Food, Nobel House, 17 Smith Square, London SW1P 3JR.

£1.00

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WO 4404 3/99 ON (MFK)