

1979 No. 1066

**SEA FISHERIES**

**SHELLFISH**

**The Brancaster Staithe Fishery Order 1979**

|                               |                     |
|-------------------------------|---------------------|
| <i>Made</i> - - - -           | 21st August 1979    |
| <i>Laid before Parliament</i> | 30th August 1979    |
| <i>Coming into Operation</i>  | 20th September 1979 |

The Minister of Agriculture, Fisheries and Food, no objections having been received to a draft order published in accordance with Schedule 1 to the Sea Fisheries (Shellfish) Act 1967(a), in exercise of the powers conferred on him by section 1 of the said Act (b), 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 Brancaster Staithe Fishery Order 1979, and shall come into operation on 20th September 1979.

(2) In this order “The Minister” means the Minister of Agriculture, Fisheries and Food.

*Right of Several Fishery*

2. There is hereby conferred on Brancaster Staithe Fishermen’s Society whose registered office is situated at 4 The Close, Brancaster Staithe in the County of Norfolk (hereinafter called “the Grantees” which expression shall include the persons for the time being entitled to the right conferred by this order) the right of several fishery for oysters, mussels and cockles over the foreshore and bed of the sea in those parts of the harbour at Brancaster Staithe aforesaid known as Trumps Hole, the Cut, Norton Hole and the western part of Norton Creek together containing 53 hectares or thereabouts as shown edged with red on the map sealed by the Minister for the purposes of the order being bounded in the north partly by saltings and partly by an imaginary straight line across the harbour to the north of Norton Hole drawn between two concrete posts respectively indicated by the letters A and B on the said map; on the south by saltings; on the east by an imaginary straight line across the harbour opposite the Nod drawn between two concrete posts respectively indicated by the letters C and D on the said map; and on the west by an imaginary straight line across the harbour at west point drawn between two concrete posts respectively indicated by the letters E and F on the said plan.

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(a) 1967 c. 83.

(b) Section 1 was amended by the Sea Fisheries Act 1968 (c. 77), section 15(1) and (2) and by the Fishery Limits Act 1976 (c. 86), section 9(1) and Schedule 2, paragraph 15.

*Marking of limits of fishery*

3.—(1) Subject to the provisions of paragraph (2) of this article, the limits of the area to which this order applies shall be marked out by the Grantees in such manner as the Minister may from time to time direct, and the Grantees shall maintain the marks in position and good repair.

(2) Nothing in this order shall authorise the execution of any works on, over or under tidal lands below the level of mean high water springs except in accordance with plans and sections approved by the Secretary of State and subject to such conditions and restrictions as the Secretary of State may prescribe before such works are begun.

*Duration of Order*

4. Subject to the provision of section 5 of the Sea Fisheries (Shellfish) Act 1967 this order shall continue in operation for 15 years from the date of its coming into operation and no longer.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st August 1979.

(L.S.)

*Peter Walker,*  
Minister of Agriculture, Fisheries and Food.

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EXPLANATORY NOTE

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

This order confers on Brancaster Staithe Fishermen's Society the right of several or exclusive fishery for oysters, mussels and cockles on a portion of the bed of the sea in the harbour at Brancaster Staithe in the county of Norfolk.

The map referred to in article 2 may be inspected during office hours at the Fisheries Department, Ministry of Agriculture, Fisheries and Food, Great Westminster House, Horseferry Road, London S.W.1.

The Secretary of State whose prior approval is required for works on, over or under tidal lands by virtue of article 3(2) is the Secretary of State for Trade.