
STATUTORY INSTRUMENTS

1980 No. 1839

WILD BIRDS

The Wild Birds (Foulney Island Sanctuary) Order 1980

Made - - - - - *2nd December 1980*

Coming into Operation *10th December 1980*

The Secretary of State for the Environment, in exercise of the powers conferred by section 3 (1) of the Protection of Birds Act 1954 (a) and section 4(2) of the Protection of Birds Act 1967 (b) and of all other powers enabling him in that behalf, hereby makes the following order:-

1. This order may be cited as the Wild Birds (Foulney Island Sanctuary) Order 1980 and shall come into operation on 10th December 1980.

2. In this order "the Act of 1954" means the Protection of Birds Act 1954 and "the Act of 1967" means the Protection of Birds Act 1967.

3. The area specified in Schedule 1 to this order (hereinafter referred to as the "Foulney Island Sanctuary") shall be a bird sanctuary.

4. Subject to the provisions of the Act of 1954 and the Act of 1967, any person who, within the Foulney Island Sanctuary,

(a) at any time, wilfully kills, injures or takes, or attempts to kill, injure or take, any wild bird, or

(b) wilfully takes or destroys an egg of any wild bird, or

(c) wilfully disturbs any wild bird while it is on or near a nest containing eggs or unflown young

shall be guilty of an offence against the Act of 1954.

5. (1) Subject to the provisions of the Act of 1954 any person who during the period 1st April to 15th August inclusive in any year enters that part of the Foulney Island Sanctuary which is specified in Schedule 2 to this order shall be guilty of an offence against the Act of 1954.

(2) Nothing in this Article shall prevent the lawful entry into the area specified in Schedule 2 hereto of any person duly authorised in writing by the owner or occupier of the said area or of the part or parts thereof into which entry is made or by the British Transport Docks Board.

(a) 1954 c.30.

(b) 1967 c.46.

6. Where any person does anything which by virtue of articles 4 and 5 above is an offence against the Act of 1954 he shall be liable to a special penalty.

SCHEDULE 1

FOULNEY ISLAND SANCTUARY

That part of the Borough of Barrow in Furness in the County of Cumbria which lies above mean high water level to the east of the road from Rampside to Roa Island the boundary of which runs in an approximately south-easterly direction along the Foulney Embankment from a point adjoining the said road at National Grid reference SD234657 to National Grid reference SD247641, turning thence approximately northwards to the tip of Slitch Ridge at National Grid reference SD246645 and then approximately southwards to the extreme southerly tip of Foulney Island at National Grid reference SD248638, thence approximately north-westwards along mean high water level on the south-west side of Foulney Island and Foulney Embankment to a point on the Rampside-Roa Island road at National Grid reference SD233655, thence approximately northwards along the edge of the Rampside-Roa Island road to the starting point aforesaid.

SCHEDULE 2

RESTRICTION OF ENTRY

The part of the Foulney Island Sanctuary which is subject to the restriction on entry imposed by Article 5 above consists of that spit of land above Mean High Water level known as Slitch Ridge projecting approximately northwards from Foulney Island the boundary of which spit begins at National Grid reference SD247641, continues approximately northwards to National Grid reference SD246645 and returns approximately southwards along Mean High Water level to National Grid reference SD248640, thence back to the starting point SD247641.

2nd December 1980.

Michael R. D. Heseltine,
Secretary of State for the Environment.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order establishes a bird sanctuary in the part of Foulney Island described in Schedule 1. Article 4 makes the acts therein specified offences against the Protection of Birds Act 1954, Article 5 prohibits entry into that part of the sanctuary specified in Schedule 2 between 1st April and 15th August inclusive and Article 6 makes the acts specified in Articles 4 and 5 liable to a special penalty.

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