

1980 No. 806

SEA FISHERIES

The Cumbria Sea Fisheries District (Variation) Order 1980

Laid before Parliament in draft

Made - - - 12th June 1980

Coming into Operation 1st July 1980

The Minister of Agriculture, Fisheries and Food, on the application of the local fisheries committee for the Cumbria Sea Fisheries District and after consultation with the county council concerned, in exercise of the powers conferred on him by sections 1 and 18(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 Cumbria Sea Fisheries District (Variation) Order 1980 and shall come into operation on 1st July 1980.

(2) In this order “the principal order” means the order made by the Board of Trade on 21st February 1895(b) (which created a sea fisheries district then called “the Cumberland Sea Fisheries District” and constituted a local fisheries committee for the regulation of the sea fisheries within that district) as varied by articles 2 and 4 of the Cumbria Sea Fisheries District (Constitution of Committee and Expenses) (Variation) Order 1973(c).

Variation of Principal Order

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

“1. *Creation of District*

A sea fisheries district is hereby created, comprising so much of the sea within the national waters of the United Kingdom adjacent to England as is not included within the national waters of the United Kingdom adjacent to Scotland, 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 as is not included within three nautical miles from the baselines from which the breadth of the territorial sea of the United Kingdom adjacent to Scotland is measured, with the adjoining coast, as lies within the following limits, namely, on the north-east, a line drawn from the eastern side of the mouth of the River Sark at Sarkfoot, across Rockcliffe Marsh to Burghmarsh Point, and, on the south, a line drawn true south-west from the seaward extremity of Haverigg Point in the county of Cumbria (being the northern boundary of the Lancashire and Western Sea Fisheries

(a) 1966 c. 38.

(b) S.R. & O. 1895/587.

(c) S.I. 1973/2195.

District); such lines being shown on a map marked S.651-1895 as subsequently amended on a map marked FGB 34440-1980, both of which are deposited at the Ministry of Agriculture, Fisheries and Food.

The sea fisheries district shall not extend above a line 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 drawn across the River Sark, true west from the southern extremity of the eastern bank of the river at Sarkfoot;

A line drawn across the Rivers Esk and Eden, from the eastern side of the mouth of the River Sark at Sarkfoot, across Rockcliffe Marsh to Burgh-marsh Point;

A line drawn across the River Wampool, along the seaward side of the site of the former railway bridge near Whittrigg, as defined by the bridge buttresses;

A line drawn across the River Waver, along the seaward side of the site of the former railway bridge near Abbeytown, as defined by the bridge buttresses;

A line drawn across the River Ellen, along the seaward side of the bridge carrying the A596 road at Maryport;

Lines drawn across the River Derwent and across the adjacent Mill Stream, along the seaward side of the bridges carrying the Carlisle to Barrow-in-Furness railway line at Workington;

A line drawn across the River Ehen, along the seaward side of the foot-bridge near, and to the north of, Sellafield railway station;

A line drawn across the River Calder, along the seaward side of the Calder Viaduct carrying the Carlisle to Barrow-in-Furness railway line near Sellafield;

A line drawn across the River Esk, near its confluence with the Rivers Irt and Mite, from the post on the north shore near Drigg Point to the post on the south shore marking the line of the Post Office submarine cable;

A line drawn across every river or stream not hereinbefore specified, such line being in continuation of the general line of the shore at mean high water springs:

In respect of the said rivers and streams above the lines beyond which the sea fisheries district does not extend, the North West Water Authority shall within its area have the powers of a local fisheries committee.

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

(2) Article 13 of the principal order (Definitions) shall be deleted.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th June 1980.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order varies the description of the limits of the Cumbria Sea Fisheries District (created in 1895 as the Cumberland Sea Fisheries District by order of the Board of Trade under the Sea Fisheries Regulation Act 1888 (c. 54)). The district extends three nautical miles seaward from the baselines from which United Kingdom territorial waters adjacent to England are measured, and includes the waters on the landward side of those baselines (but does not extend to the waters within three nautical miles from the baselines from which United Kingdom territorial waters adjacent to Scotland are measured, nor to the waters to the landward of such baselines). The baselines in question were established by the Territorial Waters Order in Council 1964 (published in Statutory Instruments 1965 at p. 6452A).

The Order draws lines across the rivers which flow into the sea within the district to define the boundary between the district and the area in which the North West Water Authority has the powers of a local fisheries committee.