
STATUTORY INSTRUMENTS

1982 No. 135

SEA FISHERIES

The Calshot Oyster Fishery Order 1982

<i>Made - - - -</i>	<i>8th February 1982</i>
<i>Laid before Parliament</i>	<i>15th February 1982</i>
<i>Coming into Operation</i>	<i>8th March 1982</i>

The Minister of Agriculture, Fisheries and Food, having received objections to a draft order published in accordance with Schedule 1 to the Sea Fisheries (Shellfish) Act 1967 (a) and having appointed a person to act as inspector respecting the proposed order, after considering the said objections and the report of the inspector, in exercise of the powers conferred on him by section 1 of the said Act and of all other powers enabling him in that behalf, with the consent of the Crown Estate Commissioners, hereby makes the following order:—

Citation and commencement

1. This order may be cited as the Calshot Oyster Fishery Order 1982, and shall come into operation on 8th March 1982.

Interpretation

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

Right of several fishery

3.—(1) There is hereby conferred on Calshot Oyster Fishermen Limited, whose registered office is situated at 18A Rumbridge Street, Totton, Hampshire SO4 4DP, (hereinafter called “the grantees”, which expression shall include any persons for the time being entitled to the right conferred by this order) the right of several fishery for oysters with respect to the area specified in paragraph (2) of this article for a period of seven years.

(2) The area to which this order relates (hereinafter called “the fishery”) comprises so much of the area of the Solent in the vicinity of Calshot Spit as is shown coloured red and blue on the map (hereinafter called “the definitive map”) prepared in duplicate, sealed with the official seal of the Minister and marked “Calshot Oyster Fishery Order 1982 — Definitive map showing the situation and extent of the area concerned”, one copy of which has been deposited and is available for inspection at the offices of the grantees and the other at the offices of the Minister.

Marking of limits of fishery

4. The limits of the fishery shall be marked out by the grantees in such manner as the Minister may from time to time direct, and the grantees shall exercise all due diligence in maintaining the marks in position and good repair.

(a) 1967 c.83; section 1 was amended by the Sea Fisheries Act 1968 (c.77), section 15, and the Fishery Limits Act 1976 (c.86), section 9(1) and Schedule 2, paragraph 15.

Saving rights of the Crown

5. Nothing in this order shall affect prejudicially any estate, right, power, privilege or exemption of the Crown, and in particular nothing herein contained shall authorise the grantees to take, use or in any manner interfere with any portion of the shore or bed of the sea or of any river, channel, creek, bay or estuary or any land, hereditaments, subjects or rights of whatever description belonging to Her Majesty in right of the Crown and under the management of the Crown Estate Commissioners.

Saving rights of the British Transport Docks Board

6. The grantees shall not dredge, fish for or take oysters within those areas of the fishery which are shown coloured blue on the definitive map without the prior approval in writing of the British Transport Docks Board.

Restrictions for the Central Electricity Generating Board, the Southern Electricity Board and the Southern Water Authority

7. Nothing in this order shall affect prejudicially the Central Electricity Generating Board, the Southern Electricity Board or the Southern Water Authority in respect of any operation carried out by any of these bodies in exercise of their statutory functions.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 8th February 1982.

(L.S.)

Peter Walker
Minister of Agriculture, Fisheries
and Food.

EXPLANATORY NOTE

(This note is not part of the Order.)

This order confers on Calshot Oyster Fishermen Limited a right of several or exclusive oyster fishery over a portion of the bed of the Solent around Calshot Spit in the Port of Southampton. The situation and extent of the fishery are shown in the definitive map sealed by the Minister of Agriculture, Fisheries and Food, which may be inspected (subject to prior appointment) during office hours at the offices of the grantee company at 32 Tormead, Hythe, Southampton, Hampshire SO4 5AW or at the offices of the Ministry of Agriculture, Fisheries and Food, Great Westminster House, Horseferry Road, London SW1P 2AE.