
STATUTORY INSTRUMENTS

1986 No. 647

SEA FISHERIES

The North-Eastern Sea Fisheries District Order 1986

Laid before Parliament in draft

Made - - - - - 26th March 1986

Coming into Operation 1st April 1986

The Minister of Agriculture, Fisheries and Food, on the application of the local fisheries committee for the North-Eastern Sea Fisheries District and after consultation with every 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, a draft of which has lain before Parliament for forty days prior to its being made:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the North-Eastern Sea Fisheries District Order 1986, and shall come into operation on 1st April 1986.

(2) In this order—

“the Act” means the Sea Fisheries Regulation Act 1966;

“quadrennial period” means the period of four years beginning on 1st July 1989 and on every fourth anniversary of that day.

Sea fisheries district

2.—(1) There shall continue to be a sea fisheries district known as the North-Eastern Sea Fisheries District and such district shall comprise so much of the sea within the national waters of the United Kingdom adjacent to England, 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, with the adjoining coast, as lies within the following limits, namely, on the north, a line drawn true east from the lighthouse at the seaward extremity of the South Pier at the southern side of the entrance to the River Tyne (being the southern boundary of the Northumberland Sea Fisheries District) and, on the south, a line drawn true east from the Control Tower at the RAF Air Gunnery and Bombing Range at Donna Nook in Lincolnshire (being the northern boundary of the Eastern Sea Fisheries District).

(2) 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 the limits of the said district, as follows:—

a line drawn across the River Wear, from the seaward extremity of the Roker Pier to the seaward extremity of the New South Pier at Sunderland;

(a) 1966 c.38, amended by the Local Government Act 1985, section 16 and Schedule 8, paragraph 19.

a line drawn across the river Tees, from the seaward extremity of the North Gare Breakwater to the seaward extremity of the South Gare Breakwater;

a line drawn across the River Esk at Whitby, from the seaward extremity of the west outer pierhead to the seaward extremity of the east outer pierhead;

a line drawn across the River Humber north from Whitton Church;

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.

(3) In respect of the rivers and streams above the lines beyond which the sea fisheries district does not extend the Northumbrian Water Authority, the Severn-Trent Water Authority and the Yorkshire Water Authority shall within their respective areas have the powers of a local fisheries committee.

Local fisheries committee

3.—(1) There shall continue to be a local fisheries committee constituted for the regulation of the sea fisheries carried on within the North-Eastern Sea Fisheries District.

(2) The Committee shall be a joint committee of the Councils referred to in column 1 of Schedule 1 to this Order and shall consist of thirty-six members. The number of members appointed by each constituent Council shall be the number which is set out in column 2 of that Schedule opposite the reference to such Council. Fifteen additional members shall be appointed by the Minister of Agriculture, Fisheries and Food and one additional member each by the Northumbrian Water Authority, the Yorkshire Water Authority and the Anglian Water Authority.

(3) Subject to paragraph (5) of this article, the persons who are members of the Committee immediately before the coming into operation of this order (other than any person who is a member by virtue of an appointment made by Tyne and Wear County Council), and the first members appointed by South Tyneside Borough Council and Sunderland Borough Council, shall hold or continue to hold office until the end of June 1989. After that date the members shall come into office on the day specified for that purpose in the instrument appointing them and shall hold office until the end of the quadrennial period in which that day falls.

(4) Retiring members shall be eligible for re-appointment.

(5) Where for any reason whatsoever there occurs a casual vacancy in the Committee, the body by whom the vacating member was appointed may fill the vacancy by the appointment of a new member. It shall be the duty of the Clerk of the Committee forthwith to notify every such vacancy to the appointing body.

(6) No act or proceeding of the Committee shall be questioned on account of any vacancy in the Committee, and no defect in the appointment of any person acting as a member of the Committee shall vitiate any proceedings of the Committee in which he has taken part.

(7) Except as provided by section 10 of the Act and subject to paragraph (8) of this article, no Council shall make, vary or revoke any regulation or standing order respecting the quorum or proceedings of the Committee or as to the area within which it is to exercise its authority.

(8) Any Council may make a regulation requiring the Committee to submit to such Council once in each year an estimate of expenses proposed to be incurred by it under the Act, and once in each year an abstract of its accounts for the preceding year, and to afford to any person appointed for the purpose by the Council access at all reasonable times to the books containing its accounts.

(9) Subject to any restriction or condition made under section 10 of the Act, the Committee shall not be required to report its proceedings to any Council, nor shall its acts or proceedings be submitted to any Council for approval.

(10) The Committee shall hold four quarterly meetings in each year for the transaction of general business in addition to any special or adjourned meetings.

(11) Five members shall be a quorum at any meeting of the Committee.

(12) The Committee may from time to time appoint a sub-committee or sub-committees and may assign to such sub-committee or sub-committees such duties as it may from time to time determine.

Expenses

4. The expenses of the Committee shall be chargeable to the constituent Councils in the respective proportions set out in column 3 of Schedule 1 to this order opposite the reference to each constituent Council and shall be expenses for general county purposes.

Revocation

5. The orders specified in Schedule 2 to this order are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th March 1986.



Michael Jopling,
Minister of Agriculture, Fisheries
and Food.

SCHEDULE 1

Articles 3 and 4

CONSTITUTION AND EXPENSES

Column 1	Column 2	Column 3
Constituent Councils	Number of Representatives	Proportion of Expenses
Cleveland County Council	1	1/18
Durham County Council	1	1/18
Humberside County Council	9	9/18
Lincolnshire County Council	1	1/18
North Yorkshire County Council	4	4/18
South Tyneside Borough Council	1	1/18
Sunderland Borough Council	1	1/18

SCHEDULE 2

Article 5

ORDERS REVOKED

Order	References
1. The order made by the Board of Trade on 9th July 1890 which created the North-Eastern Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district.	Parliamentary Papers 1890 No. 296
2. The order made by the Board of Agriculture and Fisheries on 12th July 1904 which varied the order made on 9th July 1890.	S.R. & O. 1904/1476
3. North-Eastern Sea Fisheries District (Variation of District) Order 1961.	S.I. 1961/2213
4. North-Eastern Sea Fisheries District (Constitution of Committee and Expenses) (Variation) Order 1973.	S.I. 1973/2200
5. North-Eastern Sea Fisheries District (Variation) Order 1980.	S.I. 1980/811.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order, which supersedes with amendments an order made by the Board of Trade on 9th July 1890 as amended, makes new provision for the constitution of the North-Eastern Sea Fisheries Committee in consequence of the abolition of metropolitan county councils by the Local Government Act 1985. South Tyneside Borough Council and Sunderland Borough Council are made constituent councils of the Committee in place of Tyne and Wear County Council. Consequential adjustments are made to the Committee's membership and to the liability of constituent councils to contribute to the Committee's expenses.

The order also varies the description of the limits of the North-Eastern Sea Fisheries District by drawing a new line across the River Humber to define the boundary between the district and the areas of the Severn-Trent Water Authority and the Yorkshire Water Authority. The Severn-Trent Water Authority no longer has the function of appointing an additional member of the Committee.

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