

---

STATUTORY INSTRUMENTS

---

**2015 No.**

**SEA FISHERIES, ENGLAND**

**SHELLFISH**

**The River Stour Mussel Fishery Order 2015**

*Made* - - - - **\*\*\***

*Laid before Parliament* **\*\*\***

*Coming into force* - - **\*\*\***

Wash Mussels Limited has made an application to the Secretary of State<sup>(a)</sup> in accordance with section 1(2) of the Sea Fisheries (Shellfish) Act 1967<sup>(b)</sup> (“the Act”) for an order conferring a right of several fishery under section 1 of the Act.

The Secretary of State has prepared a draft Order and served a copy of it on the applicant in accordance with paragraph 1 of Schedule 1 to the Act.

The applicant has caused printed copies of the draft Order to be published and circulated, and has given notice of the application, in accordance with paragraph 2 of that Schedule.

[The Secretary of State has considered representations received, in accordance with paragraphs 3, 4 and 6 of that Schedule, and considers that it is expedient to make the Order.]

The Secretary of State has had regard to the powers and duties of the Crown Estate Commissioners under the Crown Estate Act 1961<sup>(c)</sup>, in accordance with paragraph 6(2) of that Schedule.

The Secretary of State makes the following Order in exercise of the powers conferred by section 1 of the Act.

**Title, extent, commencement and interpretation**

**1.—(1)** This Order—

(a) may be cited as the River Stour Mussel Fishery Order 2015;

---

(a) By virtue of article 2 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794) the functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State.

(b) 1967 c.83; section 1(1) was amended by the Fishery Limits Act 1976 (c.86), section 9(1) and Schedule 2, paragraph 15; the Marine and Coastal Access Act 2009 (c.23) (“the 2009 Act”), section 202(1) and (2); and S.I. 1999/1820. Section 1(6) was substituted by the 2009 Act, section 203. Schedule 1 was amended by the 2009 Act, sections 202, 214, and 321 and Schedule 22, Part 5(A). See section 22(1) of the Sea Fisheries (Shellfish) Act 1967 for the definition of “the appropriate Minister” for the purposes of section 1.

(c) 1961 c.55.

(b) extends to England and Wales; and

(c) comes into force on [ ].

(2) In this Order—

“the fishery” means the areas described in article 2(2);

“the grantee” means Wash Mussels Limited (company number 06870687) whose registered office is 376 London Road, Hadleigh, Benfleet, Essex SS7 2DA;

“the management plan” means the management plan dated 2nd January 2014, submitted to the Secretary of State by the grantee and deposited at the offices of the Secretary of State for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR; and

“mussels” means mussels of the species *Mytilus edulis*.

### **Right of several fishery**

2.—(1) The Secretary of State confers on the grantee the right of several fishery for mussels with respect to those areas of the River Stour in the counties of Essex and Suffolk described in paragraph (2) for a period of 5 years commencing on [insert date ].

(2) The areas referred to in paragraph (1) are the five areas each of which is defined by boundary lines plotted by joining a sequential set of co-ordinates specified in paragraph (3) and which comprise—

- (a) an area adjoining Erwarton Bay (“Plot 1”);
- (b) an area adjoining the western side of Copperas Bay (“Plot 2”);
- (c) an area adjoining, or approximately adjoining, Harkstead Point (“Plot 3”);
- (d) an area adjoining the eastern side of Copperas Bay (“Plot 4”); and
- (e) an area adjoining, or approximately adjoining, Stutton Ness (“Plot 5”).

(3) The sequential sets of co-ordinates for the purpose of defining the boundary lines of an area mentioned in paragraph (2) are the following sets of co-ordinates in the Schedule—

- (a) in relation to Plot 1, the set of co-ordinates in Part 1;
- (b) in relation to Plot 2, the set of co-ordinates in Part 2;
- (c) in relation to Plot 3, the set of co-ordinates in Part 3;
- (d) in relation to Plot 4, the set of co-ordinates in Part 4; and
- (e) in relation to Plot 5, the set of co-ordinates in Part 5.

### **Marking of limits of the fishery**

3. The grantee must mark out the limits of the fishery in such manner as the Secretary of State may from time to time direct and must maintain those marks in position and in good repair.

### **Management Plan**

4. The grantee must manage the fishery in accordance with the management plan.

Date

*George Eustice*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural Affairs

# SCHEDULE

## The Fishery Areas

Article 2(3)

### PART 1

<i>Points</i>	<i>British National</i>	<i>WGS84</i>	
	<i>Grid Reference</i>	<i>Latitude</i>	<i>Longitude</i>
<b>1</b>	TM 2191 3329	51°57.2004' N	001°13.7929' E
<b>2</b>	TM 2231 3347	51°57.2877' N	001°14.1406' E
<b>3</b>	TM 2330 3355	51°57.3082' N	001°15.0092' E
<b>4</b>	TM 2366 3351	51°57.2746' N	001°15.3207' E
<b>5</b>	TM 2367 3332	51°57.1703' N	001°15.3233' E
<b>6</b>	TM 2307 3326	51°57.1572' N	001°14.7980' E
<b>7</b>	TM 2306 3339	51°57.2248' N	001°14.7980' E
<b>8</b>	TM 2232 3332	51°57.2068' N	001°14.1448' E
<b>9</b>	TM 2232 3320	51°57.1396' N	001°14.1448' E
<b>10</b>	TM 2192 3317	51°57.1332' N	001°13.7929' E
<b>11</b>	TM 2191 3329	51°57.2004' N	001°13.7929' E

### PART 2

<i>Points</i>	<i>British National</i>	<i>WGS84</i>	
	<i>Grid Reference</i>	<i>Latitude</i>	<i>Longitude</i>
<b>1</b>	TM 2079 3271	51°56.9117' N	001°12.7913' E
<b>2</b>	TM 2140 3274	51°56.9171' N	001°13.3200' E
<b>3</b>	TM 2141 3254	51°56.8091' N	001°13.3234' E
<b>4</b>	TM 2081 3251	51°56.8037' N	001°12.7964' E
<b>5</b>	TM 2079 3271	51°56.9117' N	001°12.7913' E

### PART 3

<i>Points</i>	<i>British National</i>	<i>WGS84</i>	
	<i>Grid Reference</i>	<i>Latitude</i>	<i>Longitude</i>
<b>1</b>	TM 1828 3327	51°57.2769' N	001°10.6241' E
<b>2</b>	TM 1948 3319	51°57.2013' N	001°11.6703' E
<b>3</b>	TM 1947 3304	51°57.1213' N	001°11.6540' E
<b>4</b>	TM 1827 3312	51°57.1947' N	001°10.6095' E
<b>5</b>	TM 1828 3327	51°57.2769' N	001°10.6241' E

### PART 4

<i>Points</i>	<i>British National</i>	<i>WGS84</i>	
	<i>Grid Reference</i>	<i>Latitude</i>	<i>Longitude</i>
<b>1</b>	TM 1850 3287	51°57.0548' N	001°10.7974' E

2	TM 1847 3275	51°56.9884' N	001°10.7734' E
3	TM 1929 3273	51°56.9611' N	001°11.4815' E
4	TM 1927 3261	51°56.8949' N	001°11.4592' E
5	TM 1850 3287	51°57.0548' N	001°10.7974' E

## PART 5

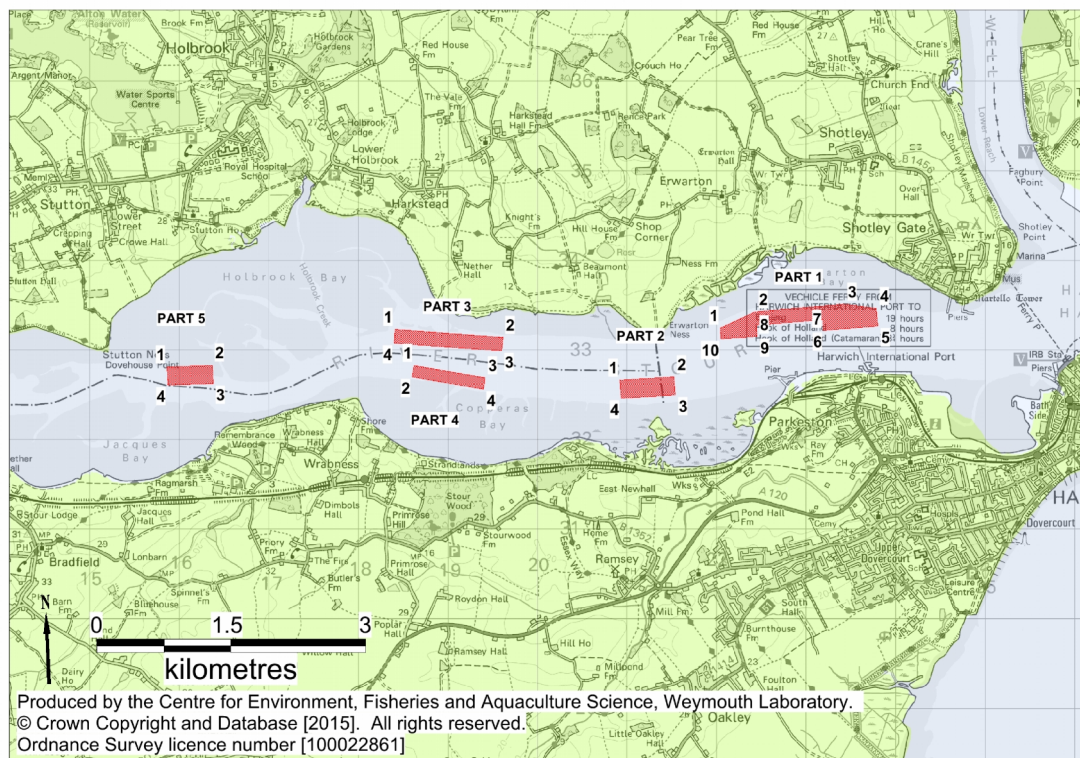
Points	British National Grid Reference	Latitude	Longitude
1	TM 1574 3286	51°57.1111' N	001°08.3925' E
2	TM 1624 3288	51°57.1093' N	001°08.8311' E
3	TM 1625 3267	51°57.0005' N	001°08.8302' E
4	TM 1575 3266	51°57.0029' N	001°08.3916' E
5	TM 1574 3286	51°57.1111' N	001°08.3925' E

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order confers on the grantee Wash Mussels Limited a right of several fishery for mussels in the River Stour for a period of 5 years starting on [insert date].

The five areas within which the right is conferred each lie within boundary lines joining one of the sequential sets of co-ordinates set out in the Schedule and are shown (for illustrative purposes only) hatched on the map below.



Article 3 provides for the marking of the limits of the fishery and article 4 requires the grantee to manage the fishery in accordance with the management plan dated 2nd January 2014. A copy of the management plan can be obtained from the offices of the Secretary of State for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.