STATUTORY INSTRUMENTS

1984 No. 578

WILDLIFE

The Gull Island and Warren Shore and Needs Ore Point (Areas of Special Protection) Order 1984

Made - - - 17*th April* 1984

Coming into Operation 1*st May* 1984

The Secretary of State, in exercise of the powers conferred upon him by section 3(1) of the Wildlife and Countryside Act 1981(a) and all other powers enabling him in that behalf, after complying with the requirements of section 3(4) and (5) and 26(4) of the said Act, hereby makes the following order:—

Citation, commencement and interpretation

1.— (1) This order may be cited as the Gull Island and Warren Shore and Needs Ore Point (Areas of Special Protection) Order 1984 and shall come into operation on 1st May 1984.

(2) In this order —

"the Act" means the Wildlife and Countryside Act 1981;

"the Gull Island Area of Special Protection" means the area specified in paragraph 1 of the Schedule hereto; and

"the Warren Shore and Needs Ore Point Area of Special Protection" means the area specified in paragraph 2 of the Schedule hereto.

(3) In this order —

"the deposited map" means the map marked "Map referred to in the Gull Island and Warren Shore and Needs Ore Point (Areas of Special Protection) Order 1984" and signed by an Under Secretary in the Department of the Environment, which has been prepared in duplicate and of which one duplicate has been deposited, and is available for inspection, at the offices of the New Forest District Council and the other has been deposited and is available for inspection at the offices of the Secretary of State for the Environment.

Areas of special protection

2. The areas specified in the Schedule to this order shall be areas of special protection for wild birds, and the following provisions of this order shall have effect with respect thereto.

(a) 1981 c.69.

Offences

3. Subject to the provisions of the Act, any person who, within the Gull Island Area of Special Protection or the Warren Shore and Needs Ore Point Area of Special Protection, at any time intentionally —

(i) kills, injures or takes any wild bird;

(ii) takes, damages or destroys the nest of such a bird while that nest is in use or being built;

(iii) takes or destroys an egg of such a bird;

(iv) disturbs such a bird while it is building a nest or is in, on or near a nest containing eggs or young; or

(v) disturbs dependent young of such a bird,

shall be guilty of an offence under section 3 of the Act and liable to a special penalty.

4. Subject to the provisions of the Act, any person who enters into —

(*a*) the Gull Island Area of Special Protection at any time; or

(*b*) the Warren Shore and Needs Ore Point Area of Special Protection between 1st March and 31st July in any year,

shall be guilty of an offence under section 3 of the Act and liable to a special penalty.

SCHEDULE

1. The area within the County of Hampshire known as Gull Island (and lying above the mean low water mark and between National Grid references SZ 43049779 and SZ 44189819) and which is shown enclosed by a black line and cross hatched black on the deposited map.

2. The area within the County of Hampshire known as Warren Shore and Needs Ore Point (and lying above the mean low water mark and between National Grid references SZ 41619676 and SZ 42999771) and which is shown enclosed by a black line and hatched black on the deposited map.

Signed by authority of
the Secretary of State.

P. Critchley,
An Under Secretary in the Department
of the Environment.

17th April 1984.

EXPLANATORY NOTE

(This note is not part of the order.)

This order establishes Gull Island and Warren Shore and Needs Ore Point in the County of Hampshire as areas of special protection for wild birds under section 3 of the Wildlife and Countryside Act 1981 ("the 1981 Act"). The order does not affect the exercise of rights by owners, lessees or occupiers of any land in the areas or of rights granted by virtue of a licence or agreement.

Articles 3 and 4 of the order make the acts described in those articles offences under section 3 of the 1981 Act and offenders liable to special penalties in accordance with section 21 of the 1981 Act.