

**2019 No. 48**

**ENVIRONMENTAL PROTECTION**

**MARINE MANAGEMENT**

**WILDLIFE**

**The Torbay Marine Conservation Zone Designation  
(Amendment) Order 2019**

*Made* - - - - - *20th May 2019*

*Coming into force* - - - - - *31st May 2019*

The Secretary of State makes the following Order in exercise of the powers conferred by section 116(1) and 122(1), and in accordance with sections 117(1), (2) and (7), 118(1) and (6), and 123(1), of the Marine and Coastal Access Act 2009(a).

The Secretary of State thinks it desirable to make this Order for the purpose of conserving the marine habitat and the species of marine flora referred to in article 2(3) of this Order.

The Secretary of State has had regard to any obligations under EU or international law that relate to the conservation or improvement of the marine environment in accordance with section 123(5) of that Act.

The Secretary of State has—

- (a) published notice of the proposal to make this Order in accordance with section 119(2) and (3) of that Act, and
- (b) consulted persons who the Secretary of State thinks are likely to be interested in, or affected by, the making of this Order in accordance with section 119(4) of that Act.

**Citation and commencement**

**1.** This Order may be cited as the Torbay Marine Conservation Zone Designation (Amendment) Order 2019 and comes into force on 31st May 2019.

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(a) 2009 c. 23. See section 116(5) for the definition of “appropriate authority”.

## **Amendment to the Torbay Marine Conservation Zone Designation Order 2013**

2.—(1) The Torbay Marine Conservation Zone Designation Order 2013<sup>(a)</sup> is amended as follows.

- (2) In article 5(2)(b), after “fauna” insert “or flora”.
- (3) In the table in Schedule 2 (protected features)—
  - (a) after the entry in the sixth row (moderate energy intertidal rock), insert—
    - (i) in the first column, “Subtidal coarse sediment”;
    - (ii) in the second column, “Broadscale marine habitat”;
  - (b) after the final entry (native oyster (*Ostrea edulis*)), insert—
    - (i) in the first column, “Peacock’s tail (*Padina pavonica*)”;
    - (ii) in the second column, “Species of marine flora”.

20th May 2019

*Thérèse Coffey*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural Affairs

### **EXPLANATORY NOTE**

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

This Order amends the Torbay Marine Conservation Zone Designation Order 2013 (Ministerial Order 2013 No. 25) to add subtidal coarse sediment and Peacock’s tail (*Padina pavonica*) as protected features in that Order.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available at <https://www.gov.uk/government/consultations/marine-conservation-zones-third-tranche-of-designations>.

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(a) Ministerial Order 2013 No. 25, made on 21st November 2013; amended by Ministerial Order 2016 No. 32, made on 12th January 2016.