

BILLET D'ETAT SEPT 2011 - FISHERIES WHITE PAPER

Date: 9th September, 2011

STATES OF ALDERNEY, CHANNEL ISLANDS

Fisheries Management - A White Paper

Introduction

The States of Alderney has been considering the future of sea fisheries in and around our waters. We embarked on a process of consultation with local people in Alderney as well as those in the Bailiwick of Guernsey and further afield, who have an interest in fishing in all its forms and for whatever purpose. The consultation process has given us the opportunity to listen to all stakeholders regarding fisheries controls and address concerns surrounding fisheries conservation, port safety and public safety as well as addressing concerns that the fishing industry (including charter anglers) have on stocks and the effects that fishing has on the economy of the Island. All new measures introduced will be non-discriminatory, consider historical access rights

This White Paper explains why changes are required and whether new legislation is required to achieve the aims of the project. It sets out the intention for the scope and content of the proposals.

Why do we need a change?

The marine environment is a precious resource and one which needs careful management to ensure all legitimate users and potential users are able to access the resource while affording appropriate protection to the environment itself. There is some pressure on our seas and a growing demand for marine space from the expansion of traditional activities and emergence of new technologies. We have been flexible in our approach with a two stage consultation process which has involved the gathering of formal written responses and has included a series of meetings with interested parties. The aim has been to ensure that we have the tools that we need to balance conservation needs with the demands that we place on the marine area to meet social and economic requirements.

Purpose

The principle of sustainability is of paramount importance. The proposals in this White Paper are intended to improve the delivery of our fisheries policy by providing an approach which is aimed at conserving our natural resources and promoting the use of the marine natural environment for the benefit of current and future generations. It will help deliver economic, social and environmental objectives.

Working together

Alderney is in the unusual position of owning the sea bed up to the three mile limit. We already have some restrictions on the use of our waters but these now need to be looked at again. We must remember that Alderney is part of the Bailiwick of Guernsey and our legislation affects the whole Bailiwick. Our colleagues in The Sea Fisheries section of the Commerce and Employment Department have assisted us in many ways and our thanks are extended to Chris Morris and his team. We have also engaged with the various representative groups in Alderney, the wider Bailiwick and other groups. To them we also extend our thanks for their honest and frank views and for the many suggestions as to how this paper might be formulated. While the proposals in this White Paper will not please everyone it is the intention of the States of Alderney to produce proposals which are equitable and fair. We recognise our responsibility to ensure the changes we make are consistent with international and European law.

The main themes

There are seven key areas that will be covered in the White Paper, but there are significant links and interdependencies between them.

Trawling

Size of fishing vessels (length and power)

Netting and Static gear

Protected areas/closed season

Bag Limits and Log Books

Landing of Fish

Advisory Group

Executive Summary

The General Services Committee (GSC) of the States of Alderney is charged with the responsibility to oversee all matters relating to sea fisheries. GSC has appointed two of its members to undertake a consultation exercise in relation to sea fisheries with a view to making proposals for the way forward as soon as possible.

In order to achieve this objective the following process has been adopted:

24 June 2010 - Open meeting held at Island Hall. This meeting was attended by: 85 Members of the Public; 4 States Members; the President; 4 Members of the Press; the Harbour Master; the States of Guernsey Senior Sea Fisheries Officer; Marketing & Public Affairs Manager. A list of those who spoke at the open meeting is at annex A

11 August 2010 - A formal consultation document was issued on 11 August 2010. The consultation was widely advertised in the press, placed on the States of Alderney website and was passed on to the Guernsey fishing industry by Guernsey Sea Fisheries. Closing date was 30th September 2010

There were 66 written responses to this consultation paper. A list of those who responded is at annex B. Given the nature of the responses it was decided that a further evidence gathering exercise was required.

Sept Oct 2010 - A series of meetings with representative groups

29 November 2010 Having narrowed down the issues from the various forms of consultation a second consultation paper was issued. The closing date was 15 March 2011. There were 9 formal responses. A list of those who responded is at Annex C.

Dec 10 Mar 11 - Further meetings with local fishermen and Guernsey fishermen

The General Service Committee has recommended that the following action should be taken.

General Historical or Track Record Access rights: grandfather rights

Actions 1 to 3 (below) are subject to grandfather rights of individual boats and skipper/owners which would be based on a predetermined track record of fishing. This right would be transferrable but once only.

Extent of the proposals

These proposals will apply to waters within three miles of Alderney and the Casquets.

Trawling

The initial consultation revealed the following: 82% of respondents supported the view that trawling represented a threat to fish stocks in Alderneys waters. 86% favoured a ban on trawling generally while 82% supported a ban on all trawling in Alderneys three mile limit.

It is not the aim of these proposals to impact adversely on the livelihoods of those already engaged in fishing activity. It is considered that trawling which is limited to that already being undertaken in our waters may continue but subject to grandfather rights. The following styles of trawling were considered in this section: Otter Board, Beam, Danish Seining (and its derivatives) and Pair. In this regard it was noted that pair trawling was already prohibited and that Otter Board trawling could be restricted by reference to limitation of the foot rope. The otter trawl is an accepted way of fishing and ensures that wet fish (Ray, Brill, Turbot) from the Bailiwick can be landed locally and is the mainstay of local fish supply in the Bailiwick. It was agreed that there was sufficient evidence to ban beam trawling based on environmental grounds.

Action 1: To prohibit Pair Trawling and Beam Trawling anywhere in the Alderney 3 mile limit. Otter Board trawling would be allowed to continue, subject to grandfather rights provisions, but there would be a restriction placed on the length of the foot rope of 20 metres.

Size of fishing vessels (length and power)

64% of respondents in the initial consultation agreed that the size of fishing vessels in general should be limited, with a significant majority (84%) suggesting that the limit should be 10 metres.

It was recognised that the length and power of fishing vessels has a direct impact on the size of the catch: smaller vessels can put to sea less frequently and are obviously restricted in the quantity of fish they can catch. However, it was understood that no vessels outside the Bailiwick of Guernsey may currently apply for a license to fish in Alderneys waters. Bearing in mind the number and size of the boats currently operating in the waters of the Bailiwick, and the application of grandfather rights, it was thought reasonable to restrict the length of boats operating in Alderneys 3 mile limit to 10 metres. Further the power of these boats would be restricted to 250hp.

Action 2: Commercial fishing vessels must be no more than 10 metres in length and restricted to a maximum of 250 bhp.

Netting and Static gear, protected areas and closed seasons

84% of respondents to the initial consultation considered that there should be restrictions on inshore netting, although only 20% suggested it was appropriate to change the protected areas from time to time. It was considered that there is good reason to restrict the placing of static nets in certain bays in Alderney in that the fish there are often found to be heavily in roe and in pre-spawning or spawning condition at relevant times. It was considered that this measure could be considered to be a precautionary one which would require review on a regular basis. There is evidence to support such a move although it should be borne in mind that the location of spawning fish is likely to change.

Mindful of the likely changes to the use of the marine environment in Alderney in the coming years, in

particular the potential development of a tidal energy project, the Committee considered the use of static gear in and around Alderney. For the purposes of this White Paper static gear is defined as: any form of static ensnaring net or trot line or pot. It was recognised that the marking of gear is an EU requirement. Those who are not professional fishermen, for example those who place pots by the breakwater should be required to mark their gear. This should be extended to include all static gear within the 0.3 miles limit in order to assist identification and enforcement.

Action 3: In the first instance, and subject to periodic review, to impose an all year round ban on netting inside an imaginary line drawn across Platte Saline between Grosnez point to Robin Rock. (App D Noted 4). This would be introduced by an attachment to Bailiwick Fishing Vessel Licences or if introduced as a more permanent Fisheries Management Measure, legislation would be introduced under a States of Alderney Sea Fishing Ordinance

In order to make the area safe for those who use them for recreational purposes, particularly those who swim, it is necessary to ban inshore netting and other static gear in certain areas, in particular some of the bays. See Appendix D

Action 4: A ban on netting from 1st May until the 31st October:

Inside an imaginary line drawn across Arch Bay and Corblets Bay between Chateau a LToc Point and Bon Amie (App D noted 1).

Inside an imaginary line drawn across Longis Bay between the south end of Raz Island and Queslingue (App D Noted 2).

South of an imaginary line drawn between the Outer Grois Rock and the north-east end of the Sunken Breakwater line and include Saye Bay (App D Noted 3)

It was accepted that people be allowed to place pots on the inside of the breakwater, subject to appropriate markings (name, vessel number etc), but that from half way to the North Eastern end there should be a ban on pots.

Action 5: An all-year round ban on static gear on the inside of the breakwater from a point half way down to the end furthest away from Fort Grosnez, to be controlled by the Harbour Master under powers available by virtue of the Braye Harbour Ordinance

Bag Limits and Log Books

The responses to the consultation exercise have been fully taken into account and consequently, at this time it is not proposed that there are any measures taken to enforce bag limits.

However, in order to ensure this matter is fully considered and to obtain better evidence it was agreed that bag limits might be further considered after a period of time using log books to record fish catches. Log books will be issued, checked and enforced by the States of Alderney and Guernsey Sea Fisheries.

Action 5: All charter fishing vessels to carry log books which can be inspected.

Landing Fish

Some concern has been raised about encouragement of charter anglers to catch fish and sell them to local traders. It was agreed that there should be some public information made available about restrictions on selling and buying of fish brought ashore by charter anglers.

Action 6: A restriction on the landing on Alderney of no more than two fish per person from charter vessels that are not Registered British Sea Fishing Vessels. This would require legislation introduced under a States of Alderney Sea Fishing Ordinance.

The States considers that any initiative which seeks to sustain the local fishing industry economy should be supported and as such would be prepared to support initiatives in Alderney and the rest of the Bailiwick in any way which would assist in ensuring the long term sustainability of the fishing industry. One such initiative is the tagging of line caught fish.

Action 7: The States would support the tagging of local line caught fish to add value to their sales.

Advisory Group

In many ways self regulation is the best form of policing and the States of Alderney is keen to promote the establishment of such a group to deal with the issues outlined in this White Paper. An advisory group which seeks to represent all group fishing in Alderney would be an important step in this process. The Chairman of the group should be appointed by GSC and should include a single representative from each of the following:

Angling (Amateur) (currently no representative body)

Charter Anglers: Professional Boatmen's Association

Commercial Fishermen (British Sea Fishing Vessel owners/operators) 1 each from Alderney and Guernsey

Fisheries Officer

The group would be properly constituted with Terms of Reference etc.

Action 8: A fishing advisory group should be formed incorporating representatives of all groups involved in fishing in Alderney

Annex A: List of contributors , open meeting 24 June 2010:

Mr Robert Blondin (Recreational Rod Anglers)

Mr Raymond Gaudion (Commercial Fishing Vessels)

Mr Pierre Dupont (Commercial Fishing Vessels)

Mr David McAllister (Commercial / Fishmonger)

Mr Stuart Trought

Mr Mark Harding (Recreational Anglers / Fishing Supplies)

Mr Chris Cairns (Charter Fishing Vessels)

Mr Stephen Syers (Hotel)

Mr Chris Reeves (Commercial Fishing Vessels)

Ms Victoria McAllister

Mr Blake Jackson (Recreational Fishing)

Mr Paul Whittle (Charter Fishing Vessels)

Mr Alan Smart (Commercial Fishing)

Ms Angela Burke (Recreational Rod Angler)

Mr James Walker (Commercial Fishing)

Mr Colin Dukes (Charter Fishing)

Mr Andrew Eggleston (Chamber of Commerce)

Mr Nick Bright (Commercial Fishing)

Guernsey Sea Fisheries

Annex B; List of respondents, consultation first round

Steve Ace

Mark Archbold

Mike Bailey

Rick Ball

Tony Burrows

Kevin C

John Copeland

Paul Dore
Colin Dukes
J L Dunster
Pierre Dupont
Jack Faulkner
Simon Francis
Raymond Gaudion
Peter Gay
David Gillingham
Dave Gillingham Snr
L Gumbleton
Mark Harding
Clive Hodges
Blake Jackson
Paul Jennings
George Jennings
Frank Joseph
Dougal Lane
Ian le Blanc
Peter le Chaminant
Graham le Gresley
Andy Le Prevost
Richard Lee
Pete Loveridge
Bert Marquand
David McAllister
Stephen Mellor
Chris Mitchell
John Morgan
Bill Morris
Steve Mullins
Nirvana Nirvana
Derek Oakman
Mark Page
David Pakes
Steve Porter
James Remur
Sidney Reynolds
Andrew Robertson
Lee Rossie
Hugh Shepherd
Edward Smith
Charlie Smith
Richard Smith
Steve Smith
Antony Stanyon
Steve Syer

Robert Titterington
Stuart Trought
Nick Vining
William Watt
Paul Whittall
David Young
Anonymous 6

Annex C: List of respondents, consultation second round

Mark Harding
Peter Hamer
Richard Keen
Barry Paint
David Rigden
Paul Whittall
Blake Jackson
Douglas Lane

Plus a report on a meeting held with the Guernsey Fishermens Association on 27 January chaired by Douglas Lane

Appendix D Map showing restricted areas

A copy of the map is not currently available on line but can be obtained from the States Office
