

## MARINE RESOURCES PANEL MEETING

107<sup>th</sup> Meeting

### Brief notes and action points from meeting held at Howard Davis Farm

24 October 2022

Present:	William Peggie – Director Natural Environment (Chairman) Chris Le Masurier - representing Jersey Aquaculture Association Don Thompson (DT) - representing Jersey Fishermen’s Association Steve Viney (SV) - representing Jersey Fishermen’s Association Ian Syvret (IS) – representing Jersey Inshore Fishermen Gareth Jeffreys (GJ) – representing Société Jersiaise Natalie Porrit (NT) – representing Jersey Merchants
In Attendance:	Jonathan Renouf (JR) – Minister for the Environment Paul Chambers (PC) – Marine & Coastal Manager, Marine Resources Francis Binney (FB) – Marine Scientist, Marine Resources Dave Yettram (DY) – Senior Marine & Fisheries Officer Alex Plaster (AP) – Marine & Fisheries Assistant Officer
Apologies:	

		Action
<b>1.</b>	<b>Approval of Minutes from the previous meeting and Matters Arising</b>	
	<p>Clarifying issues around Bream / sorting of catch, WP advised this is now part of the package of measures to be followed up post extent and nature. FB advised that the French don’t have a MLS for Bream, nor do the British, both using a CRS instead. There is a MLS in Jersey waters; there is a need to address this and that will form part of mobile gear review, focussing on net size and other elements. DT stated that Greg Morel had said there was no ambiguity over it and pointed out that in French waters, French boats legitimately put everything down below without gauging it, the question is, is that appropriate in our waters? FB advised that our MLS will be enforce in Jersey waters on all vessels as always, but that more work is needed in order to avoid the capture of undersized fish as opposed to just throwing back small dead fish.</p> <p>Capture fisheries – seasonal closure on whelks and scallops – DT stated that the Minister at the time felt it was provocative to have a seasonal closure, however it is desperate times for fisheries and DT felt that seasonal closure or not, this needs to be addressed, we can’t keep coming back meeting after meeting and not dealing with it.</p>	
	<b><u>Capture Fisheries</u></b>	
<b>2.</b>	<b>JFA request for overview of Marine Spatial Planning scope and timeline</b>	
	FB presented a summary covering delivery time (required delivery 2025, targeted delivery 2023), scope of MSP, funding from Climate Emergency Fund, and working with an external partner to help deliver on time. Winter 2022 – scoping and stakeholder identification; spring 2023 - initial MSP development; summer 2023 – initial consultation phase; autumn 2023 – detailed MSP development with	

stakeholder partners; autumn / winter 2023 – wider consultation and socialisation of MSP; winter 2023 – lodging with States of Jersey.

JR stated that he regards this as a hugely important piece of work which is why he asked for it to be brought forward, it's the key that unlocks quite a few things going forward from the potential exploitation of renewable energy in the future, how we manage our fisheries and aquaculture sustainably, leisure facilities etc., in the same way we manage our land estate, albeit not as intensively as we manage the land as it's a much bigger area, but the principle holds and we should have a structured way of approaching the exploitation of our marine environment with sustainability at the absolute core of it. We can't protect or fully manage the resource until we have a science based understanding. This will also help with negotiation with French, UK etc.

CLM – there must be a mechanism for fisheries diversification; species may change, fleet may fish for another species, so can't be set in stone, there needs to be flexibility.

DT – the plan has to apply to every single vessel, only one section of the fleet is viable at present. The broader fleet need to be given the chance to adapt. The previous Minister, stated fishing industry would be given support and the opportunity to adapt, now we're talking about coming up with a draft plan by 2023. How do you think this makes fishermen feel for the chance of survival for the future? It's concerning and worrying and is creating a lot of animosity towards this team and the Minister as it's seen as absolutely rushing things through. There is a lot we don't understand so it needs to be done thoroughly, putting together a framework that will reflect on the fisherman for decades to come, this can't be rushed through. Fishermen are really concerned that it's being rushed through and we won't get it right. Originally it was 2025 and now by end of 2023, that's not achievable.

JR – Sustainable fisheries lies at the heart of this, the marine spatial plan should not be seen as a 'stop fishing' proposal or plan. The plan will create a structure, that will regulate activities into the future. We will need to see what we can achieve in a year, if we can't create anything with substance then we'll have to think again, but we need to try and that's why I want to see what we've got by end of 2023. Is it doable? It's a demanding target but there is a reason for that, we can't do other things until we have evidence based information.

A discussion around timeframes followed.

CLM – realises the importance of this, but raised concerns over stakeholder engagement fatigues for little in the way of outputs.

WP – recognised this saying that, previously it's been led by Economic Development and perhaps this didn't take priority in their portfolio as they would have been a bit more focussed on financial matters.

JR – when questioned on the MSP vs previous reports state that this plan will not be sitting on a shelf as long as I'm Minister.

DT – Digressing slightly but the Marine Economy strategy document – members of the fishing community, including myself, put in hours and hours of time, desperate need

	<p>for short term intervention and long term. Getting no response from the EDD forum, they don't even reply to emails. I know I'm digressing, but the Economic Minister made promises that strategies would be developed and there's been nothing. DT is not criticising John Vautier who works very hard, but there's just no response.</p> <p>CLM – stated he has emailed the Economic Minister three times on the points being included in the policy and received no response.</p> <p>WP will take the points raised by DT and CLM to EDD for their comment.</p> <p>JR advised that the process will involve extensive engagement, however there may be some things that the industry disagrees with, but it's way to early to say. JR sees this as a hugely positive piece of work which should be of benefit to everybody.</p>	
	<b><u>Aquaculture</u></b>	
<b>3 &amp; 4</b>	<b>Update on request for temporary holding beds to become permanent</b>	
	<p>FB – Outlined current situation; in 2020 Temporary holding beds were brought in because of covid to allow the industry to hold stock on the beach a bit longer to deal with any hiccups in the market. The beds were split 50% Jersey Oyster Company, 25% La Rocque Fisheries and 25% Seymour Oyster Company. In January 22 the JAA requested the beds be fully transferred from Marine Resources to the three main concession holders, MRP was in support of this but the previous Minister felt it should come back to Panel under the new Minister. The Panel is being asked if everyone is content to continue and make the same recommendation they did previously.</p> <p>JFA – don't object to it and it makes good sense, but the JFA need to be made aware of this through the Panel so information can be taken back to the membership. There was a notion that it was going to happen without being taken back to the Panel, so DT is raising the point for future reference for a transparent approach.</p> <p>The Panel therefore is making the recommendation for these changes to become permanent.</p>	
	<b>Other matters</b>	
	<p><b>Annual Report 2021</b> The report has been previously circulated to Panel members, FB enquired if anyone wishes to comment please do so.</p> <p>Panel members highlighted various issues and sections of interest for edits to be made before publication.</p>	

	<p>DT queried about receiving data from all the vessels licenced by the island and could it be reflected in the annual report? DY advised that we are getting good compliance now from the French fleet so from next year we expect full data set.</p> <p>SV felt that the section on scallop fishing is misleading, FB will change the wording to reflect natural business changes.</p> <p><b>Marine Research updates</b></p> <p>FB – Whelks have been fairly stable since around 2010, seeing increase in juvenile whelks. Don't have the data to tell if this is an environmental change or a fishing change, trying to find capacity for an officer to do more research.</p> <p>AP – Blue fish tuna tagging, out of 7 tagged we have data for 3. Discussed the data from the tags, one tuna was picked up in the Bay of Biscay. They like Jersey, Guernsey, English Channel and Bay of Biscay. Once data from the 2 year tags is available (2024) a scientific paper will be produced.</p> <p>CLM asked if the end result would be opening up fishing for this species. Jersey signing up to ICCAT which may allow Jersey to have its own quota.</p> <p>GJ – Does the lifestyle of the tuna means it's less likely to lose the tags.</p> <p>FB confirmed that we are collaborating with Exeter University; ICCAT have also supplied tags to Jersey this year, which is excellent and shows the importance of Jersey being involved in this research. Ratification process underway which will include us in future quotas.</p> <p>FB – acoustic tags are also being used.</p> <p>DT complimented the team on the important work on the Bluefin Tuna, getting membership of ICAP and the potential of a fishery for this species would be wonderful for the industry and very lucrative.</p> <p><b>Law Drafting update</b></p> <p>DY - looking to get iVMS rolled out to the Jersey fleet and considering regulation required for this. Hoping to integrate iVMS units to the main UK system, this is being reviewed. Ideally want to see the data all on one system. Also Jersey boats fishing in French or UK waters, using our iVMS system would be acceptable if this were the case. It has been law since 1<sup>st</sup> July 22 for French vessels to have VMS, but they use a satellite system which is very expensive. For Jersey a phased roll out planned – large boats first. Jersey is approximately 12 months behind France in this. Time scales will be for them all to be fitted by July 23 hopefully.</p> <p>Log book reporting zones are under review for law drafting, hopefully relatively soon. Need these for reporting what is caught in our waters and French waters. The zones need to be agreed and the regulations updated. May be able to simplify zone reporting from the iVMS information.</p> <p>SV – queried compatibility with France and UK.</p>	<p>MR</p>
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<p>Further discussion ensued about compatibility of the systems with regards to UK, France and Guernsey.</p> <p>DT - need to be clear what is on the table for law drafting so he and SV and report back to JFA membership accurately, DT thought there was going to be more discussion around what is for law drafting in the coming year. FB advised that the iVMS and Fishing Zones are current. The longer list still exists but they're not ready for law drafting.</p> <p><b>TCA update</b></p> <p>DY – meetings have been held with the Commission on Extent and Nature, and this is ongoing. Hoping to have this completed for the reissue of licences in February 2023. Can't update further as matters are ongoing.</p> <p>CLM – respectfully asked the Minister that extent and nature is carefully timed for the Aquaculture Association, mindful we're coming up to Christmas which is the bulk of aquaculture trading – could any announcements that may be detrimental to that be pushed back to January?</p> <p>JR – Highlighted the delicacy of the situation and it progress made so far.</p> <p>CLM - it is a negotiation, and in his view Jersey has delivered what it's had to in view of the licencing scheme but doesn't feel we've been given anything back for the access we've given to our waters,. Access to ports is St. Malo only, and we're getting further and further restrictions put on us regarding paperwork and bureaucracy. The French view us as unclassified, but 135 French vessels can come into Jersey waters to fish and land for their consumption. Jersey needs to get something back.</p> <p>JR stated that the waters are now classified. The External Relations minister has been in France for three days so hopefully have a debrief from him shortly, particularly about access to ports.</p> <p>DT - This legislation that was put in place some time ago, before Brexit, to ensure product that was coming from New Guinea or New Zealand was compliant with EU tariffs etc., and is being used in waters that are being fished by boats licenced by Jersey but with a foreign flag. It is being used to discriminate against Jersey vessels, and the ER Minister sees it exactly the same way we do. We need to stop accepting that everything is a natural consequence and do something about it.</p> <p>JR – the ER Minister's view is the same as my view in that it is ridiculous, but we have to negotiate, we can't just change the rules, we need to work out the best way to get through the situation we are in.</p> <p>WP – everyone is in a frustrating place, but we have to work out how to make the best of the situation we are in. The way to get through it is with negation and discussion with a lot of interested parties - who all have similarly valid discussion points to put on the table - but of course understands the industries' frustrations.</p> <p>CLM – agrees it's about finding solutions, we're having to do this on a daily basis getting things over the border. It's the importing country who sets its rules and French ports are, without a doubt, by restricting UK products, doing their best to</p>	<p>WP</p>
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show that Brexit wasn't a good idea. Jersey has had more relaxed treatment, and we have had offers of relaxing rules.

WP – but we are led by the wider rules that are imposed on us by the UK – we fully understand the frustrations CLM is referring to but we have to comply. We are not making these rules up ourselves, we are not generating domestic legislation to stand in the way of our own businesses, we are absolutely looking for solutions, but what we've got to do is stick with the rules that are being imposed on us from outside, and that's the negotiation process that's run between the UK and Europe.

A discussion on the future impacts of landing restrictions on the fishing industry followed.

DT - need to continue to define our relationship – it was put in place to ensure Jersey, being partially outside of the EU, complied with EU directives and legislation. We hang onto a fisheries management agreement that reflects what we can and can't do.

DY – We know the FMAs for all crown dependencies need redone, but TCA needs doing first, it's got to be done, but it must come after extent and nature.

DT – but the FMA is likely to be a barrier for what we want to achieve from extent and nature. The approval Government seeks from the UK to introduce nature and extent in terms of limiting French fishermen is just not going to happen.

DT – stated that the matters on the agenda today do not fill him with confidence, we're sacrificing our fishing fleet by accepting interpretations of the EU legislation rather than the actual purpose of the legislation. WP – perhaps we would be if we were reliant on discussions with coastal authorities, but we are dealing with the true meanings of the legislation and we have to stick with these rules.

JR – we are not doing any of this to try and mess anything up, we're doing it because we've got the bigger picture in mind which is the wider compliance with our ability to trade, and yes we are focussing on marine resourced related businesses, but they are part of the wider economic structure.

IS – this may be the way of negotiating but fishing boats are going out of business now, really struggling, and there may not be a fishing industry by the time things are agreed for the 'big picture'.

JR – happy to support and continue supporting the industry with his colleagues in Economic Development, however he doesn't have any money to hand out.

SV stated he was really concerned about repercussions for extent and nature as CLM stated, if there are serious repercussions is there any support or a plan B from Government to help and give confidence in the fishing fleet. We're just clinging on at the moment.

JR – has had sight of the note that DT has sent to the Economic Development, and has followed it up once with the Minister and expects and hopes to hear from him in the near future.

	<p>CLM – this used to be the Agricultural and Fisheries Department, but it’s disproportionate yet again, e.g. this week the Farming Conference held was to discuss Government support and funding to farming. So much effort gets put into the farming and we’ve got an industry that has built up over the years. We don’t put a big strain on Government, but now because of Brexit which is seriously affecting us, we need help. We need to protect what we’ve got, the best advocates for the land and the sea are the people that work it, and now is the time we need help.</p> <p>WP – just to address CLM’s comments... we are no longer the Agriculture and Fisheries Department, there was a conscious decision to move away from that. We have moved to a department whose principal responsibility is to look after the natural environment of the island and we are tasked with looking after the sustainability for all areas. At the time this decision was made, there was a very clear decision that funding for all parts of the economy was taken somewhere else – Economic Development. We do take on board what you’re saying about the economy of the fleet, we can and will talk to Economic Development, but the decision is theirs, not ours.</p> <p>DT – just to be clear, not everything is needing financial support, but there are things needing addressed.</p> <p><b>AOB</b></p> <p>NP enquired if it would be acceptable for another seat on the Panel for Merchants in case NP is unable to attend, perhaps Peter Tarrant from Battricks. It was confirmed that this would be fine.</p> <p>Dates for Next Meetings:  23 January  24 April  24 July  23 October</p>	
	There being no other business the meeting closed at 4.50 pm.	