

**FISHERIES & MARINE RESOURCES ADVISORY PANEL**  
(66<sup>th</sup> Meeting)

**Brief notes & action points from meeting held at Howard Davis Farm on  
25<sup>th</sup> January 2012**

- Present:** Mike Taylor (MT) – Chairman  
Peter Gosselin (PG) representing Jersey Recreational Fishermen  
Trevor Le Cornu (TLC) representing Jersey Aquaculture Association  
Paul Bizec (PB) representing Jersey Fishermen's Association  
Don Thompson (DT) representing Jersey Fishermen's Association  
Ian Syvret (IS) representing the Jersey Inshore Fishermen's Association
- In Attendance:** Deputy Carolyn Labey (CL) – Assistant Minister EDD  
William Peggie (WP) – Director of Environment / Deputy Chief Officer  
Daniel Houseago (DH) – Director EMRE (Item 3 onwards)  
Tim du Feu (TdF) – Director Environmental Protection  
Mike Smith (MS) – Marine Resources Section Leader (Item 3 onwards)  
Greg Morel (MS) – Marine & coastal Zone Officer  
Jonathan Shrives (JS) – Fisheries Officer R&D  
Dave Yettram (DY) – Fisheries Officer  
Julie ? – Jersey Fishermen's Association  
Dot Miller – Minutes
- Apologies:** Natalie Porritt – Jersey Merchants  
Chris Le Boutillier - Boat Owners (Northern Section)

**Action**

**1. Approval of Minutes and Matters Arising**

The following amendments were noted:

**2. Granville Bay Joint Advisor Committee**

NSC Accreditation should be MSC

A commission for future management to be set up

Crayfish ban runs 1<sup>st</sup> January to 31<sup>st</sup> March

5. Paragraph 2 should be BFMC not Guernsey fishermen

6. Outboard not Outbound

5 Para 3 Willie Peggie was not there

PG asked wording changed to recreational fishermen from Jersey Anglers

Subject to the above amendments the Minutes from the meeting held on 16<sup>th</sup> November 2011 were approved.

**Matters Arising**

It was noted that WP was out of Island and therefore unable to attend the meeting with BFMC on 28<sup>th</sup> November .

Recreational netting on the beach to include fin clipping – include in discussions under Point 4 on the agenda.

MSC Accreditation – DT advised that French are liaising with JFA however there are still matters to finalise.

GM had been in touch with Veronique re Lobster commission set-up

## 2. Review of Mandate / Membership of the Panel

As information and views will be requested from current Panel members and to allow the Chairman to contribute, WP took over as Chairman at this point of the meeting and explained that the new Minister for Planning and Environment has requested a review of all panels. This review will look at the Panel's current role and purpose. WP invited comments from the Panel members and the following was noted:

GM advised that a draft copy of the Marine Resources review 'Where We Are' is due at the end of January and will then go out to wider consultation. Parties who wish to make representation will be able to do so during the consultation period.

CL sought clarification on whether the Panel's objective is to advise the Minister, and if so should the Assistant Minister, or the Minister, take part in the meeting?

PG felt it necessary to have political input at the meeting, however CL stated that she did not feel that she should take part in the decision process of the Panel and then advise the Minister.

DT stated that this group is necessarily broad in order to represent the varied members. The Minister's roll is to carry decisions through the States and this doesn't stop the Assistant Minister sitting on the Panel and expressing her views. The JFA would very much like to see Deputy Labey sitting on the Panel and contributing to the meetings.

MT confirmed that it was also the view of the JAA that there should be political input into the meeting.

DT felt that it was worthwhile for CL to be in attendance to gain a full understanding of what is happening within Marine Resources.

MT suggested that a representative from Scrutiny could be included in the Panel members. MT also advised that a representative of Société Jersiaise had been invited to join the panel but that the offer had not been taken up.

CL confirmed she was happy to sit on the Panel but its dealings would have to be on a broad spectrum.

MT stated that the Panel has tried to have as wide a remit as possible and this should be the way forward and has previously invited special interest representatives for specific agenda items

TLC JAA would also like Soc Jer represented on Panel

PG suggested that part of the problem with invitees has been partly or fully personal opinions and has overridden the views of the others.

WP asked the meeting to consider the makeup of the present Panel – are the right bodies being represented and by the right people. DT stated that the Panel shouldn't be open to just anyone to attend; only those with a genuine remit should be represented.

GM Pointed out that there are many other panels in Europe, similar by accident or design to this Marine Resources Panel

CL advised that if she is to sit on the Panel, then the Panel must have a clear mandate and the mandate must be broad. There should be no 'in fighting' and decisions taken by the Panel is the way forward.

WP enquired of the members what they thought the mandate of the Panel should be. Serving two ministers, where should policies etc. sit – Regulatory with EDD; conservation/environment with Environment?

CL pointed out that there were no terms of reference for the Panel. WP stated that a new body should have terms of reference and a more formalised structure of membership. MT commented that an advisory body cannot change things but their role is to advise the Minister.

MT enquired if CL had delegated powers, CL explained that she has been given delegated powers for EDD but not Environment.

PG stated that he would expect CL to attend as Assistant Minister but understands that the final decision would sit with the Minister.

GM suggested that there was some confusion over the role of the Panel due to the wide range of topics it takes on board. GM queried if the members felt that the type of items on the agenda were appropriate for this forum.

PB felt that the Panel was a good filter before going to the Minister and helps with the Granville Bay Treaty.

DT advised that he had been pushing for a clear remit for a long time and the remit needs to be broader than just looking at legislation.

WP advised that it would be useful to have a well sculpted framework of what this forum does and then get that information out to the public domain.

IS raised the question of what would happen if the Panel didn't exist? IS felt the Panel had its place but could achieve more.

TdF suggested that the first step should be to work out a mandate. Should this be marine environment (wider issues), then approach bodies to join the Panel. PG suggested that this should be the focus of a separate meeting. Members need to think about their own roles and what other people's roles should be.

PG advised that he would need to feed this information back to his own membership.

MT advised that Panel items used to be published in the JEP and that it may be worthwhile resurrecting this in order to raise the profile of the Panel.

### **3. Marking hooks and ground lines**

#### **Rocco Tower incident**

This matter was raised following an email from a Mr Le Moine advising the Department that his dog had been injured at Rocco Tower after biting into a

Size 4 hook.

Members commented as follows:

GM

MT – hooks acceptably set and marked.

PG – wanted clarification on the size of the hooks.

MT – publicise to dog owners.

DT – substantial amount of gear that can be set by one individual, the amount is out of proportion to recreational fishing therefore this needs to be addressed.

PG – part of the problem is cultural but not traditional Jersey culture. JRF's view is 50 hooks 50 metres of nets is enough. Don't ban, but allow everyone to share. Some areas should be hook and net free although there will always be people who complain.

MT queried if professional hooks were put down in winter to supplement income? DT advised that this no longer happened.

MS advised that covering hooks could be a legal requirement but how enforceable would it be?

Consider issuing licences – systems are available but haven't been gone into.

MS undertook to respond to Mr Le Moine advising that the issue of hooks is under review.

DT advised that the JFA's feeling is that genuine fishermen are being deprived of their living by 'Landrovers' running hooks on the beach and this needs reviewing. Hooks and nets need to be purely recreational and amounts caught should be capped.

#### **4. Management Measures for the Intertidal Zone**

GM gave a brief overview of the discussion paper sent out prior to the meeting. WP invited comments from the Panel:

##### **Vehicular access**

PG stated that for 50 hooks and one net there is no need for vehicular access, although it is permitted by current legislation to do this. MS suggested elderly low water fishermen could have an exemption for low water fishing activity other than nets or hooks. GM advised that this has been discussed regularly and the Minister could choose to allow a specific vehicle to go on the beach.

PG stated there should be a ministerial decision to exempt the elderly / disabled.

DT concurred with the above remarks and also stated that if commercial fishing was removed from the beaches there would be no need for vehicles. Consideration should be given to limiting the time when hooks can be laid and how long they can be left in place.

WP enquired who would be liable for injury or loss of life. MS advised that should a licensing system be put in place, this could be considered as part of the application process that the applicant should have insurance.

DT advised that previously people had to apply to Tourism for permission to take a vehicle on the beach, now this is only in St. Brelade. MT suggested

that the Constable of the Parish may be able to manage this and the Panel should consider working with Constables going forward.

DT enquired if this type of fishing should require a permit. General discussion followed regarding the feasibility and requirements of this. DT advised that recreational fisherman fought to win their right to fish, but where profit is involved then a licence or permit should be applied for.

DY commented that on-line applications for scallop licences were being introduced, similar could be put in place for recreational hooks and nets. DY – returns of catch data would be useful.

It was agreed that the above comments should be fed into the review process currently occurring.

States Vet, Linda Lowseck, joined the meeting.

## 5. **Experimental Sub Tidal Concession Application**

Mr Grant Feltham (GF) joined the meeting and gave clarification on questions which were asked by panel members with regard to GF's presentation for an experimental sub tidal concession in the Rozel Bay area circulated prior to the meeting.

- GF confirmed that scallops will be in cages.
- Ormers will be in caged boxes and cannot be tampered with.

LL advised that samples must be provided for analysis if they are to be sold direct for human consumption

GF left the meeting.

Discussion followed and the Panel agreed to grant GF an exemption allowing him to proceed on a scientific trial basis with the following provisos:

- All licence decisions would have to be adhered to as with all aquaculture licences.
- Review undertaken annually and no guarantee of a licence or subsequent renewal of the exemption or legal protection
- Reporting back to Panel mandatory.
- 1 hectare to be defined.
- Specific plans to be made available to the public defining where cages are.
- GF would have to make available samples for testing.

GF rejoined the meeting was advised of the Panel's decision. GF accepted that under a scientific exemption, the area and stock would not be protected by Law.

## 6. **To increase the size of a Jersey Oyster Company holding area**

Mr Chris Le Masurier (CLM) from Jersey Oyster Company Ltd. joined the meeting. It was noted that this was a retrospective application and the holding area has in fact been this size for the past five years.

CLM explained that much of the area was unusable due to rocks and that he had needed to hold more stock due to the designation as a category B area.

CLM confirmed that the area is only being used by him and no other concessions are involved, and there is no intention to increase this area again.

7. **Amend licence to Jersey Oyster Company to include flat oysters**

PG enquired if flat oysters were more resistant to disease, CLM confirmed that the Herpes virus does not affect flat oysters.

LL advised that a testing regime would have to be carried out as a new species of oyster was being introduced.

IS enquired if there was confidence over the stock being disease free. LL advised that this couldn't be confirmed as the stock had never been tested because of its status

TdF asked about recovery of costs for any tests. JS explained that this had been arranged with other, existing companies who already have permission to stock Flat Oysters.

CLM left the meeting.

General discussion followed and it was noted that:

No. 6: Recommend retrospective approval through the planning process.

No. 7. The Panel agreed to the licence application, however it was noted that LL advised that if oysters were diseased (disease in this context is Bonamia and Martelia) the Island would lose its status, and if the approved zone status was lost this would also affect the importing of mussels, scallops etc.

8. **Any Other Business**

Letter of thanks to be sent to M. Jackson and L. Norman.

**MS/MT**

CLM asked for e coli issues to be put on next Panel Agenda

Ray Tags - A ray tagged in 2006 was recently caught.

Successful prosecution in Court today of French fishermen. DT thanked the Fisheries team for their work.

9. **Date of Next Meeting**

Wednesday 28<sup>th</sup> March 2012, 2.15 p.m., Committee Room, Howard Davis Farm.

There being no other business the meeting closed at 5.30 p.m.

**FISHERIES & MARINE RESOURCES ADVISORY PANEL**  
(68<sup>th</sup> Meeting)

**Brief notes & action points from meeting held at Howard Davis Farm on  
28<sup>th</sup> March 2012**

- Present: William Peggie (WP) – Director of Environment / Deputy Chief Officer (Chairman)  
Mike Taylor (MT) – representing Jersey Aquaculture Association  
Peter Gosselin (PG) representing Jersey Recreational Fishermen  
Andy Reynolds (AR) representing Jersey Fishermen's Association  
Don Thompson (DT) representing Jersey Fishermen's Association  
Ian Syvret (IS) representing the Jersey Inshore Fishermen's Association
- In Attendance: Deputy Carolyn Labey (CL) – Assistant Minister EDD  
Tim du Feu (TdF) – Director Environmental Protection  
Mike Smith (MS) – Marine Resources Section Leader (Item 3 onwards)  
Greg Morel (MS) – Marine & coastal Zone Officer  
Jonathan Shrives (JS) – Fisheries Officer R&D  
Dave Yettram (DY) – Fisheries Officer  
Hayley Guéno – Minutes / Fisheries Officer
- Apologies: Natalie Porritt – Jersey Merchants  
Chris Le Boutillier - Boat Owners (Northern Section)

**Action**

**1. Approval of Minutes and Matters Arising**

The following amendments were noted:

3. DT Advised that the issue was not vehicle access to the beach but rather that it needs to be recognised that recreational fishing was occurring on a commercial scale and that this could be regulated through the ban on use of 4x4 vehicles on the beach. PG also highlighted the point that it was agreed that nets and hooks should be recreational with effort being capped.

5. DT raised the issue of the use of divers for GF Rozel concession, suggesting that this may open opportunities in legislation for others wishing to dive for wild ormers. It was agreed that GF had said he did not intend to use divers to harvest ormers and this was therefore not an issue.

2. MT stated that the Panel on occasion used to release a few selected panel items of interest to the JEP.

Subject to the above amendments the Minutes from the meeting held on 25<sup>th</sup> January 2012 were approved.

**Matters Arising**

WP advised the panel that the Environment Minister is reviewing all Panels, including the Marine Resources Panel and the Ramsar Management Board and that there would be an interim panel to sit until the review is completed and implemented.

**2. Briefing on the work of the Marine Climate Change Impact Partnership**

GM gave a briefing on the work and role of the MCCIP, explaining its status as a UK partnership of both government and non-government scientific organisations. The role of this partnership being to create a framework through which to pass information in order to inform people and facilitate developments particularly within small businesses. GM highlighted the point that the partnership does not comment on science, but finds good, well researched evidence which it then presents and provides information for adaptations within businesses.

An annual report card was passed around and GM advised that more could be made available for those interested.

The panel was advised that Marine Resources have been involved for the last few years.

This presentation was followed by a discussion directed by a series of questions from panel members.

CL enquired whether this was on the agenda for the British / Irish Council. WP responded that although it had been in the past terrestrial biodiversity was the subject this year.

GM informed the panel that most of the work is driven by CEFAS.

TdF enquired about the impact on biodiversity of local waters. Response from GM was that it is currently thought that an increase in water temperature will be of benefit, but possible unseen habitat effect.

### **3. Briefings of the Granville Bay Meetings held on 22 and 23 March**

#### **Joint Advisory Committee**

Briefing by DT.

Andre Le Berre of the committee regional (Britanny) and chair of the JAC has retired. His replacement is Oliver Evaesit (Lorient).

The committee representation has changed. The committee locales have been dissolved. There are now committees regionales et departementales, although many of the people which make up these committees have not changed.

Eaemon Mangan of the Paris administration advised that he will be attending at the December Council of Ministers and that he would present the undulate ray issue from a Granville bay point of view. Informing the committee that Maria Damanaki has suggested 25% reduction in ray quota (excl. undulate). He warned that the undulate ban is not likely to be lifted.

JFA thanks for GM and JS for the useful presentation made at the meeting regarding research, and DT suggested that it is information which would not arise without the Granville Bay meeting.

ObsMer work – fishermen do not have time to contribute to this research.

GM suggested the use of the advance to work scheme.



Marine Park – a site off Cap Fréhel is being planned, which impinges on the Bay of Granville. Still in the tendering process, 18<sup>th</sup> April a company will be nominated. Following this there will be 2yrs to continue research after which if the research has not been produced it will return to tender.

It is unlikely that Jersey will be directly involved with the marine park process (not competent from a legislative point of view) but the Island may act alongside the French maritime park authorities.

The mayor of St. Malo spoke out against the park.

The JFA stated that they will take the side of their French fishing colleagues.

#### **Joint Management Committee**

Briefing by MS.

Meeting held between the Jersey and French administration.

There is a good relationship between the organisations, with more information on EU fishing and enforcement policy from the EU administration than from the UK. The latest change being the enforcement of aquatic resources not just fish.

A reduction in number of vessels permitted within the Granville Bay area was discussed. The French were sympathetic to Jersey's point of view, however advised that it is a more complex situation in France, and a case will need to be made by the fishermen to change numbers permitted.

The Paris administration advised that the Granville Bay Treaty is now overarching above other legislation affecting the Bay, and suggested that if the marine Park goes ahead it would not be active until 2015.

Joint French and Jersey patrols had been successfully undertaken in the past year, resulting in a further four joint patrols planned for this year.

It was agreed that boats outside territorial waters must obey the controlling administration, although this affects very few Jersey boats.

The French e-logbooks have been updated and are moving forward ahead of the UK.

#### **Lobster MSC Group**

Overview given of monitoring done by the department, size and structure of stocks, and bycatch / discards. It was recommended that the group meet again before the next JAC meeting (20<sup>th</sup> June). It was also agreed to look into harmonisation of Kg per 100 pots.

MT questioned the subject of harmonisation. It was explained that the use of reference vessels to make comparisons of catch per 100 pots would help to determine stock trigger points for the MSC when combined with French data. Although French co-operation is needed, the target for this is June 2012.

Also discussed MSC logo lobster bands, but very expensive. It was suggested that there may be the use of the logo for free for one year. Further discussion is to be had on this subject.

#### **Frouquier Box meeting**

Briefing by DT.

It was agreed that boats wanting access (French pelagic) had to attend the meeting to get a permit.

Last year was very successful with no problems reported.

The dates agreed for this year are Sunday 13<sup>th</sup> May – Saturday 23<sup>rd</sup> June.

The French administration will be issuing permits.

4. **Briefing from the MR leader on work being conducted to enact the relevant part of the EU fisheries Control Regulations.**  
**To consider the EU requirements for marking static gear and how that may be implemented locally.**

MS advised that E-Logbook legislation is currently being put through for approval.

Fishing equipment legislation is now being worked on. Flashing marker buoys are not required within the 12 mile limit. New regulations on labelling pots – this does apply locally however MS advised that pots marked with pot tags will either be given an exemption or will not be policed. It's thought that the new legislation will highlight problems of unmarked gear.

PG expressed a wish for all gear to be properly marked, with no separate legislation for nets set from boats and the shore.

DT requested further explanation regarding the pot tag regulations in order to give a clear message to the industry. MS advised that fishermen going outside the 12 mile limit will have to use the new additional line markers. Those within the 12 mile limit will remain the same if already using pot tags.

5. **Fish farming concession application in Rozel Harbour area.**

Grant Feltham (GF) joined the meeting and gave clarification on questions which were asked by panel members with regard to GF's presentation for a pilot project for the culture of ormers in Rozel Bay circulated prior to the meeting. GF also outlined potential problems from fresh water input and the proposed solutions.

GF confirmed that an EIA had been carried out by Ed Baker.

Discussion followed and the Panel agreed to grant GF permission allowing him to proceed subject to conditions (to be confirmed):

- To provide security for the stock.
- To consider the safety of the general public utilising the area.
- Removal of all associated litter.
- Concession lease to be reviewed every 6 years as required by the legislation.
- The minister is to be notified should the concession cease to be used.

MS advised that the lease and associated conditions will be subject to gazetting with a response period of 28 days.

6. **Briefing from the MR Section Leader and discussion on action being taken in respect of the sale of fish caught from unlicensed vessels.**

MS advised that the current Marine Resources review is looking at buyers and sellers regulations, the finning of recreational fish, and licensing shore based fishermen.

DY advised that merchants and restaurants had not been aware of which fishermen had current licenses and have requested a list of licensed fishermen.

Fishermen have informed the fisheries section that they are in favour of both licence cards and merchant lists. As a result licence cards have been sent to all licensed boats irrespective of boat size. Fishermen have also been encouraged to speak out to merchant and restaurants to highlight the problems of buying from unlicensed fishermen.

The notice period given for fishermen to object to the list is now over with no complaints received. Lists will therefore be emailed to merchant and updated on a regular basis.

DY

General discussion followed relating to enforcement methods such as tail / fin clipping. PG spoke against this practice. IS highlighted the issue that the entire fish stock cannot be managed solely through licensed fishermen. WP suggested that the panel await the results of the review.

#### **7. E. Coli levels in farmed Oysters**

MT advised that the JAA have a growing concern about peaks in E. Coli levels. A meeting regarding the issue has been arranged with TTS and TdF. It has been agreed that it is a complex problem, with distrust from both sides.

TdF commented that TTS are willing to co-operate and are keen for a discussion.

MT informed the panel that it has been difficult to find one contact to talk to about any issues arising.

#### **8. Sub-tidal scallop licence concessions**

**Consider permission to relay scallops caught from outside the concession by either diving or dredging.**

Chris Gould (CG) joined the meeting.

MS advised that scallop concessions are required to reseed every 2 years. Due to lack of seed and the islands disease free status it has not been possible to import new seed for relaying for some time.

CG advised the panel that concession holders have attempted to relay dredged scallops, although this has been largely unsuccessful. But it appears it may be viable to import from Ireland in the near future and that some locally produced seed should be available.

CG agreed that he was happy to make the restriction to prevent restocking through dredging in future.

It was agreed that only seed from a hatchery should be used to reseed. If

this became a problem in the future then an exemption may be made at the Minister's discretion.

**9. Briefing on monitoring of low water fishing activity in early March and consideration of a bag limit for ormers.**

MS briefed the panel, explaining that catches of Ormers have been significantly higher this year at Les Minquiers. In March there was an average catch of 29 ormers per person. It has also been noted that in France there are restrictions everywhere, and as there are none at Les Minquiers French fishermen may be targeting these grounds more.

Ormers are currently in recovery but the stock is still fragile. Serious commercial effort is a risk to the stock, and there are now professional fishermen taking groups out and selling their catches to make decent profits.

A general discussion followed regarding solutions to protect the ormer stock. This included, bag limits and a limit on days able to fish.

A stock assessment was also considered. WP enquired about what it would take to obtain the science required for an assessment. JS replied with surveys of recreational effort, consideration of displaced effort, ecology data, size, juveniles etc. GM suggested that dive surveys would be useful, but that it would be difficult due to the nature of ormers being difficult to find, and surveying the stock would require considerable resources.

PG advised the panel that the offer for assistance in this work still stands should data collection be carried out.

MT pointed out that it is important to bring in any new restrictions now before people become too reliant on it.

MS suggested that another option is to include a restriction on the number of ormers that can be taken in the existing ormer regulations. This appeared to be more acceptable than creating new bag limit regulations and some form of consultation should be encouraged.

**10. Any Other Business**

DT advised that more fees were being introduced on a continual basis, the latest being certification and safety legislation. It was previously agreed that Piers Baker should present new legislation to the panel. The viability of fishing is on a fine line, with bureaucracy forcing costs to increase. DT suggested a separate entity was required to oversee this growing issue.

It was agreed by the panel that objectives and roles should be put on the next agenda or addressed at a separate meeting. Members are to table individual objectives and roles before the next meeting.

All

**9. Date of Next Meeting**

Wednesday 20<sup>th</sup> June 2012, 2.15 p.m., Committee Room, Howard Davis Farm.

There being no other business the meeting closed at 5.55 p.m.



**FISHERIES & MARINE RESOURCES ADVISORY PANEL**  
(69<sup>th</sup> Meeting)

**Brief notes & action points from meeting held at Howard Davis Farm on  
16<sup>th</sup> July 2012**

Present: William Peggie (WP) – Director of Environment / Deputy Chief Officer (Chairman)  
Mike Taylor (MT) – representing Jersey Aquaculture Association  
Don Thompson (DT) - representing Jersey Fishermen's Association  
Paul Bizec (PB) – representing Jersey Fishermen's Association  
Chris Le Boutillier – representing Boat Owners (Northern Section)  
Paul Le Neveu – representing Jersey Harbours  
Peter Tirel - representing the Jersey Inshore Fishermen's Association  
Ian Syvret (IS) representing the Jersey Inshore Fishermen's Association (for second half of meeting).

In Attendance: Mike Smith (MS) – Marine Resources Section Leader  
Greg Morel (GM) – Marine & Coastal Zone Officer  
Jonathan Shrives (JS) – Fisheries Officer R&D  
Dot Miller - Minutes

Apologies: Deputy Carolyn Labey – Assistant Minister EDD  
Dan Houseago – Director of EMRE  
Natalie Porritt – Jersey Merchants  
Ian Syvret (for first half of meeting).

**1. Approval of Minutes from the previous meeting and Matters Arising**

**Action**

The following amendments were noted:

Howard Durrell represented Boat Owners (Northern Section) on behalf of C. Le Boutillier.

Point 3, section referring to Lobster MSC Group final sentence should finish "It was agreed to look in to harmonising data collection."

Update on point 6 (sale of fish caught from unlicensed vessels), DT advised that this measure applies to lobsters as well as fish.

Point 8 (sub-tidal scallop licence concessions) clarification that only seed from a hatchery will be used to reseed.

Point 9 (consideration of bag limit for ormers) last line of final paragraph should read "consultation should occur".

**2. To discuss and comment on the draft Marine Resources Annual Status Report 2011**

JS gave a brief overview of the report and outlined the rationale for the new

format. Of particular note was the significant increase in quantity of lobsters landed in 2011. It was also noted that the quantity of Bass had also increased compared with the previous year.

It was agreed to issue a note of thanks to all who had assisted the department by providing data for the ray tagging project.

JS

MT commented that he was disappointed there was no economic data included in the report, but understood the aim of the report was to report on environmental issues. DT suggested that as data on the value of the industry exists then it makes sense to publish as it is of interest.

JS advised that as well as the economic data there are several other areas of information that would be desirable to include in the report, however the department's resources are very limited and its core role is to look after the environment, not the Islands economics.

WP advised the Panel that discussions were to take place with regards to where Fisheries and Agriculture 'sits' at a political level – Economic Development or Environment.

After discussion the Panel accepted that it is an Environmental report but desires a secondary report containing financial data.

DT asked for clarification on the Bass figures, GM explained that the data is only from commercial fishermen, not recreational, and more fishermen are targeting Bass.

3. **To consider and comment on the draft Aquatic Resources (Jersey) Law 201-**

MS explained that the new Law would allow for the management of all aquatic resources other than fish. It is enabling legislation, which of itself does not introduce any new restrictions, but it will however cancel the existing Seaweed legislation, which will need to be replaced by a new Regulation. Any new measures being introduced will have to be introduced by Regulation, going through the normal States procedures, however unlike regulations relating to fish, regulations created under the new Law will not need to go to the UK for approval. The next stage for the draft Law is checking for Human Rights compliance. The Panel supported the development of the draft Law.

4. **Verbal briefing on the most recent Joint Advisory Committee**

DT briefed the meeting as follows:

An excellent meeting.

Limiting /readjusting the number of permits in the Bay of Granville was discussed with the French accepting that the original numbers were not accurate. It was agreed that realistic numbers are needed. Suggestions for permit numbers to be discussed at the next meeting.

GM advised that three large projects are being undertaken to look at Rays. Significant resource is being put in by the French and it would be worthwhile



for the Department to be involved.

Jersey / France JEC – All fishermen consider that cable must not have any adverse effect on fishing, work is likely to start in Autumn 2013. MS advised that no planning permission is required for cables under the sea in Jersey, but that public consultation on the project was now occurring in France.

5. **To discuss and make recommendations on the mandate, composition and constitution of the Marine Resources Panel**

The following comments and suggestions were noted:

(I) Mandate/Objectives of the Panel

- Forum for discussion on difficult issues
- Democratic processes
- Role of Panel to make recommendations to the Minister on matters relating to the marine resource.
- Best practice
- Aquaculture applications (keep)
- Balanced representation for the Ministers
- Monitoring
- Information exchange
- Good communication to the media regarding the marine environment
- Strategy
- To consider all users of the marine environment

(II) Sub Committees

- General feeling is not to have any sub committees
- Already exists in the form of the different bodies that make up the Panel
- Consider project teams instead, as and when, and report back to the Panel

(III) Membership

- Société Jersiaise
- Tourism (to cover leisure activities)
- Invite other bodies to attend only relevant meetings
- Political representative
- Scrutiny (JAA supported presence, JFA did not)
- 2 way street, other bodies should be able to include items on the agenda

All the above requires further discussion

(IV) Chairmanship

Minister chooses following his/her appointment  
Panel elects its Chairman through a nomination process  
Advertise for applicants  
Officer from another department  
Automated appointment - ie by role

(V) Meetings

- 6 per year (agreed)
- Occasional themed meeting (agreed)
- Full day meeting if required

(VI) Constitution

- Agenda must reflect the associations, not individuals
- For individuals, officers should be the filter
- Individuals should approach representative bodies not officers direct
- Chairman and officer to decide individual requests
- Term of Chair
  - 3 years tied in with Minister's term
  - Re-examined every three years
  - Panel to decide, not the Minister
- Publication of Agenda
  - Publish in public domain; objections to this as some items are not for the public (Some members felt the agenda should not be published in advance of meetings)
  - An A and B agenda; commercially sensitive information not published
  - Depersonalise so agenda can be published
- Publication of Minutes
  - Provide a précis of minutes to the press
  - Use Communications team
  - Press releases
  - Website

6. **Any Other Business**

Beach clearing - MS updated the meeting regarding the recent reports published by the media and confirmed that TTS must now contact Environment before clearing any contentious areas, however it is recognised that a more formal process is required.

Successful prosecution of a French trawler.

Noted that Angling fraternity not represented at the Panel.

Next meeting dates will be set after the summer break and circulated.  
There being no other business the meeting closed at 5.35 p.m.

**MS**

**MARINE RESOURCES PANEL MEETING**  
(70<sup>th</sup> Meeting)

**Brief notes & action points from meeting held at Howard Davis Farm on  
3 October 2012**

Present: Tim du Feu (TduF) – Director of Environmental Protection (Chairman)  
Mike Taylor (MT) – representing Jersey Aquaculture Association  
Don Thompson (DT) - representing Jersey Fishermen's Association  
Andy de la Haye - Jersey Fishermen's Association  
Paul Bizec (PB) – representing Jersey Fishermen's Association  
Chris Le Boutillier – representing Boat Owners (Northern Section)  
Paul Le Neveu – representing Jersey Harbours  
Ian Syvret (IS) representing the Jersey Inshore Fishermen's Association  
(for second half of meeting)  
Francis Binet – Societe Jersiaise

In Attendance: Mike Smith (MS) – Marine Resources Section Leader  
Jonathan Shrives (JS) – Fisheries Officer R&D  
Julia Elvidge - Minutes

Apologies: Deputy Carolyn Labey – Assistant Minister EDD  
William Peggie (WP) – Director of Environment / Deputy Chief Officer  
Dan Houseago – Director of EMRE  
Greg Morel (GM) – Marine & Coastal Zone Officer  
Natalie Porritt – Jersey Merchants  
Ian Syvret (for first half of meeting)  
Paul Wagstaffe

**Action**

**1. Approval of Minutes from the previous meeting and Matters Arising**

**To discuss and comment on the draft Marine Resources Annual Status Report 2011**

MT commented that he was disappointed there was no economic data included in the report, even if it only to be used to monitor trends. JS said that data had not been included in the report due to resource issues, but that a 5 year economic report may be included in the 2012 report. It was suggested that this could be raised in the Marine Resources Strategy when it goes out to consultation as a recommendation.

**Verbal briefing on the most recent Joint Advisory Committee**

The next BofG meeting will take place in two weeks time and it is important that firm proposals are put forward in respect of reducing permit numbers, as the French have now shown a willingness to reduce latent effort.

**Minutes were approved.**

**Aquaculture**

**2. To receive presentation from Paul Wagstaffe**

The presentation from Paul Wagstaffe was delivered by JS to the Panel. The trial had shown good results in respect of reduced mortality, but slower growth rates. The trial will run for another year. It was recognised by members that the successful trial could lead to more requests for sub-tidal concessions and the block on current new concessions was discussed. JS explained that the MR Section has produced a scoping document for a piece of work to be conducted to recommend how licences should in future be issued, including simplifying the process and considering full cost recovery. As part of that process and the development of an industry code of conduct, there should be open dialogue with the industry to come up with ideas of suitable areas for subtidal cages. DT commented that subtidal cages will cause conflict with small inshore fishermen and would need careful consideration..

Update  
trial

3. **To consider exemption to enable licenced fish farmers to harvest small numbers of Ormers to use as brood stock**

Discussion took place about an exemption to harvest ormers for brood stock. Members recommended that the current process of applying individual scientific exemptions on each occasion is no longer appropriate, but that a more general exemption should be introduced, containing the same conditions as apply in the previous scientific exemptions. A figure for maximum mortality permissible should be included.

JS to  
write  
MD

4. **Consider application from Aqua- Orchard Ltd – nourrices in Rozel Harbour to include oysters in the licence**

Recommendation to include oysters in the licence

JS to  
issue  
licence

**Capture Fisheries**

5. **Briefing on existing and potential measures to ensure better enforcement of regulations**

MS informed members of the measures already in place, including work done in partnership with the industry to encourage the use of licence cards by licensed fishermen and the provision to purchasers of a list of licensed boat fishermen. Future measures, including buyers and sellers style requirements and the need for all commercial activity to be licensed will be contained in the recommendations of the draft marine resources strategy. Individuals and organisations will be able to make further recommendations once the Strategy goes out to consultation.

Members asked for an update on when the strategy will go out to consultation and it was agreed that they will be given this information as soon as practicable.

TDF

6. **Briefing relating to stock and catch assessments of whelks**

JS gave a briefing relating to stock and catch assessments of whelks in the Territorial Sea, relating how catch levels remained at a low level. Discussion then took place about a process for introducing management measures to

safeguard the stock against potential increases in fishing effort and to improve stock levels, particularly inside the three mile limit as this could be done relatively rapidly. The JFA prefer a Permit system, but officers pointed out that this would need to be accompanied by other measures if it is to help stocks recover and could be complex.

JS to write paper on recommendations for the Minister – stocks, permit scheme.

JS to  
write  
paper  
DT

JFA to bring up whelk management and permit system at Granville Bay meeting

During these discussions concern was raised at the possibility of non residents obtaining an interest in locally registered and licensed whelk fishing vessels. MS advised that the regulations relating to the registration of fishing vessels require that any locally registered fishing vessel owned by an individual must be managed from within the Island, but that the wider aspects of these concerns are being investigated.

7. **Briefing relating to the development of a fisheries licensing regime in waters around Guernsey**

MS updated the panel on the position regarding Jersey vessels requiring licences to fish in waters around Guernsey. Concern was expressed at both the level of evidence that may be required in respect of proving a track record for the entitlement to a licence and at the apparent lack of any process for obtaining access in the future. Shane Carsen was introduced to the Panel, he has been taken on to assist with the applications that will have to be in by January 2013, if fishermen need to be fishing in those waters from 1 February 2013 onwards.

**Marine Resources**

8. **Briefing on the project to dredge St Aubin's Harbour**

Paul Le Neveu provided members with a leaflet on the proposed dredging of St Aubin's Harbour and described the method being used for the disposal of dredged material. In response to concern from the JAA, assurance was given that dumping at sea would occur in a designated area at a point in the tidal cycle that would take any light sediment away from the east coast.

9. **Work undertaken to clear seaweed from Island beaches**

MS reported on the work that had been undertaken by T & TS this year, they have tried to adhere to the agreed protocol for removal but where this has been impractical, they have liaised with the Environment Department to find a solution. In future, FEPA permits will be required for any weed clearance operations.

10. **Briefing on work being undertaken to revise the Fisheries Management Agreement between Jersey and the UK**

MS gave a briefing on progress; a draft skeleton Memorandum of Understanding with the Marine Management Organisation has already been received. Negotiations on details of FMA, including quota management and a possible pool of new entry licences, will start in June 2013 following

completion of the consultation stage of the MR strategy. It is intended to have a new FMA and the MOU in place by the end of 2013.

Next meeting Wednesday 28<sup>th</sup> November

**MARINE RESOURCES PANEL MEETING**  
(71<sup>st</sup> Meeting)

**Brief notes & action points from meeting held at Howard Davis Farm on  
28<sup>th</sup> November 2012**

- Present: William Peggie (WP) – Director of Environment / Deputy Chief Officer (Chairman)  
Mike Taylor (MT) – representing Jersey Aquaculture Association  
Don Thompson (DT) - representing Jersey Fishermen's Association  
Paul Bizec (PB) – representing Jersey Fishermen's Association  
Chris Le Boutillier – representing Boat Owners (Northern Section)  
Paul Le Neveu – representing Jersey Harbours  
Ian Syvret (IS) representing the Jersey Inshore Fishermen's Association  
Francis Binney (FB) – Societe Jersiaise  
Alex Navarre (AN)  
Natalie Porritt (NP) – representing Jersey Merchants
- In Attendance: Tim du Feu (TduF) – Director of Environmental Protection  
Mike Smith (MS) – Marine Resources Section Leader  
Jonathan Shrives (JS) – Fisheries Officer R&D  
Greg Morel (GM) – Marine & Coastal Zone Officer  
Dot Miller - Minutes
- Apologies: Deputy Carolyn Labey – Assistant Minister EDD  
Dan Houseago – Director of EMRE

**1. Approval of Minutes from the previous meeting and Matters Arising**

**Action**

The minutes from the meeting held on 3<sup>rd</sup> October 2012 were approved.

**Aquaculture**

C Le Masurier and T Le Cornu joined the meeting for the Aquaculture verbal report.

**2. To receive a brief verbal report on work being undertaken by the Department in relation to the development of an industry code of conduct**

GM explained the background for the code of conduct being developed. It was noted that consultant Dr. Kirsty McCallum would be assisting until the end of December, with a draft being produced early in the new year. CLM stated that the timing of this was happening at the industry's busiest time of year. GM explained that the Industry had been asked to come forward with a Code by September, however as that had not occurred the Department had instigated this piece of work at the earliest opportunity after that date.

JS advised that the Economic Development Department (EDD) are commissioning a study looking at both the charging and issuing of licences/concessions and it was noted that the consultants undertaking the study may need to refer to the work being undertaken by Dr. McCallum.

CLM and TLC left the meeting.

### **Marine Resources**

3. **To receive a briefing on progress being made in respect of the development of a marine spatial plan, including a demonstration on some aspects of marine mapping already undertaken**

GM gave a powerpoint presentation on marine spatial planning. GM stressed that this is a work in progress as the data is incomplete and currently is only a visual tool.

A letter from R. Titterington referring to his observations of increased abundance of species in areas closed to scallop dredging and his concerns about unprotected areas was circulated to the Panel for information.

All

Panel members were requested to ask the people they represent to provide the Marine Resources Section with any information that would help contribute to the marine mapping database.

4. **To receive information on recent FEPA applications**

GM advised that the Linkspan structure at the ferry terminal is to be improved, but this will not impact on the marine environment.

St Aubins Harbour – Harbour being dredged in accordance with FEPA Permit. A complaint had been received that the barge had been dumping spoil at an inappropriate state of tide, however this had been fully investigated using tracking data and dumping had occurred at the agreed state of tide and in the authorised area. Please contact GM if more detail is required.

5. **To consider the potential and possible scope of a Coastal Zone conference/workshop to be held in Jersey**

GM informed the Panel that the Marine Resources Section is considering holding a conference/workshop in Jersey in late 2013 or early 2014. Currently this is at a conceptual stage with a range of ideas being considered, but it is envisaged that the conference would include a number of workshops and as well as being targeted at professionals, would include sessions of interest to the wider public. Panel members wishing to assist with the development of this project would be most welcome.

The Panel was supportive of the concept of a Coastal Zone conference/workshop.



## Capture Fisheries

### 6. To receive a briefing on the Granville Bay Joint Advisory Council and Joint Management Committee held in October

The following was noted:

Lobster Marine Stewardship Council met and is moving forward. Need to face ongoing funding issues.

Undulate Ray – proposals put forward to Brussels including a suggestion of opening of fishery for one month for collection of scientific data. EU quotas set in December need to be checked carefully to see if any further zero quotas have been set for previously unrestricted species.

Whelks – continual difficulty has been to find agreed conservation / management plans to help declining whelks, French fishermen do not agree the benefits of measures in place in Jersey. The French were not against the introduction of a permit scheme for this fishery in Jersey and already have one for their own vessels. French are considering MSC accreditation for whelks, it was noted that Jersey will of necessity be involved in this process.

Scallops – The activities in the Granville Bay Area of French fishermen holding Jersey diving permits need tighter controls to ensure that local French scallop management measures can be enforced.

Lobster MSC report – nothing causing concern, JFA to request funding from EDD.

JFA

Electricity cable between France and Jersey – consultation in France is complete. It was noted that the fishing industry are opposed to an exclusion zone being created around new cables.

Reduction in overall number of Granville Bay Permits – principal approved by the JAC.

Access permits / boat permits - French administration are now reviewing the situation of vessels that are no longer fishing in the Area.

Boats over 12m entering French waters will now require VMS/ERS to be fitted.

### 7. To consider a discussion paper and recommend to the Minister enhanced management measures in respect of the whelk fishery

Briefing paper prepared by JS was circulated prior to the meeting. This paper reflected the current low state of the whelk stocks in local waters and measures being used to manage whelk fisheries elsewhere.

WP thanked members of the fishing industry for their input into the

project - Andy de la Haye and Alex Navarre.

DT advised that increasing the landing size of whelks would need endorsement from the French as you could not enforce on Jersey fisherman if not French fishermen too.

General discussion followed regarding a permit scheme. It was noted that in principle a permit scheme would be endorsed by the JFA. MT stated that he was not in favour of such a scheme. MS advised that initially any scheme would need to be similar to that of the shellfish scheme, with the permit owned by the department rather than individuals.

MS explained that a Permit scheme would not in itself lead to recovery, but would initially simply maintain fishing effort at no more than current levels. Additional measures would need to be adopted to promote recovery of the stock.

It was agreed that MS would recommend to the EDD Minister, on behalf of the Panel, a two stage process be put in place to help whelk stocks recover:

**MS**

No new boats or pots should be allowed into the Fishery in 2013  
A working group should be established to examine and recommend a range of measures to promote stock recovery, including the introduction of a Permit scheme.

It was agreed to issue a media release regarding measures to improve whelk stocks.

**8. To consider holding future meetings outside working hours**

It was agreed to leave as is until reform of the Panel following consultation of the Marine Resources Strategy has occurred.

**9. Date of next meeting**

Wednesday 23<sup>rd</sup> January 2013 at 2.15 p.m.

**10. Any other business**

Car/boat batteries have been dumped in harbours bays, would all associations please remind their members that this is not acceptable and batteries should be disposed of in the correct manner.

There being no other business the meeting closed at 5.45 p.m.