

BOULEY BAY HARBOUR LIMITS PUBLIC MEETING - THURSDAY 17th JANUARY 2013

Following two Gazette Notices placed in the Jersey Evening Post, a public meeting was held at the Water's Edge Hotel, Bouley Bay, on Thursday 17 January 2013 at 1800 to consider harbour limits in the Bay. The Meeting was chaired by the Chief Operating Officer – Marine, supported by the Enforcement Officer and Group Commercial Director. There was also representation from the Marine Resources Department and Economic Development, Regulatory Services.

The meeting was attended by approximately 42 individuals, representing interested parties including the Bouley Bay Boat Owners Association, local fishermen, the Presidents of the Jersey and Inshore Fishermen's Associations and the Duty Centenier for Trinity

1. After introducing the Panel and other attendees, the Chairman outlined the background and purpose of the meeting. In the autumn of 2012, the Ports of Jersey had been advised of conflict arising between fishing activities and boat owners in the bay. The fishing activity had been taking place in contravention of the then Notice to Mariners 01/2012. Unfortunately, the wording of this Notice was less precise than it might perhaps have been and was open to misinterpretation. This led to the need for this consultation and the need to clearly define harbour limits within a General Direction.

The General Direction will define the harbour limits and fishing restrictions within this area. The intention of this meeting is to come to a consensus of all users of the bay which will reduce any conflict and reduce the need for policing by the Harbour Master.

The Chairman emphasised that this meeting was to seek consensus of all interested parties and not to impose restrictions beyond those identified by users themselves as necessary.

2. One proposal had been received by the Port of Jersey from the Bouley Bay Boat Owners Association and this was used as a starting point to encourage further discussion.
 - a. Concerns were raised by the Jersey Marine Conservation Society over any mooring on an area of reef. The Group Commercial Director explained that the allocation and location of moorings within the defined area will continue to be agreed on an individual basis, and that there is currently no intention to increase the number of moorings in place. They will stay as they are until possibly a future review of the whole area and further consultation. The Bouley Bay Boat Owners Association also confirmed that there would not be any moorings located in areas above Mean Low Water Springs (MLWS).
 - b. A proposal was made to include a restriction on setting of fishing gear within 100m of the pier to restrict the use in this area to rod and line fishermen. This was supported.
 - c. It was confirmed that there would be no restriction on anchoring within the mooring area. There is currently no restriction as it is not a protected area.
 - d. A further proposal was made to allow the setting of nets and pots in the area between L'Islet and "Little L'Islet" (the next rocky outcrop to the east that is not named on the chart but locally known as such). A vote was held on the smaller area proposed, with 28 voting in favour of this smaller area and 9 preferring to include the larger area. Recognising that some differences of opinion still existed, the chairman summarised the situation that the small area is not a navigation area and that store boxes are kept there. Following further discussion, those against were asked whether they would be prepared to compromise as the alternative, if agreement could not be reached, it would have to go to a full written consultation. Following a further vote, the amended smaller area was agreed.

- e. Having agreed that nets could be set in this amended area between L'Islet and Little L'Islet, a further proposal was made to restrict fishing off Little L'Islet to reserve this area for rod and line fishermen as for the pier. This proposal was not carried and the proposal rejected.
- f. A question was raised about whether the harbour limits would be identified with buoys. This is something which could be considered once the area has been agreed, however the Port of Jersey would not intend to do so unless the need was shown to be necessary.
- g. A comment was made that the current arrangements have been working well for many years and the need for the consultation meeting was challenged. However, both the Ports of Jersey and Honorary Police represented that they had received an increased number of complaints, with 2012 being the worse year for a long time and that this was the main reasons why the meeting had been called. Both confirmed that the complaints had been about the use of the harbour, and fishing activities hindering moorings.
- h. There is no reason why rod and line fishing should not be allowed to continue within the area. The restriction would be on fishing equipment being 'set'.
- i. The divers represented at the meeting confirmed that new divers did not use the area beyond L'Islet for training and that permitting fishing between L'Islet and Little L'Islet would not be of concern

There was consensus from users that they could live with this as a working solution during the summer season.

3. The question as then asked whether the restrictions should be relaxed for the winter season.
 - a. It was confirmed that damage has been caused during the winter in the past.
 - b. The divers confirmed that the bay is used all year round.
 - c. However, fishermen argued that they had always done well fishing in the bay during the winter.

There was a show of hand for those in favour of a seasonal relaxation, with only 3 in favour. It was therefore agreed that there was not enough support to consider this as an option.

4. The Integrated Coastal Zone Management Strategy requires that a network of Marine Protected Areas (MPA) be established in Island waters and consideration had previously been given by Marine Resources to establishing an MPA in Bouley Bay. The area that had been under consideration was shown overlaid on a chart also showing the new Port Limits. By coincidence, the zone proposed falls within the area under consideration as part of the harbour limits. From an environmental point of view, a restriction on fishing within this area would, therefore, be welcomed. Effectively, by agreeing to the proposed harbour limits and fishing restrictions, the whole area that was under consideration for protection would now become protected.
5. Fairway Buoys – the meeting was asked whether there would be any objection to the removal of the fairway buoys currently located at Bouley Bay.
 - a. Concern was expressed about visitors' access at night.
 - b. However, the current location of the buoys could be seen to be leading towards the reef at the end of the pier
 - c. It was confirmed that the fairway is not marked on Admiralty Charts.

The meeting agreed that the buoys could be removed, with no objections expressed

6. The next step will be to pull together the wording to describe and define the agreed harbour limits, and issue these as a General Direction. A target date of 1 Feb 13 for the promulgation of the notice was agreed.

The question was asked whether there was anyone in the room who could not accept the limits proposed, which would then require a full written consultation. Assurance was given that what had been agreed is specific to Bouley Bay and that it should not in itself set precedence for all small harbours and that any restrictions should be assessed on a case by case basis. It was, however, accepted that there was a need for all harbour limits to be defined.

All attendees at the meeting were in agreement to the limits proposed.

7. AOB:
 - a. A question was asked whether visitor moorings could be provided. The Commercial Director asked that a request should be made through the Boat Owners Association for consideration. Any costs would need to consider future maintenance of the buoys.
 - b. A question was asked about restrictions on the use of jet skis. It was confirmed that they could be launched from the slipway, but speed would be restricted in the same way as other harbours through the provisions of the Harbours (Inshore safety) (Jersey) Regulations 2012. In the case of Bouley Bay, General Direction No 1 currently restricts speeds to no more than 5 knots in an area south of the line between Vicard Point and La Tour de Rozel.