

Topic 2 & 4: Prohibition of commercial and recreational netting at the Emsstrom Angling Zone

Officers' Recommendation

That Category One (commercial) and Category Two (recreational) Netting Permit Conditions are implemented to prohibit fixed and drift netting in the Emsstrom Angling Zone.

Background

In recognition of the significance of the MV Emsstrom to the local recreational sea angling (RSA) community, in June 2014, the Authority established this site as one of the Angling Zones using the boundaries set up by the original exclusion zone. The code of conduct introduced voluntary restrictions to exclude recreational and commercial netting and potting, leaving the relatively small area open to the commercial and recreational rod and line and diving sectors. Members of the B&PSC are aware that, despite the voluntary code of conduct, commercial netting activity is now taking place on the wreck. A prohibition of both commercial and recreational netting in the defined area around the Emsstrom became the focus of two separate topics set out in the formal consultation. Topic 2 and Topic 4.

Rationale - Prohibition of commercial netting (Topic 2)

The B&PSC has taken the view that it is not economically vital to the commercial sector to continue netting on the wreck. The voluntary code is not being recognised and therefore the voluntary measures should be replaced with enforceable measures as conditions in the Netting Permit Conditions.

Rationale - Prohibition of recreational netting (Topic 4)

The voluntary code is not being adhered to and therefore the voluntary measures should be replaced with enforceable measures as conditions in the Netting Permit Conditions. The Members of the B&PSC have taken the view that if the site is potentially restricted to commercial netting, the same should apply to the recreational netting sector.

Consultation Response

Most that commented on topic 2, repeated their view for topic 4; however, the response was low with only 17 comments noted by Officers. Generally, there was support for introduction of a prohibition on commercial and recreational netting in the site in recognition that voluntary measures already introduced are failing. Two commercial fishermen mentioned topics 2 and 4 in their responses – one was “no comment” and the other, not local to Torbay, was supportive. Two respondents that either conduct, or expressed to have an interest in, recreational netting in the District had nothing to say about the Emsstrom.

Officers' View

It is the view of the Officers that a prohibition of netting in the defined area should be included in both Category One (commercial) and Category Two (recreational) Netting Permit Conditions. The voluntary code of conduct has failed. The prohibition aligns with D&S IFCA's statutory duties and the original drivers for introducing the Netting Permit Byelaw.

Background Papers

B&PSC papers and minutes from meetings (D&S IFCA website Resource Library).