

STATES OF JERSEY



DRAFT POLICING OF BEACHES (AMENDMENT No. 11) (JERSEY) REGULATIONS 201-

**Lodged au Greffe on 16th May 2016
by the Minister for Economic Development, Tourism, Sport and Culture**

STATES GREFFE



Jersey

DRAFT POLICING OF BEACHES (AMENDMENT No. 11) (JERSEY) REGULATIONS 201-

REPORT

Background

In response to an e-mail dated 27th July 2015 from the Minister for Planning and Environment (see extract below), the Department was informed of the Marine Resources Panel's concerns with regard to the management of local bass stocks and fishing on beaches.

Dear Lyndon,

At a recent meeting of the Marine Resources Panel the management of bass stocks was discussed in detail, including fishing on the beaches. Currently fishermen use various meters to target this important stock, and whilst there are measures in place the Panel feel they should be strengthened, especially in light of recent stock assessments.

The Panel are considering a package of measures to address this issue but one particular area of concern was the proliferation of 4X4 vehicles employed to set fishing gear on the beach. This trend has allowed a significant increase in the amount of fishing equipment that an individual can set which has led to increased catches, of both target and non-target species. The Panel feel that this is not appropriate given the pressure on the resource and potential impact of the sensitive habitat of our internationally recognised RAMSAR site. Panel members have asked I write to you to enquire if you consider an amendment to the Policing of Beaches (Jersey) Regulations 1959 that would prohibit the driving of a vehicle of the beaches for the purpose of setting fishing equipment without permission, as amendment I would fully support.

This amendment would not prevent individuals fishing on the beaches, but would limit the setting of large amounts of fishing gear to the detriment of the stock and the environment.

My officers have made preliminary enquiries with officers at EDD, who cannot foresee any major legal or administrative issues with the proposal.

My officers and I are happy to work with you on this as required should you be minded to make this amendment.

In addition to the e-mail shown above, the Department subsequently received a further e-mail dated 25th November 2015 (see extract below), outlining the results of the consultation which was undertaken by Marine Resources in respect of bass stocks and driving on beaches.

On 25th November 2015, at 18:14, Deputy S.G. Luce of St. Martin wrote:

Dear Lyndon,

Further to my initial email and conversations with you on this matter over the last few months, and your subsequent request for information on consultation, I can confirm that officers from Environment have conducted an appropriate consultation on the above matter. The issue of driving on the beaches for the transport of fishing gear was part of the wider consultation on the package of measures on bass I have put forward. I will shortly be bringing proposals to the Assembly to make changes to bass fishing, with a view to helping the bass stocks recover. Bass management is an issue of great importance to the local fishing industry and has received wide media interest. In addition to that officers have conducted face to face consultation with fishermen who fish on the beach to canvas their views.

Whilst there were many different opinions expressed in relation to other parts of the package that I will be proposing, only positive comments have been received in relation to the removal of the exemption from requiring a permit to drive on the beach to transport fishing gear. We should remember that we are, of course, only removing the exemption. Should anyone legitimately need to drive on the beach for the transport of fishing gear then a permit could be issued.

I am completely satisfied this small amendment is an important part of our management strategy for the bass. It also supports the States wider goals in particular the protection of our internationally recognised RAMSAR sites. I hope you are comfortable to approve this measure. I would be very grateful if you could request your relevant officers to action this change as soon as is convenient.

In light of these e-mails, the Minister has agreed to assist with this matter and make an amendment to the Policing of Beaches Regulations, whereby vehicles transporting fishing gear would require permission to drive on a beach.

Change of Regulations

This change simply removes the words ‘Fishing Gear’ from the items to which vehicles are permitted to transport on a beach without obtaining prior permission from the Minister for Economic Development, Tourism, Sport and Culture.

In the event that there is a legitimate requirement to transport fishing gear, the Minister retains the power to grant permission on a case-by-case basis. The granting of such permissions will be in conjunction with the consultation of Officers at Marine Resources, Environment Department.

Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of these draft Regulations.

Explanatory Note

These Regulations remove fishing gear for the list of items that may be transported in a vehicle driven onto a beach without obtaining the prior written permission of the Minister for Economic Development, Tourism, Sport and Culture.



Jersey

DRAFT POLICING OF BEACHES (AMENDMENT No. 11) (JERSEY) REGULATIONS 201-

Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, in pursuance of the Order in Council of the 26 December 1851¹,
have made the following Regulations –

1 Regulation 3 amended

In Regulation 3(1)(f)(i) of the Policing of Beaches (Jersey) Regulations 1959² for the words “gravel, boats or fishing gear” there shall be substituted the words “gravel or boats”.

2 Citation and commencement

These Regulations may be cited as the Policing of Beaches (Amendment No. 11) (Jersey) Regulations 201- and shall come into force 7 days after they are made.

-
- ¹ *chapter 23.350*
² *chapter 22.600.25*