

FALMOUTH HARBOUR COMMISSIONERS

POLICY ON THE DEPLOYMENT OF FISHING EQUIPMENT WITHIN FALMOUTH HARBOUR AREA

INTRODUCTION

Falmouth Harbour is used for a diverse range of activities including commercial shipping, leisure boating, diving and fishing. The Commissioners aim to accommodate all activities without imposing unreasonable restrictions but have a duty to regulate activities appropriately to ensure that the Harbour remains safe and free from hazards.

Fishing gear deployed inappropriately or insufficiently marked is a cause of a significant number of complaints within the Harbour Area and more generally around the UK Coast. This policy aims to provide a framework to allow those who fish for their livelihood or for recreation to undertake their activities in a way that does not affect the safe use of the Harbour by other users.

REGULATION

The Commissioners' have powers to regulate fishing gear deployment under the Falmouth Harbour Bye-laws and the text of the relevant by-law is given below.

Drift or trawling nets not to obstruct vessels

49. No person shall cast or place any drift, trawl or other net or pot in such a position as to be likely to become an obstruction or danger to any property including in particular, but without prejudice to the generality of the foregoing, any vessel or mooring.

It can be seen from the text that the Bye-law is primarily aimed at the positioning of gear but the standards to which the gear is marked will affect the likelihood of it being a danger to navigation.

Prosecution under Bye-laws is obviously a last resort. It is hoped that clear guidance and constructive dialogue with the industry will reduce the number of incidents with prosecution being reserved for persistent offenders or those acting in a reckless manner.

RESTRICTED AREAS

In general fisherman should avoid laying gear in such a way as it causes an obstruction in the main (buoyed) channel in the Carrick Roads or the approaches and in the immediate vicinity of chartered ferry routes, small craft moorings and approaches to marinas or similar facilities. Short term deployment of gear in the main channel may be acceptable with permission provided that the intended vessel movements are monitored and gear removed in time to prevent any obstruction to the passage of a commercial vessel.

MARKING OF FISHING GEAR

Fishing gear should be appropriately marked. No mandatory standard for marking currently exists but the MCA gives details of acceptable standards in its advisory notice www.mcga.gov.uk/c4mca/fishgear.pdf. Generally speaking, gear that does not comply with the minimum standards given in this advice or to an alternative standard approved by the Commissioners may be considered to be a danger to property if it is laid anywhere in navigable waters within the Harbour Area. The use of floating rope on the surface or sub-surface where it may interfere with navigation will be interpreted as constituting a danger to property.

The use of markings on fishing gear that identify the owner is encouraged. Gear may be laid which inadvertently causes an obstruction to particular shipping movements or special operations may require to be urgently removed. Fishermen are encouraged to register their marks with the Harbour Authority to allow them to be notified of problems and given the opportunity to remove their gear before other action to clear the obstruction is employed.

COMMERCIAL SHIPPING MOVEMENTS

Advance warning of commercial shipping movements can be obtained by telephone (01326 211395) or via the FHC Web Site www.falmouthport.co.uk. The list on the Web Site is updated regularly but may not reflect short notice changes. Fishermen intending to lay gear within the buoyed channel should ensure that they are aware of any movements programmed for this area and that their gear does not become an obstruction.

INDUSTRY LIAISON

It is intended to keep this policy under review through the Marine Safety Committee which will have an appropriate advisory member to represent Fishing Industry interests. The name and contact details of the advisory member can be obtained from Falmouth Harbour Office on 01326 312285 during working hours.