



UK's Atlantic gateway.

Code of Practice for Deployment and Marking of Fishing Gear

Version No.	Date	Document Author	Description of changes made
V 1.0	02-02-26	Harbour Master	New version control

This document is reviewed as part of the internal audit process.
Review triggers are set within SharePoint and are author, date, and time stamped by the system.

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, fishers 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. A code of practice has been developed by the Falmouth Estuaries Marine Safety Committee with input from fishing industry representatives. No mandatory standard for marking currently exists but the MCA gives details of acceptable standards in its advisory notice <https://www.gov.uk/government/publications/markings-of-fishing-gear-2008-advice-to-fishermen-and-yachtsmen>. 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.falmouthharbour.co.uk. The list on the Web Site is updated regularly but may not reflect short notice changes. Fishers 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 213537 during working hours.

Code of Practice for the Deployment and Marking of Fishing Gear

Around the UK the deployment of fishing gear within a port area or approaches to a port is becoming a contentious issue. Complaints from leisure sailors and commercial shipping are on the increase, with genuine concern being expressed by the Maritime Coastguard Agency after numerous incidents relating to fouled propellers.

The cost to fishers to replace lost or damaged gear can be significant.

The authors of this consultative document are mindful of the fact that bona fide fishers are subject to many Government and EU regulations.

Bearing this in mind it is felt that the proper way forward is to consult with the local fishers to understand their concerns rather than impose new legislation that would hamper their already tenuous livelihoods.

This proposed Code of Practice was written at the request of the Falmouth Harbour Commissioners Consultative Committee.

Marking and deployment of fishing gear

- All fishing gear to be marked by a BLACK flag (MCA recommendation) on a stick/pole attached to a single float or floats tied tightly together. Height of pole 1.5 metres.
- A length of leaded rope of not more than 8 mm in diameter shall be used between the dhan (marker) buoy and the fishing gear.
- No marker buoys shall be laid in the main shipping (buoyed) channels inside a line between St Anthony's Head and Black Rock. (see attached chartlet showing the main shipping channels).
- The name of the fishing boat and, if a registered fishing boat the vessel's fishing number shall be inscribed on the float or flag.
- Any non-commercial or unregistered fishing boat should have owner's name/telephone number on the dhan buoy.
- **Any marker buoys in the main navigation channels will be removed without notice.**

Fishing gear in the harbour

- Fishing gear laid in the main channel should be marked by either one or two marker buoys, both positioned on the banks. From St Anthony's lighthouse to the Vilt buoy these buoys shall be laid on the eastern bank. This is because vessels often navigate over the banks on the western side of the channel.
- Fishing to be allowed in the Cross Channel at the fisherman's risk, with buoys deployed on the banks and the fishing gear laid well clear of the main anchorage area shown on the chart of designated anchorages.
- All fishers are reminded that many modern ships have extremely sophisticated propulsion and steering systems, bow thrusters, retractable thrusters and azimuth propellers. These can be seriously damaged by fishing gear fouling the said systems resulting in costly repairs or dry-docking. Shipping companies could in the event of an incident claim substantial damages from fishers.

Main channels into the port

The entrance to the port is divided into two channels: the western channel between Pendennis Pt and Black Rock, and the deeper eastern channel between Black Rock and St Anthony's lighthouse. Both channels are in constant use by commercial shipping and leisure craft.

Channel into the Docks

This channel is in constant use.

- Recommend prohibited fishing area as per attached chart.

Pilotage

Vessels entering Falmouth, particularly large deep drafted vessels line up on the 004 degrees lead into the port several miles offshore. See attached chartlet.

The most critical part of the entry is the alteration of course off the Black Rock buoy when a vessel alters course to port from 004 degrees to approximately 335 degrees.

Main Approach Channel

In order to give commercial vessels a hazard free entry/exit to and from the port it is proposed to have a corridor 1 mile long on the 004 degree lead free from fishing dhans. This is the area delineated by red horizontal lines

- No dhan buoys to be deployed in the hatched area marked on the chartlet attached.

Western Channel

The approaches to the western channel have become hazardous to navigation especially in summertime when amateur fishers lay gear marked only by plastic milk cartons.

Yachtsmen and small boat owners are placed at risk when faced with a minefield of fishing marks as they make their approach to the harbour, sometimes in adverse weather conditions.

Recommend a prohibited fishing zone be established in order to provide a safe passage. This is the area marked with vertical red lines off Pendennis Point.

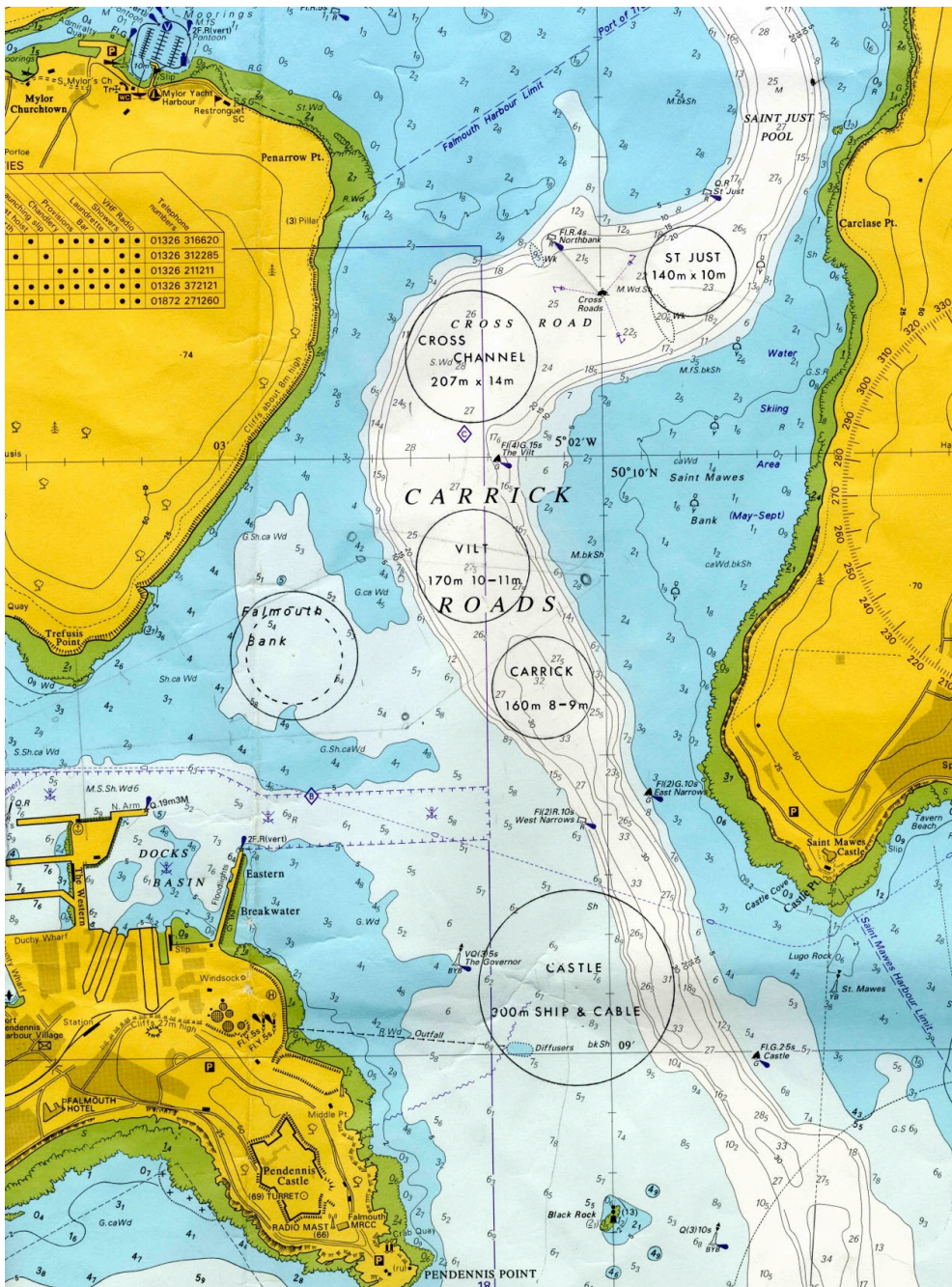
No dhan buoys to be deployed in the hatched area marked on the attached chartlet.

Falmouth Bay

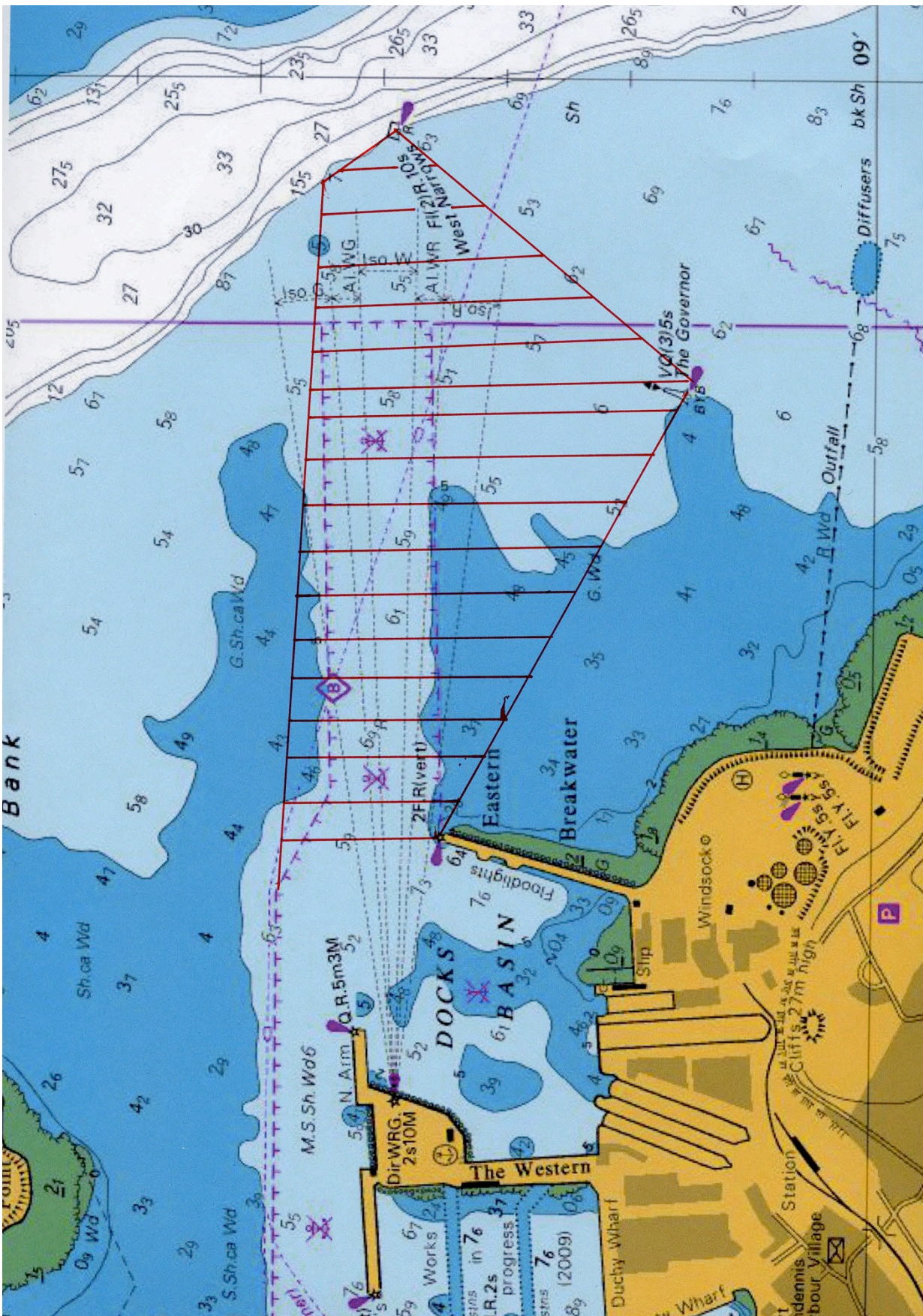
It is of paramount importance that all fishing gear deployed in Falmouth Bay is properly marked. The presence of bunkering activity within the bay has brought many added problems for fishermen, pilots, commercial operators and leisure users.

Pilots are always mindful of the fact that fishing gear is extremely expensive to lose and replace. It is recognised that an extremely good rapport exists between the pilotage service and local fishermen.

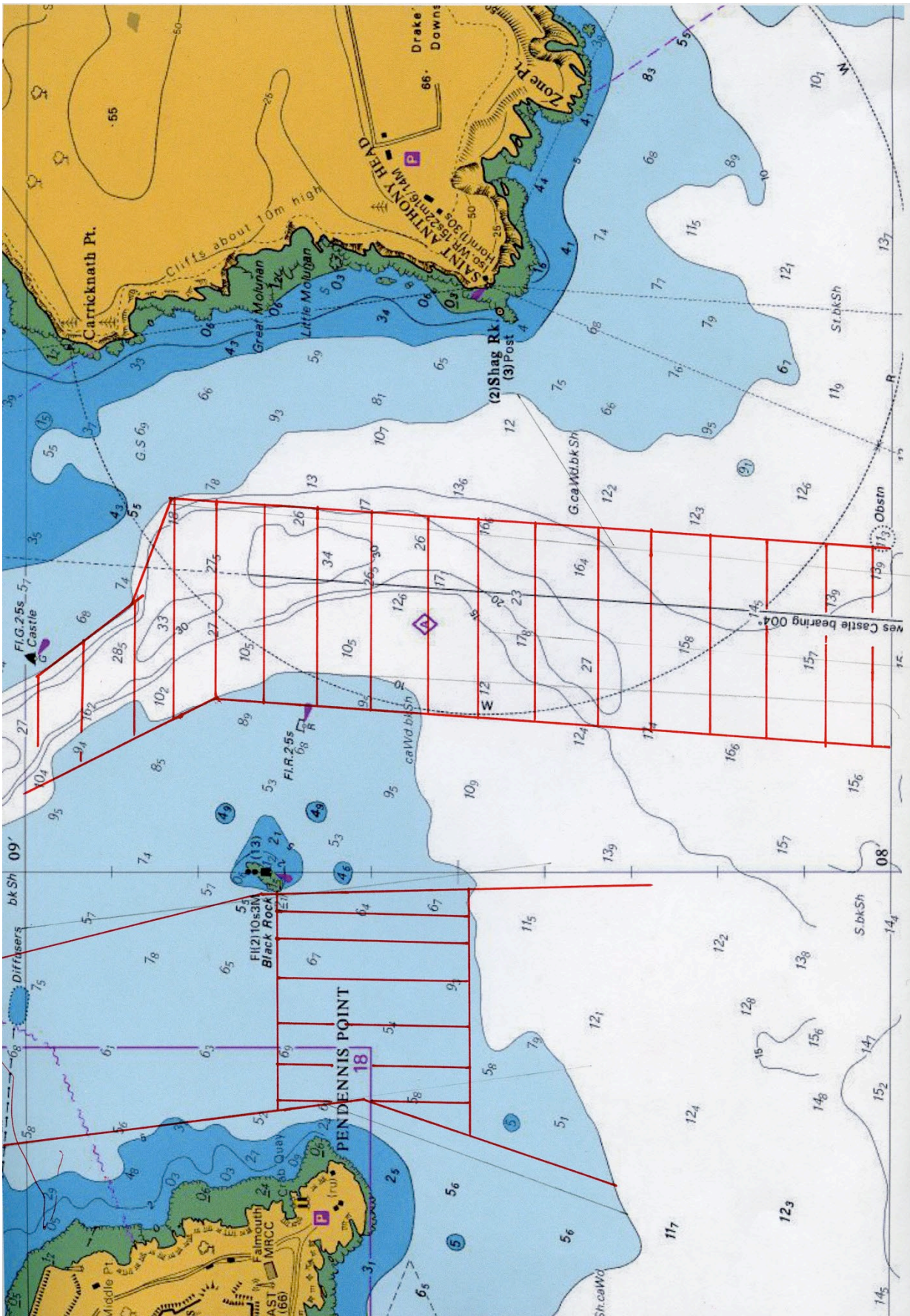
The main problem is the non-compulsory pilotage ships that anchor more or less where they like. Other vessels anchor just outside the port area which is beyond the jurisdiction of this Code of Practice.



The main harbour anchorages used by commercial shipping.



Prohibited Fishing Area



Prohibited fishing area and area to be kept free of marker buoys.