

## Notes of the 13th Meeting of the Consultation Group

held on Thursday, 5th September 1991 in the Council Chamber,  
Town Hall, Bridge Street, Bideford at 7.00 pm.

### Present:

R. Kimberley	(Devon Sea Fisheries Committee)	Chair
K. Bower	(Devon Sea Fisheries Committee)	
L. Hawke	(MAFF, Plymouth)	
J. Baker	(Royal Yachting Association)	
C. Mandry	(British Sub-Aqua Club)	
R. Tait	(Devon Wildlife Trust)	
S. King	(Devon Wildlife Trust)	
J. Ouda	(Worldwide Fund for Nature)	
A. Gibson	(Lundy Warden)	
M. Havard	(Marine Conservation Society)	
R. Gomm	(English Nature)	
R. Irving	(Lundy Field Society)	Hon. Sec.

### 1. Apologies for absence:

J. Puddy	(LT/LC, Lundy Agent)
R. Evans	(Landmark Trust)
M. Cook	(National Trust)
S. Pullen	(Worldwide Fund for Nature)
J. Edwards	(Devon Wildlife Trust)
P. Ford	(Torridge District Council)
S. Taylor	(Bristol Channel Fishermen's Association)
L. Winsborrow	(Local fishing interests)
N. Downes	(Devon Sea Fisheries Committee)
S. Warman	(English Nature)

Mr Peter Broomhead, formerly Regional Director of the National Trust, has moved to a new post in N. Wales and is succeeded by Mr Michael Cook. Mr Ron Tait is retiring as the Devon Wildlife Trust representative.

2. Notes on the last meeting, held on Thursday, 23rd May 1991, were agreed as a true record and signed by the Chairman, having been proposed by Keith Bower and seconded by Andrew Gibson. The Chairman welcomed the new faces to the Group: Jessica Ouda (WWF), Sue King (DWT) and Madeleine Havard (MCS).

3. Matters arising: No written report had been received by Chris Mandry concerning the sediment samples which had been taken to the North Devon Museum for analysis. However, he had been told that they consisted of a clay nature and so probably were not of local origin. The problem has not recurred this year, with underwater visibility being at its best for 3 or 4 years.

[ Although not mentioned at the meeting, the Secretary had recently heard from a Mr S. Roberts of the Heritage Division of the Department of the Environment regarding the designated wreck site of the Iona II off the east coast. He indicated that in his view it was not his

Department's responsibility to notify divers that the wreck of the "Robert" lay outside the protection zone, suggesting that the Consultation Group could advertise this fact themselves if they so wished.]

Chris Mandry pointed out that there were still people diving within the Reserve without surface marker buoys (SMBs) and wondered if the request for divers to always use them had been added to the Reserve's Code of Conduct. Andrew Gibson confirmed that it had, but that it was difficult to ensure that all visiting boats/divers adhered to this aspect of the Code. Divers staying on the island were instructed that SMBs had to be used. It was suggested that English Nature, as the managers of the Reserve, should place a notice to this effect in diving magazines.

No further progress had been made towards establishing a fixed mooring point at the Knoll Pins for visiting boats to tie up to. Local divers would be willing to help in fixing a permanent ring if materials were provided by English Nature.

4. Proposed fishing exclusion zone off the east coast. Keith Bower distributed copies of the "gentlemen's agreement" which had been agreed by local fishermen at a meeting held in Barnstaple on 28th June 1991 (further copies available from the DSFC, Fish Market, The Quay, Brixham, S Devon TQ5 8AW). In effect, this introduces a "No Fishing Zone" off the east coast between the dates of 1 July - 30 September, with fishing by permit holders only being allowed for the rest of the year. Permit holders would be required to supply DSFC with details of catches taken within the specified zone. The agreement would operate initially for a period of one year after which it will be subject to review by all interested parties. It is intended that the agreement will facilitate the safe navigation of vessels to and from the Lundy landing beach and the Lundy Roads anchorage, as well as aid the conservation of marine life in the area. No permits have been issued to date, and there is only one permit currently in use for net fishing within the rest of the Reserve.

The "agreement" was then discussed by those present. The discussion was fairly wide-ranging and is summarised in the following sentences. There was general unease that the Agreement had been reached with no other parties other than the DSFC and fishermen being present: diving, yachting and conservation interests felt rather aggrieved at this. It appeared that views expressed at the last Consultation Group meeting had not been taken fully into account. For example, the extent of the Zone as indicated on an accompanying chart paid no heed to the 75 m "concession" strip close inshore, as discussed at the Group's last meeting. Indeed, English Nature were disappointed that the main area of conservation interest in this area (close inshore) was excluded from the Zone, and had expressed this view formally to DSFC. Concern was raised as to whether the marine life within the whole Reserve was adequately protected under current legislation. Could not the legislation be made stronger with the introduction of further byelaws? Apparently, when the Reserve was designated in 1986, fishermen had been promised by DSFC that no further byelaws would be introduced within the Reserve limiting their activities. Thus in order to keep their promise DSFC could only now

seek "gentlemen's agreements" with fishing interests. The Group would wait to hear from DSFC how this agreement had fared after the 12 month trial period at its meeting next September. The Lundy Field Society considered that the agreement as it stood would not benefit the apparently dwindling stocks of crustacea, nor would it benefit other species of marine conservation interest. Whilst it looked good on paper, would it actually help matters?

English Nature have indicated to the relevant government departments that they consider the present legislation for MNRs to be inadequate, and it is currently under review. New proposals were submitted for inclusion in the 1990 Environment Act but were thrown out. However, EN wished to stress that the very existence of Lundy as an MNR has lifted its profile considerably - EN pay for the Warden and have contributed to interpretive facilities - but they agree that much more could still be done. The voluntary conservation bodies have been addressing the inadequacy of marine conservation legislation and have recently published a consultation document entitled "Marine Protected Areas". Copies of this were distributed to those present (further copies can be obtained from: WWF, Panda House, Weyside Park, Cattershall Lane, Godalming, Surrey GU7 1XR).

It was pointed out that far more shellfish have been removed from the Reserve since its designation (as a result of increased effort by fishermen and an increase in the number of divers visiting the Reserve) than before. Should this be allowed to happen in the country's only statutory marine reserve?

It was also asked whether the management plan for the Reserve was still being followed, particularly with regard to the evolution of the Reserve as a whole. Both DSFC and English Nature agreed that it was. If parties consider that the Reserve isn't working, then notification should be made of this in writing to both English Nature and the DSFC. In the latter's case, definite proof will be required to show that their byelaws are not adequate.

5. Report from the Reserve: Andrew Gibson summarised the summer's happenings. The water visibility has been much better this year with less plankton present. This has meant fewer basking sharks, but there have been several sightings of sunfish. A spate of easterly winds has meant that the Oldenburg has been unable to land daytrippers on several occasions, though it has also led to clearer diving off the south coast. The silt/slime covering rocks at north end was far less, the problem appearing to have resolved itself. There were a number of small oil pollution incidents to report: in February, small amounts of oil were washed ashore after an incident further up the Bristol Channel; in April a dive boat accidentally spilled some diesel fuel in Jenny's Cove; and some spills of fuel oil were present in the Landing Bay after the overnight mooring of a fishing vessel. In April, a loose fishing net was found in Jenny's Cove with several guillemots tangled up in it. In late June, a vessel became tangled in a net of approx. 500 m in length set between the Rattles and Black Rock. [DSFC were not aware of this incident]. There had been two incidents of vessels anchoring in the "no anchoring" area around the Knoll Pins. A naval bomb squad had been called in to dispose of two live shells brought up by one diving club off the "Montagu". A subsequent survey of the wreck confirmed it to

be safe for continued diving. Raising funds for a snorkelling trail, wet suits and possibly a glass-bottomed boat was proving difficult. One fisherman had reported catching a red band fish in a new area some way offshore.

The Warden was asked if any further permanent moorings had been sunk in the Landing Bay/Lundy Roads area, and he confirmed that the Agent had allowed more to be put in place for the summer.

6. Any Other Business: Russell Gomm informed the meeting that English Nature were hoping to increase the level of funding for the Reserve, and a meeting had been arranged to take place with the Landmark Trust to consider the best ways in which this could be done. Both MCS and DWT indicated a willingness to help with further interpretive and educational facilities.

The Group was asked to consider the possibility of EN appointing voluntary marine wardens to assist Andrew Gibson in his work and to act as additional "eyes and ears" for the Reserve. Keith Bower pointed out that they would not be able to enforce fisheries byelaws.

The Warden asked about the possibility of marking the boundary of the Reserve in some way, as it was difficult to tell if vessels were within its boundary or not. It was pointed out that this would be very expensive and would need to be done through Trinity House.

7. Dates of the next meetings: Thursday, 19th March 1992  
Thursday, 24th September 1992

*R. W. Kimberley - 19th March 1992*