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George Eustice MP  
Minister of State  
Defra  
Nobel House  
17 Smith Square  
London  
SW1P 3JR

22nd December 2016

By e-mail

Dear George,

### **Bass Measures 2017**

Thank you for your endeavours at the recent Fishing Opportunities meeting. It was a shame that more progress was not made in respect of re building bass stocks but we were pleased with the decision to end all forms of targeted netting for bass.

It is clear that the final agreement was for a by-catch only allowance, so that it will be illegal to deliberately target bass with nets in 2017, as stated by the Commission **“no fishing for sea bass by commercial vessels targeting sea bass, except for long lines, pole and lines”**.

We met with the DEFRA officials yesterday morning for a debrief and were very surprised to hear that the UK Government is now saying there is a “provision” for fixed netters that includes, but is not restricted to, by-catch and so is effectively a monthly vessel catch limit and not a by-catch allowance.

The Angling Trust and our partners are also seriously concerned by the wording of the Government’s published response to the UK Government and Parliament Petition *Save our bass: Do not water down the proposal to ban nets*. It appears from this response that the UK is interpreting the 250kg provision for gill netting as effectively a monthly vessel limit rather than for incidental, unavoidable by-catches of bass. Such an interpretation is clearly contrary to final text agreed by the Council.

In the response to the petition, received by over 11,000 people, the government states that bass measures agreed at December Council included,

*“The limit tightened for bass catches by fixed gill nets from 1.3 tonnes to 250kg per vessel per month, with a closed season of February-March, representing an 80% cut from this year's provision, and for all forms of netting at UK level an estimated 88% cut from the former 2011-2013 baseline annual average.”*

This indicates that the UK sees the 250kg per vessel for gill nets as a monthly vessel limit. This is in contradiction to the Commission’s final proposal which states,

*“...due to incidental and unavoidable by-catches of sea bass by vessels using demersal trawls and seines, such by-catches should be limited to **3 %** of the weight of the total catch of marine organisms on board*

**with a maximum of 400 kg per month. For the same reasons, for fixed gillnets by-catches should be limited to 250 kg per month.”**

The final agreement also states,

**“By derogation from the first subparagraph, the following measures shall apply regarding *unavoidable by-catches of sea bass* in the areas referred to in that subparagraph:**

(a) *a Union fishing vessel deploying demersal trawls and seines<sup>1</sup> may retain on board catches of sea bass that do not exceed 3 % of the weight of the total catches of marine organisms on board in any single day. The catches of sea bass retained on board by a Union fishing vessel on the basis of this derogation may not exceed 400 kilograms per month;*

(b) *in January 2017 and from 1 April to 31 December 2017, Union fishing vessels using hooks and lines<sup>2</sup>, may fish for sea bass and retain on board, relocate, tranship or land sea bass caught in that area not exceeding 10 tonnes per vessel per year. **Union fishing vessels using fixed gillnets<sup>3</sup> may not exceed 250 kilograms per month.** This derogation shall apply only to Union fishing vessels that have recorded catches of sea bass using hooks and lines **or fixed gillnets** from 1 July 2015 to 30 September 2016.”*

So the measures set out in (a) and (b) only apply to” **unavoidable by-catches of sea bass** in the areas referred to in that subparagraph”.

The Commission’s Q&A document, published shortly after the Council meeting had concluded, states,

**“On 13 December the Council adopted the following measures for 2017:**

- no fishing for sea bass by commercial vessels targeting sea bass, except for long lines, pole and lines who will have a closure of two months in February and March 2017 and a maximum catch limit of 10 tonnes per year;*
- a monthly limit of 250 kg for vessels deploying fixed gillnets and traps to cover unavoidable by-catches;*
- a small by-catch allowance of 3% and a maximum of 400 kg is envisaged for demersal trawlers and seiners. “*

It again seems clear that there is to be no targeting of sea bass by netters and that the 250kg limit is only available for by-catch.

We are very concerned that the UK Government seems to be interpreting the provision for gillnets, clearly stated to be for by-catches only, as a monthly catch limit. This will lead to continuing targeted fishing of bass by gill nets rather than allowing for limited incidental and unavoidable by-catches.

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<sup>1</sup> All types of demersal trawls including Danish/Scottish seines, including OTB, OTT, PTB, TBB, SSC, SDN, SPR, SV, SB, SX, TBN, TBS, TB.

<sup>2</sup> All long lines or pole and line or rod and line fisheries, including LHP, LHM, LLD, LL, LTL, LX and LLS.

<sup>3</sup> All fixed gillnets and traps, including GTR, GNS, FYK, FPN and FIX

We are making urgent representations to the Commission on this matter but in the meantime should be very grateful if you would urgently clarify the UK's understanding of what was agreed at the Fishing Opportunities meeting.

Yours sincerely,

A handwritten signature in cursive script that reads "Mark Lloyd". The signature is written in dark ink and is positioned above the printed name.

Mark Lloyd  
Chief Executive