



**MIDSUMMER MEETING of the CHIEF PLEAS
to be held on 3rd JULY 2024 at 5pm in the ASSEMBLY ROOM**

AGENDA

1. MATTERS ARISING from the Easter Meeting held on 10th April 2024.
2. QUESTIONS Not Related to the Business of the Day.
3. To CONSIDER a Report with Proposition and Timetable from the POLICY and FINANCE COMMITTEE entitled “**General Election Ordinance 2024**” and to APPROVE the Ordinance entitled “**The Reform (General Election) (Sark) Ordinance, 2024**”. (Report, Ordinance and Timetable enclosed).
4. To CONSIDER a Report with Proposition from the POLICY and FINANCE COMMITTEE entitled “**Deputy Speaker of Chief Pleas – Term of Office**”.
5. To CONSIDER a Report with Propositions from the POLICY and FINANCE COMMITTEE entitled “**Adjustments to Tax Arrangements**”.
6. To CONSIDER a Report with Propositions from the POLICY and FINANCE COMMITTEE entitled “**Property Tax – Duty on Share Transfer**”.
7. To CONSIDER a Report with Proposition from the DOUZAINÉ entitled “**Sunday Tractors**”.
8. To CONSIDER a Report with Proposition from the DOUZAINÉ entitled “**Purchase of Land**”.
9. To CONSIDER a Report with Proposition from the HARBOURS, SHIPPING and PILOTAGE COMMITTEE entitled “**Sark Pilotage Syllabus**”. (Syllabus enclosed)
10. To CONSIDER a Report with Proposition from the HARBOURS, SHIPPING and PILOTAGE COMMITTEE entitled “**Visitor Moorings in Dixcart Bay**”.
11. To CONSIDER a Report with Propositions from the POLICY and FINANCE COMMITTEE entitled “**Review of Committee Mandates**”.
12. To CONSIDER a Report with Proposition from the DOUZAINÉ entitled “**Douzainé Mandate and The Constitution and Operation of Chief Pleas Committees**”. (Mandate and documents enclosed).
13. To CONSIDER a Report with Propositions from the TOP LEVEL DOMAIN (SPECIAL) COMMITTEE entitled “**Committee Name Change and Mandate**”. (New name and mandate enclosed)
14. To CONSIDER an Information Report from the MEDICAL and EMERGENCY SERVICES COMMITTEE entitled “**Medical Update**”. (Appendix enclosed)
15. To CONSIDER an Information Report from the EDUCATION COMMITTEE entitled “**Secondary Education**”. (Appendix enclosed)



16. To CONSIDER an Information Report from the AGRICULTURE, ENVIRONMENT and SEA FISHERIES COMMITTEE entitled "**Nature Protection**". (Société Sercquaise report and appendices enclosed)
17. To CONSIDER an Information Report from the HARBOURS, SHIPPING and PILOTAGE COMMITTEE entitled "**Committee Update**". (Appendix enclosed)
18. COMMITTEE ELECTIONS: To Elect Conseillers to Committees, as required.
19. COMMITTEE and PANEL ELECTIONS: To Elect Non-Chief Pleas Members and Panel Members to Committees and Panels, as required.

P M Armorgie
Speaker of Chief Pleas

12 June 2024

NOTES:

Anyone wishing to see any of the Reports and Supporting Papers may do so at the Committee Offices, Monday to Friday, 9am to 2pm; copies may be obtained from the Committee Office. The Agenda, Reports and Supporting Papers may also be seen on the Sark Government Website at: www.sarkgov.co.uk

POLICY & FINANCE COMMITTEE

Report with Proposition to Midsummer Chief Pleas, 3rd July 2024

GENERAL ELECTION ORDINANCE 2024

At the Easter meeting of Chief Pleas held on 10th April 2024, the Speaker announced the date for the General Election to be held in December 2024. Since then, the Policy & Finance Committee (P&F) has been working with the Speaker, Greffier and Crown Advocates at St James' Chambers in developing **The Reform (General Election) (Sark) Ordinance, 2024** which is enclosed with this report.

The Ordinance confirms the date of the 11th December for the General Election and sets other dates for the closing of the electoral register etc. Attached as an Appendix to this Report is the timetable for the election, giving other relevant dates for the election process.

The Election in December this year is to elect sufficient Conseillers to achieve a total of 18, in accordance with section 9(6) of the **Reform (Sark) (Amendment) Law, 2017** ("the 2017 Law"). At the time of writing this report the Election will be to fill 10 vacancies, remembering that those Conseillers duly elected and whose term ends in January 2027 remain as sitting Conseillers. The Ordinance does not specify the number of vacancies, as this may change should any further casual vacancies occur in sitting Conseillers seats before the election, see Section 1 (1) of the Ordinance. The Returning Officer will calculate the required number of seats based upon the vacancies in sitting Conseillers, as at the date of publication of nominations (29th Dec 2024), to bring the number of Conseillers up to 18.

Please note that The Reform (General Election) (Sark) Ordinance, 2022 will not be repealed as it is still effective re: the terms of office of the Conseillers elected in 2022 for four years.

The Committee recommends that Chief Pleas approves the proposition.

Proposition –

That Chief Pleas approves the Ordinance entitled "The Reform (General Election) (Sark) Ordinance, 2024".

Conseiller John Guille
Chairman, Policy & Finance Committee

The Reform (General Election) (Sark)

Ordinance, 2024

THE CHIEF PLEAS OF SARK, in pursuance of the powers conferred on them by sections 23, 25(5) and 29(6) of the Reform (Sark) Law, 2008^a, hereby order:-

Date of general election.

1. (1) A general election shall be held on 11th December, 2024 for the purpose of electing nine Conseillers.

(2) The date for a further election if required in the event of an equality of votes shall be 15th January, 2025.

Date of closure of register.

2. The Register of Electors shall close on 22nd November, 2024.

Tenure of office.

3. (1) Conseillers elected at the general election, or at any further election held pursuant to section 1(2), shall take up office on 16th January, 2025 (subject to having taken the oaths of allegiance and of office pursuant to section 30 of the Reform (Sark) Law, 2008 or having made a solemn affirmation pursuant to section 3 of the said Law).

(2) Conseillers elected at the general election, or at any further election held pursuant to section 1(2), shall hold office until midnight on 17th January 2029.

^a Order in Council No. V of 2008; this enactment has been amended.

Citation.

4. This Ordinance may be cited as the Reform (General Election) (Sark) Ordinance, 2024.

TIMETABLE FOR GENERAL ELECTION OF NINE CONSEILLERS 11th DECEMBER 2024

Fri 8 Nov 24 Notice in Sark Gazette Officielle and St. Peter's Church Notice Box of forthcoming election. Notice gives date and time when final nominations are to be received etc.

Nomination forms will be available for collection from the Speaker and Greffe offices, prior to nominations opening during published office hours. When completed, but not before 10am on Monday 25 Nov, the forms are to be delivered by one of the persons named on the form to the Speaker of Chief Pleas (Returning Officer) between 10am and 12 noon, and between 1.30pm and 3.30pm Mon - Fri, ending on Fri 29 Nov at 12 noon.

Fri 22 Nov 24 Electoral Register closes and remains closed until election process is complete.

Mon 25 Nov 24 Nominations open at 10am.

A daily list of nominations received will be posted in Sark Gazette Officielle and St Peter's Church Notice Box; nominations will be listed in the order received.

Fri 29 Nov 24 Nominations to close at 12 noon. [Thereafter the Returning Officer will post Official Notices asking for volunteers from Island Residents to man the Polling Station and to conduct the Count after the poll closes; application for these functions to close at 3.30pm on Fri 6 Dec]

Fri 29 Nov 24 Notice in Sark Gazette Officielle and St Peter's Church Notice Box of Candidates with Proposers and Seconders. (Last day for casual vacancies to be included in the election.)

Notice sent to the printers with the List of Candidates for the printing of Voting Papers.

Wed 11 Dec 24 General Election polling from 10am until 6pm – Polling Station in Toplis Room, Island Hall - Count in Main Hall Room. (The Count is to begin as soon after polls close as possible.)

Thur 12 Dec 24 Notice in Sark Gazette Officielle and St. Peter's Church Notice Box of Result.

In the event of a 'tie' between two candidates, when the addition of one more vote would have caused a person to be elected, a second election is to be held. (New Voting Papers are to be produced for the tied candidates and Notices of the second election are to be published in Sark Gazette Officielle and St. Peter's Church Notice Box venues, as for Wed 16 Dec 20.)

Wed 16 Jan 25 General Election re-run, only for candidates tied at 11 Dec 24. (No other nominations allowed.)

Thur 17 Jan 25 Notice in Sark Gazette Officielle and St. Peter's Church Notice Box of second election Result.

Returning Officer

ITEM 04

POLICY & FINANCE COMMITTEE

Report with Proposition to Midsummer Chief Pleas, 3rd July 2024

DEPUTY SPEAKER OF CHIEF PLEAS – TERM OF OFFICE

At the Extraordinary (Special) Meeting of Chief Pleas held on the 24th May 2023, Mr Jeremy La-Trobe Bateman was elected as Deputy Speaker of Chief Pleas.

This term of office will be for three years, ending 24th May 2026.

The Committee request that Chief Pleas approve the following proposition.

Proposition –

That Chief Pleas approves that the term of office for the Deputy Speaker of Chief Pleas will be for three years, ending on the 24th May 2026.

**Conseiller John Guille
Chairman, Policy & Finance Committee**

POLICY & FINANCE COMMITTEE

Report with Propositions to Midsummer Chief Pleas, 3rd July 2024

ADJUSTMENTS TO TAX ARRANGEMENTS

The current system of taxation is based primarily on an individual's presence on the Island. The individual has the ability to select one of several options for the rate to be paid. Typically, this will be based on the size of the property they rent or own, or a minimum personal tax contribution, or a rate according to the amount of assets they hold. There is also the option for those of wealth to pay a lump sum.

The system relies on trust and honesty. This is for two main reasons. First is because most people value the community of which they are privileged to be part and recognise that everyone has to play their part in ensuring the essential infrastructure is available for all. Second is that a presumption of trust reduces the need to spend on having a detailed tax inspection scheme.

Over the years, there seems to have been an increasing proportion of people who are particularly astute in the management of their affairs such that they escape, or minimise, their tax contribution, without breaking any law.

Examples could include people making sure they are off the island at the start of the year when the tax forms are issued and returned; or property owners carrying out changes to a dwelling around the year end and consequently declaring it as uninhabitable, and so free from tax. Others include people occupying/tenanting properties, that are little more than a room, which then results in a very low tax contribution as they opt to pay according to size (no. of 'quarters'). Further, there is a notable absence of anyone of wealth paying the lump sum option.

The Policy & Finance Committee (P&F) recognises that three years ago Chief Pleas supported the establishment of the Taxation Review (Special) Committee (TRC) to address the challenge that the longstanding mechanism of taxation was in need of reform, including potentially spreading the tax base wider.

It is aware that the TRC has declared its intention to embark on a process of public consultation. Such dialogue is important but it is hoped that the TRC can soon offer both Chief Pleas and P&F an indication of when it expects to conclude its work and present a clear set of new, potentially innovative, taxation proposals for consideration and debate.

At this stage the Policy & Finance Committee, following dialogue with the Treasurer and the Deputy Tax Assessor, is recommending to Chief Pleas that it support a number of relatively modest changes within the existing tax framework.

These include:

Classification of Property - Uninhabited

The Direct Taxes (Sark) Law and the Direct Taxes (General Provisions) Ordinance defines a dwelling as any building 'used' for the purposes of human habitation, other than tourist accommodation. It seems that over the course of time efforts have been made to interpret what is meant by 'used'. This has led to allowing people to define their building as 'used', 'unoccupied' or 'derelict' and thereby avoid paying tax.

It is recommended that the Law Officers be asked to devise an amendment to the term 'used' to something that more clearly clarifies that a dwelling, i.e. a property or part thereof, which is intended or available for human occupation, whether occupied or not, and whether undergoing, or in need of, renovation, is still liable for tax as a dwelling.

It is recognised there are some very old ruins, which have not been occupied for decades and could not readily be restored. The current thinking is to stipulate that if a building has not been in a fit state to be occupied for circa 50 years (or since a defined date such as August 1976 which ties in with other legislation) it can be deemed derelict and thus subject to tax at a nil or nominal rate.

It is also recommended that a new build dwelling, or extension, for which planning permission has been granted and ground works have commenced should be included in the property tax calculations no later than 12 months after the foundations were laid.

With this clarity the amount of tax due on each type of property could be calculated with greater certainty. It would also be a small additional encouragement to property owners to complete new builds or restore unused dwellings, thereby increasing the Island's available housing stock.

Minimum Rates for Forfeit (Tax based on Property)

A number of people declare themselves as Sark resident but seem to occupy a very small space as accommodation. The Committee does not have a view on personal living arrangements but does believe there needs to be a minimum size stipulated for the calculation of the Forfeit. This will be presented at the Budget meeting but the current thinking is that this be set at a minimum of 15 'quarters'.

Liability for the Owner to Pay the property Tax in the event of default by the Possessor

It is recommended there be a clause in the Direct Taxes legislation, stating that in the event of the Possessor of a property not paying the Property Tax by the due date, then the responsibility for settlement would transfer to the Owner. The details of this will

need to be worked through but the intention would be that should, in this scenario, the Possessor of the Property cease to be responsible for Property Tax they would become liable for some form of Personal Tax instead.

Obligation to pay tax once 90 days of residence are completed

It is considered important that adjustments are made to ensure that tax can be levied on people once their 90 nights of residency are completed, even though this may involve taxing them in the current year and then making an adjustment at year end.

At present there are cases where individuals have been living on island for nearly the whole year but have moved off before the Tax Declaration forms are sent out, and as such, avoid being subject to tax.

The mechanism of this will need to be explored further with the Law Officers.

Obligation on Landlords/Employers

It is recommended that a requirement be introduced for Landlords and Employers to declare to the Tax Assessor, at periodic interval, the details of people living in a property owned by them or otherwise working for them and resident on the island for a defined period (e.g. more than a month).

There is evidence to indicate there are people who live and work on island who are avoiding paying local tax, Public Works, bike tax etc. as the Tax Assessor does not have a confirmed address, their full names or knowledge of how long they have been on island.

Reduction in Thresholds of Asset

As part of the budget proposals the Committee is contemplating a reduction to the upper threshold of assets held before tax is applied from £125,000 to £75,000, and for those over the age of 69, from £150,000 to £100,000.

Proposition 1 –

That Chief Pleas notes the contents of this report.

Proposition 2 –

That Chief Pleas directs the Policy & Finance Committee to instruct the Law Officers of the Crown to prepare the necessary legislation to define a dwelling as subject to tax unless it has remained derelict since August 1976.

Proposition 3 –

That Chief Pleas directs the Policy & Finance Committee to instruct the Law Officers of the Crown to prepare the necessary legislation to stipulate that a building under construction or recently completed be subject to Property Tax based on its dimensions within 12 months of the foundation measurement date.

Proposition 4 –

That Chief Pleas directs the Policy & Finance Committee to instruct the Law Officers of the Crown to prepare the necessary legislation to empower Chief Pleas to set a minimum number of quarters on which the Forfait is to be calculated (the current proposal for 2025 will be 15 quarters).

Proposition 5 –

That Chief Pleas directs the Policy & Finance Committee to instruct the Law Officers of the Crown to prepare the necessary legislation to ensure that in the event of a Possessor failing to pay the Property Tax that the liability of the same will transfer to the Owner, and further that in such cases the Possessor would be liable for Personal Tax.

Proposition 6 –

That Chief Pleas directs the Policy & Finance Committee to engage with the Law Officers of the Crown on the feasibility of legislation to:-

- a) Ensure that a person having resided on Sark for more than 90 nights can be subject to one of the categories of tax and for this to be payable in the current year; and**
- b) Create an obligation on landlords and employers to declare the details of persons living or working with them on the Island for extended periods.**

Proposition 7 –

That Chief Pleas notes the intent of the Policy & Finance Committee to recommend as part of the budget that the upper thresholds before tax is applied be set at £75,000, and £100,000, for those over the age of 69 years.

**Conseiller John Guille
Chairman, Policy & Finance Committee**

POLICY & FINANCE COMMITTEE

Report with Propositions to Midsummer Chief Pleas, 3rd July 2024

PROPERTY TAX – DUTY ON SHARE TRANSFER

As previously advised at the Michaelmas Meeting of Chief Pleas in 2023, and in the report from the Policy & Finance Committee to the Easter Meeting of Chief Pleas this year, there is a need to close a loophole in relation to the tax applied on the sale of properties or long leaseholds.

The majority of properties are owned by named individuals. When the sale of such takes place and is registered in the official records, it is subject to Property Transfer Tax.

Some properties, for completely legitimate reasons, are owned by companies. At present when such a company, for which a Sark property is a main asset, is sold to a new owner, there is no automatic tax liability.

By way of illustration imagine Mr X is the main shareholder in a company called Coupee Cottage Ltd, which owns Coupee Cottage. Mr X decides to sell his shares to Mr Y. In such a case although there will have been a change in the ultimate beneficial owner, there is nothing to register with the Court and the Greffier as the cottage itself would still be owned by Coupee Cottage Ltd.

Other jurisdictions, including all the neighbouring Channel Islands, have closed this loophole by introducing anti-avoidance legislation. This ensures property sales achieved through share transfer are subject to Property Transfer Tax, much the same as for a property sale between individuals.

The Policy & Finance Committee has looked at various legislative solutions including the UK's Annual Tax on Enveloped Dwellings (ATED) and Alderney's Duty on Share Transfers Law and is convinced a similar law is needed locally as a matter of priority.

While the principle that all property exchanges should be subject to the same levels of duty the Committee is alert to certain local differences and challenges. A key one is working out the true value of the property, not least as the amount for which the shares in the company are exchanged may not necessarily reflect the reasonable value of the property. Again, this could be for quite legitimate reasons, for example if the company was both a trading entity as well as holding the property, as the trading element itself would have a value which would need to be taken into account.

In larger jurisdictions there are significant numbers of property sales providing a reliable source of data of what properties of differing styles, quality, states of repair and location are worth. With the very small volume of sales on Sark, and with almost

every property being unique, it is difficult to say with confidence what a particular Sark property is worth. Ultimately it is only worth what someone is willing to pay for it, regardless of what value it may have been marketed for, or the estimated rebuild value given for insurance purposes, or the amount a bank may be prepared to lend.

As outlined the factors affecting the price include, condition, location, quality, views, size of garden, and of course the availability of purchasers. There are however some helpful fixed points of reference being the dimensions (no. of cadastre 'quarters'), the number of years remaining on any leasehold and whether it is Open or Local Market.

To determine a value for property tax purposes a calculation will be needed using an appropriate multiplier, set by Chief Pleas.

The Committee is working, in conjunction with the Treasurer, to develop such a multiplier based on the property sale records over recent years. Inevitably a formula-based method will result in a taxable value which may be seen by some as imperfect. Nonetheless it will be far better than the current arrangement where property sales by share transfer escape tax altogether.

The multiplier will need to be reviewed periodically.

Within the legislation the Committee believes the penalty for making a false declaration should be reasonable, but sufficiently severe to discourage any attempt at tax avoidance. The Committee has discussed how the penalties could range from having to pay up to three times the tax due to the potential of requiring forfeiture of the property.

Subject to the agreement of Chief Pleas on the need for this legislation, the Committee will, in liaison with the Law Officers of the Crown, finalise these finer details and aim to revert with legislation for approval later this year.

Proposition 1 –

That Chief Pleas notes the contents of this report.

Proposition 2 –

That Chief Pleas directs the Policy & Finance Committee to instruct the Law Officers of the Crown to draft legislation to secure payment of Property Transfer Tax where there has been a material change in the beneficial ownership of a company which holds property on Sark.

**Conseiller John Guille
Chairman, Policy & Finance Committee**

DOUZAINE

Report with Proposition to Midsummer Chief Pleas, 3rd July 2024

SUNDAY TRACTORS

Following the introduction of Sunday day trips by Isle of Sark Shipping in 2007 there has been a gradual shift from the notion of 'keeping Sunday special' to it becoming more 'just another working day'.

The introduction of **The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Law, 2013** ("the Law") included a section that kept to the idea that Sunday should be kept special. Section 15 (5) of "the Law" reads:

It is an offence to drive or attempt to drive a motor vehicle other than an invalid carriage on or along any of the public roads on a Sunday without the permission in writing of the Constable.

While historically businesses in agriculture and fishing had always needed to work on a Sunday, there has been a gradual increase in the number of businesses that need to work on a Sunday as regular part of their operation. With so many businesses now working on a Sunday the restriction in "the Law" has become a burden for the tractor owner in having to contact the Constable, in writing, on each occasion that they have legitimate need to use their tractor on a Sunday, and the Constable in dealing with such requests.

Having considered the situation, the Douzaine is of the opinion that the Sunday restriction is no longer applicable and that it should be repealed. The Douzaine is therefore seeking the approval of Chief Pleas to have legislation drafted to repeal section 15 (5) of "the Law".

Should this proposition be approved, there would be a need to include a consequential amendment to section 27(4) of **The Motor Vehicles (Sark) Law, 2013**, which currently prohibits construction vehicle licences permitting the use of those vehicles on a Sunday.

Proposition –

That Chief Pleas directs the Douzaine to instruct the Law Officers of the Crown to prepare an amendment to "The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Law, 2013" and "The Motor Vehicles (Sark) Law, 2013" as detailed in the above report.

**Conseiller Chris Bateson
Chairman, Douzaine**

DOUZAINE

Report with Propositions to Midsummer Chief Pleas, 3rd July 2024

PURCHASE OF LAND

The Douzaine, which is responsible for the maintenance of the teachers' houses, in this incidence the Petit Quart and Pre de la Cloche, has been approached to purchase a parcel of land immediately to the southwest at the rear of the two houses.

When the new boilers and oil tanks to these two properties were installed, they were placed on land outside the curtilage of the two dwellings. The landowner wishes to sell to the Island a parcel of land to the rear of the two properties on which the boilers and oil tanks are positioned. This purchase would ensure security for the Island should, at some future point, the ownership of the land change hands.

Section 58 of the **Reform (Sark) Law. 2008**, about Contracts, reads:

'A contract made on behalf of the Chief Pleas shall be expressed to be made by the Chief Pleas but shall be signed by the Trustees or such other person as Chief Pleas may by Ordinance from time to time determine or by resolution in a particular case direct; and the signature of the Trustees or of such other person shall be prima facie evidence that the contract is the contract of the Chief Pleas.'

For the avoidance of doubt, the Douzaine would request a resolution of Chief Pleas to enable it to purchase this particular parcel of land on behalf of Chief Pleas

If it is the wish of Chief Pleas that the sale should be to the Trustees, instead of the Douzaine, the Proposition may be amended accordingly.

Proposition –

That Chief Pleas directs the Douzaine to purchase the said parcel of land on behalf of Chief Pleas.

**Conseiller Chris Bateson
Chairman, Douzaine**

HARBOURS, SHIPPING & PILOTAGE COMMITTEE

Report with Proposition Midsummer Chief Pleas, 3rd July 2024

SARK PILOTAGE SYLLABUS

The Sark Pilotage Ordinance, 1992 Schedule 1 (e) requires the Pilotage Committee, which is now part of the Harbours, Shipping & Pilotage Committee, to “keep under review the law and practice relating to pilotage in territorial waters and make recommendations concerning matters of pilotage to the Chief Pleas”.

A draft copy of the revised Sark Pilotage Syllabus was sent for consultation to Guernsey General Pilots and the Sark Examiners and their feedback and input was consolidated into the final draft, included with this report, which the Committee now brings to Chief Pleas to approve.

Proposition 1 –

That Chief Pleas approves the Sark Pilotage Syllabus (as included with this report).

Conseiller Sandra Williams

Chairman, Harbours, Shipping & Pilotage Committee

Lights & Buoys

Point Robert Lighthouse	Flash every 15 seconds. 65m elevation 18 miles range (27Km) Fog signal; 1 blast every 30 seconds.
Blanchard Buoy	v.Qk.FI. (3) every 10 secs. Bell. East Cardinal.
Corbet Du Nez light	4 flash White / Red.15 secs. 14m elevation, 8 mile range. Red sector 230° - 057°

STRIKING MARKS

Update: ALL Charted depths/heights herein are now per **Admiralty 808 shown in red** and differ from the old (Imperial) syllabus. Notes in Grey are considered useful, but not essential marks or clearances.

1. **Le Jolicot.** *Dries 1.9m*

Cross on the point Bélème (Brecqhou) seen through the Pertu.
Top of the Grande Moie with the Pécheresse.
(Pertu is the passage between La Grune and Sark Mainland.)

2. **Boue Cricquet.** 1.2m on

Pécheresse in line with Congrière.
Côtîl du Bisson opening Banquet Point.

3. **Boue du Pignon.** 1.8m on

Moie de Toile with the Fountain of the Eperquerie.
Banquet Point with Point Robert.

4. **La Grand Boue.** *Dries 0.8m*

Pécheresse in line with the two rocks on the North slope of La Grosse Grune.
Chapelle aux Mauves opening Banquette Point.
(note House opening to top of Cliff)

5. **Demie au Couteur.** Half Tide Rock Dries **4.5m**

The highest part of La Grande Moie opening the Land.
Highest part of Creux Belié Point with the little Fountain.
(Creux Belié Point is in the middle of Les Fontaines Bay, a long
fronted sharp edged whitish rock well up from the water. The
little Fountain is the black shaft behind it).

6. **Le Pavlaison.** *Dries 0.8m*

The Tower of the Fauconnière seen through the Pertu.
Noire Pierre with the Grève Michelle.
La Gorge with the top of Grand Moie.

7. **Demie au Broc.** Half Tide rock **Dries 4.9m**

The round Buron seen inside the Grande Moie.
Bottom of La Gorge with the North end of the Petit Moie.

8. **La Canne.** *Dries 2.4m*

Founiais with Auguets. (Note there are rocks to the South).
The two Pinions of the Grande Moie in line.
(Auguets is the East high part of the Burons).

9. **Dodons.** *Dries 1.4m*

Noire Pierre with La Gorge.
High head of Parquet with ivy patch north of Lighthouse.
(Parquet is the Chimney rock at North East of Grand Moie).

10. **Boue Jacob.** *Awash*

Pierre du Goulet with La Conchée
Noire Pierre with La Gorge.

11. **Platte Boue.** **Awash**

Founiais with La Conchée.
La Gorge with The Mer tower at Bec du Nez.

12. **Founiais.** *Dries 6.7m*

Pierre du Goulet with Le Foue du Lâche.
La Gorge showing outside Grande Moie.

13. **Boue du Founiais.** 0.3m on

La Conchée just showing inside Les Burons
Pécheresse seen inside Grande Moie

14. **Boue au Chien.** 1.6m on

Le Foue du Lâche seen through the Petit Goulet.
Flag mast with the crack in Maseline.
(the head is slightly off this mark)
Bas Crevel with crack north of Dog Cave.
(Bas Crevel – pointed rock near water south of Lighthouse)

15. **Grune du Nord.** *Dries* 3.7m

East part of L'Etac showing outside the Auguets.
Pinion (Piquille) of Grande Moie with Moie Navet.
(Moie Navet is the round green moie just north of the lighthouse)

16. **Boue de la Grune du Nord.** 1.5m on

L'Etac with La Conchée.
Pecheresse opening south of La Gorge.

17. **Le Petit Huart.** 4m on

Creux du Banquette showing inside Grande Moie.
Pierre des Burons with South side of Petit Derrible. (Below the 'V')
(Creux du Banquette is a black cave-like rock near Point
Banquette)

18. **Le Grand Huart.** 2.9m on

Noire Pierre open of La Gorge.
La Conchée with Creux au Rouge Terrier .
(i.e. between Brenière and the land)
(Creux au Rouge Terrier is the gap between Brenière and the
land)

19. **Blanchard.** 1.4m on

La Conchée with Convache Chasm.
Bec du Nez with La Gorge.

20. **Platte Grune.** 2.9m on

The Chimney of the Burons with the shelter of Creux Harbour.
La Conchée with Moie Fano.
(Moie Fano is green slope of lower cliff on left of Coupée Beach)

21. **Boue de la Craque.** 2.1m on

The Foue of Moie des Lâches well open to the 'V' of Derrible Point Crack in Derrible Bay with the Vicquet (square rock at Derrible point) (The crack is the long one south of the Square cave in Derrible Bay). East side of the *Taupinon* of the Bourons to the West side of the Chimney. (*Taupiniere=small/mole hill*)

22. **Grosse Gripe.** 1.8m on

Baleine with Tache-à-Copper.
Conchée with Petit Goulet.
(Tache-à-Copper -left side of Moie Fano beneath trees in Pot Bay)

23. **Balmée.** *Dries* 6.7m

The Foue of the Burons to the 'V' of Derrible Point.
Baleine with Coupée Beach.

24. **Demie du Balmée.** *Dries* 3.4m

The Foue of the Burons to the 'V' of Derrible Point.
Baleine with Mon Trésor.
(Mon Trésor is grey wedge of rock north of Moie Fano)

25. **Les Vingt Clos:-**

a) **Boue d'Amont** 0.8 on

Conchée to Toupillon of Burons.
Pigeon Cave N.E. of Baleine.

26. b) **Boue d'Aval** 0.4m on

La Conchée with Chimney of Burons.
Little Sercul open inside L'Etac.

27. c) **The Vingt Clos** *Dries 1.9m*

Pierre du Burons just inside the Conchée.
Pigeon Cave south of Baleine.

28. **Demie of Grand Canne.** *Half Tide (4.7m)*

Pierre du Cours with the yellow patch in Brenière Bay.
The Foue of the Burons closed to Derrible.

29. **Boue aux Guernesais.** *5.1m on*

Givaude showing on east side of Moie du Viet.
Pierre du Cours with between the Brenière and the land.

30. **Boue Nègre of Grande Canne.** *3.7m on*

Pierre du Cours with Creux au Nègre.
Moie du Viet forming a 'V' with the Bretagne (to the North).

31. **Boue Tobie.** *2m on*

Conchée showing inside Pierre du Cours.
Petit Baveuse inside of Sercul (north).

32. **Boue Tirlipois.** *Dries 1.1m*

Pilcher Monument just open to the cliff.
Northeast end of L'Etac closed outside of Moie de Viet.

33. **Les Hautes Boues.**

a) **Boue du Servois (S.W. Haute Boue)** *0.3m on*

Northeast end of l'Etac inside of Grande Bretagne.
Grande Baveuse with south side Port-és-Sais.

34. b) **Grande Haute Boue.** *Dries 1.9m*

Pointe du Nez (headland, not rocks) with low part of Pointe Bélème on
Brecqhou.
Petit Baveuse with the Bretagne.

35. c) **Boue du Nord-Ouest.** *Dries 1.5m*

Moie du Viet outside Peche Lucas.
North side of Grande Grève beach with Pointe le Joue.
(Yellow clay with slope at Pointe le Joue)

36. **Boue au Lieux.** *Awash*

Baveuse with Port-es-Saies Bay.
Moie du Viet inside Moie de la Bretagne.

37. **Boue de la Baie.** *Awash.*

Hole in Grande Grève Chapelle with Point la Joue.
East side of Pierre au Normand with crack in Moie du Gouliot.

38. **Le Petit Boue de la Baie.** *UnEx. Awash*

East side of Pierre au Normand with crack in Moie du Gouliot.
Le Noir rock open of Pointe la Joue.

39. **Boue du Pissot.** 3m on

Pierre au Normand with Cave Pêche Nathan.
(Cave Pêche Nathan – slope of rock on right side of Petit Gouliot).
Pissot just showing with cliff side.
(Pissot – dark greenish slope of cliff in Port-és-Sais, always wet looking).

40. **Boue du la Rae.** 1.8m on

St. Martin's Point closed to Brecqhou.
Les Autelets in the Gouliot.

41. **Boue du Gouliot.** *0.8m on*

Creux de la Lâche seen through the Petit Gouliot.
High part of St. Martin's Point with Moie Batard.
(Creux de la Lâche is bluff of cliff seen just on right of Pilcher's Monument.

42. Outer Boue Episseresse. 1.8m on

Creux Fox with North side of Moie d'Etoile.

Guillaumesse with Ringe du Platon.

(Creux Fox is black cave in middle of bay north of Port du Moulin)

(Moie d'Etoile is square rock in the same bay)

(Ringe du Platon is Cliff Shaft near Bec du Nez).

43. Middle Boue Episseresse. 4.6m on

Guillaumesse with Peche Colin.

Moie d'Etoile with the corner of cliff at the bottom of Port du Moulin path (South of Creux Fox).

44. Inner Boue Episseresse. 1.2m on. Chart = 2.6m on but there is an unmarked higher head

Guillaumesse with middle entrance of Boutique Cave to east.

Moie d'Etoile with the corner of Cliff at the bottom of Port du Moulin path (South side).

When inside is mentioned this relates to the landward side of the mark.

CLEARING MARKS

Sark Pilotage 5.24 TH,RL

- 1) **To clear all Boues North of Sark;**
St. Martin's Point open to Bec du Nez until West of Burons is open to Point Robert.
- 2) **To clear between Moulinet and Jolicot, and inside Pecheresse;**
West side of Grand Moie forming an **open 'V'** with Banquette Point until clearly passed Moulinez when the 'V' can be closed, until the north face of Noire Pierre is in line with the north face of Petite Moie.
- 3) **To clear La Grande Boue;**
West side of the Burons open of Point Robert.
- 4) **To Clear dangers under the Lighthouse approaching Maseline from the North**
Pierre du Goulet ('Pinnacle Rock') appearing just outside Maseline Jetty.
- 5) **To clear outside Huîtrierre;**
See the East of Les Burons open to Point Robert.
- 6) **To Clear Pavlaison;**
North – Fauconniere or Corbee du Nez open north of Pecheresse.
West – Noire Pierre with Chapelle aux Mauves.
- 7) **To clear East of Burons;**
Keep the Black Cave in the Maseline with the end of the Jetty until La Gorge open east of Grande Moie until L'Etac is open east of La Conchee.
- 8) **To clear Les Quartes des Burons;**
Keep the Fountain open of Creux Pierheads.
- 9) **To clear all dangers south of Burons en route for Jersey;**
Grande Moie seen between Les Burons and the land.
- 10) **To clear Grune du Nord;**
North – La Gorge with Bec du Nez.
Or **North - Bec du Nez just open NE of Petit Moie (Also clears Blanchard)**
West – East side of L'Etac with west side of Burons.
- 11) **To clear Founiais to West (Inside);**
Keep Noire Pierre open West of Grande Moie.

- 12) **To clear Boue du Founiais;**
Keep Noire Pierre open East of Grande Moie.
- 13) **To clear Huart eastwards;**
La Conchée with Baleine.
- 14) **To clear Grosse Gripe;**
West – La Conchée with east side of Burons.
South – conspicuous White house (above Dixcart Bay) open south of Point Chateau.
- 15) **To pass between Baleine and Balme;**
Keep the chimney of the Burons on the land side of the 'V' of Derrible Point.
- 16) **To clear inside Avocat;**
See daylight through the hole in Breniere Cave.
- 17) **To clear Breniere;**
La Conchee open east of Balme.
- 18) **To clear the Vingt Clos;**
North – Grande Bretagne closed with the land.
East – West side of Burons well open east of Conchée.
South – Grande Bretagne with north side of l'Etac.
West – East side of Burons well open West of Conchée.
- 19) **To clear between L'Etaq and the Vingt Clos;**
Baleine to the South Side of Dixcart Bay
- 20) **To clear Boue Tobie;**
La Conchée east of Pierre du Cours.
- 21) **To clear west of Sercul;**
Brecqhou Castle to Peche Lucas.
Also to pass West of Tirlipoise keep Gouliot outside of Pêche Lucas.
- 22) **To clear Haute Boues;**
West – Amphroque open west of Givaude.
North – Point le Joue in line with south end of La Coupee.
South – the Northeast of l'Etac open outside of Grande Bretagne.
- 23) **To clear North of Nesté;**
Moie Mouton north of Moie Batard.

- 24) **To clear all dangers North of the Gouliot;**
Keep Pêche Lucas in the Gouliot.
- 25) **To clear all dangers adjacent to the South of the Gouliot Passage;**
Keep Bec du Nez in the centre of the Gouliot Passage.
- 26) **To clear Boue de Grun de Gulliot;**
South-bound, Little Sark open East of Brechqou
Northwards, St. Marin's Point open West of Brecqhou

Goulet Passage; (Governed by Ordinance). All Commercial vessels from the north bound for Creux Harbour are obliged to pass east around the Burons, whilst vessels bound north from Creux Harbour may pass through the Goulet. At low water springs, there is 1.2m water in the Goulet Passage.

Gouliot Passage: at low water springs there is 2.6m water in the Gouliot.

Anchorage.

Greve de la Ville; 9m – 12m Sand and mud.

South of the Burons; 20m – 23m Sand.

Moie Fanou with Derrible Point:
Pinnacle Rock in line with east side of Grande Moie.

Baleine Bay; 9m – 12m Sand.

West side of Burons and Derrible Point in line.
House in Dixcart Bay with Point Chateau.

La Grande Greve; 14m Sand

Banquette Bay; 16m – 18m Sand

Little Sark Mill seen through the Gouliot.
Givaude with Moie Batard.

North WEST of Noir Pierre; 22m - 27m Sand and Gravel

Pècheresse to Grosse Grune
Noire Pierre to Point Robert.

Tides around Sark

At the Bec du Nez

the tide runs to the North East at half flood for 2 hours
and to the South West for 10 hours.

At the Pècheresse

The tide runs top the North West at half flood for 3 hours.
At High water it runs South East for 3 hours.
To half ebb it runs to the North West for a further 3 hours.
At low water it then runs South East for 3 hours to half flood.
i.e. : HW-3hrs SE ; ½ ebb-3hrs NW ; LW-3hrs SE ; ½ flood-3hrs NW

Gouliot and Goulet

Same as the Deroute but makes a little earlier.
½ flood to ½ ebb – NE 6 hours ; ½ ebb to ½ flood – SW for 6 hours.

Conchée

At ½ ebb the tide runs SW for 3 hours and NE for 9hrs.

Pierre du Cour

At ½ ebb the tide runs SW for 4 hours and NE for 8 hours.

Sercul

At ½ ebb the tide runs top the SW for 3 hours and 9 hours to the SE, whilst
to the north of the Sercul it runs towards Brecqhou.

NOTE ; There are counter currents inshore, caused by the volume of water hitting
various points. These tides can run up to 3 kts.

ITEM 10

HARBOURS, SHIPPING & PILOTAGE COMMITTEE

Report with Proposition to Midsummer Chief Pleas, 3rd July 2024

VISITOR MOORINGS IN DIXCART BAY

The Harbours (Sark) Ordinance, 2011 gives the Harbours, Shipping and Pilotage Committee the authority to permit the placing of moorings within the designated 'Controlled Zone'. The Committee has been considering the placing of up to 4 Visitors' moorings in Dixcart Bay which falls within this area with particular focus on the environmental benefits of moorings rather than anchoring, safety issues and the possibility of increased numbers of visitors to Sark. It recognises, however, that Dixcart Bay is very popular for people staying or living on the island as well as for visiting boatowners due to its beauty and easier access than other beaches in Sark. It does not feel that it should make this decision without giving people the chance to give feedback on their proposal. The Committee would therefore like to ask Chief Pleas to decide on whether to approve the placing of up to 4 visitor moorings in Dixcart Bay, on a trial basis, to be reviewed at the end of the season.

Proposition 1 –

That Chief Pleas approves the placing of up to 4 visitor moorings in Dixcart Bay, on a trial basis, to be reviewed at the end of the season.

**Conseiller Sandra Williams
Chairman, Harbours, Shipping & Pilotage Committee**

Mooring buoys offer several benefits over traditional anchoring methods. Here are the key advantages:

1. Environmental Protection:

- **Minimize Seabed Damage:** Anchoring can cause significant damage to the seabed, particularly to sensitive environments like coral reefs and seagrass beds. Mooring buoys prevent the anchor and chain from dragging across the bottom, protecting these habitats.
- **Ecosystem Preservation:** By reducing physical disturbances to the seabed, mooring buoys help preserve local marine ecosystems and biodiversity.

2. Safety and Security:

- **Reduced Risk of Dragging:** Mooring buoys provide a secure, fixed point, reducing the risk of a boat dragging anchor and drifting, which can lead to collisions or running aground.
- **Stable Holding:** They offer more stable and reliable holding in varying weather conditions compared to an anchor that might not set properly.

3. Convenience:

- **Ease of Use:** Mooring to a buoy is often quicker and easier than deploying and retrieving an anchor, saving time and effort for the boat crew.
- **Predictable Locations:** Buoys are placed in designated areas, making it easier for boaters to find a secure spot without the guesswork involved in anchoring.

4. Space Efficiency:

- **Optimized Space Utilization:** Mooring fields can be organized to maximize the number of boats that can be safely moored in a given area, reducing overcrowding and ensuring efficient use of space.
- **Reduced Swing Radius:** Boats on moorings have a smaller swing radius compared to those on anchors, allowing for closer spacing between vessels.

5. Cost and Maintenance:

- **Lower Maintenance Costs:** Frequent anchoring can cause wear and tear on a boat's anchoring equipment. Mooring buoys reduce this wear, potentially lowering maintenance costs.

- **Community and Environmental Funding:** Some mooring fields charge fees that can be used to fund local conservation efforts and maintain the mooring infrastructure.

6. Protection of Marine Vessels:

- **Avoidance of Snags and Tangling:** Anchors and their chains can get snagged on underwater obstacles, while mooring buoys eliminate this risk.
- **Enhanced Vessel Safety:** Using mooring buoys reduces the chances of anchor failure, which can be critical during strong currents or severe weather conditions.

By providing a more environmentally friendly, safe, and convenient option, mooring buoys are an advantageous alternative to traditional anchoring in many boating and marine environments.

Mooring buoys offer several advantages over traditional anchoring, particularly in terms of environmental protection, ease of use, and overall safety.

1. **Environmental Protection:** One of the most significant benefits of mooring buoys is their role in protecting marine ecosystems. Anchors can cause extensive damage to the seafloor, especially in sensitive areas like coral reefs, by dragging and scouring the substrate. In contrast, mooring buoys prevent such damage by providing a fixed point for boats to secure to, thus preserving the integrity of the seabed and promoting healthier marine habitats ([SeaMag](#)) ([IPS News](#)).
2. **Maintenance of Biodiversity:** By avoiding the physical destruction caused by anchors, mooring buoys help maintain the biodiversity of marine environments. Healthier seafloor habitats support a wide range of marine life, from fish to invertebrates, contributing to a more balanced and vibrant ecosystem ([IPS News](#)).
3. **Water Quality Improvement:** Mooring buoys also contribute to improved water quality. Anchors can stir up sediments, leading to murkier water, which negatively impacts marine plants and animals. Using mooring buoys helps keep the water clearer and healthier, benefiting both marine life and human activities like swimming and diving ([IPS News](#)).
4. **Sustainable Tourism:** The use of mooring buoys aligns with sustainable tourism practices. By minimizing environmental impact, mooring buoys help ensure that popular tourist destinations remain pristine and attractive, supporting local economies that depend on tourism. They make it easier for boats to access sites without causing damage, promoting responsible enjoyment of natural resources ([Octo Group](#)) ([IPS News](#)).
5. **Safety and Convenience:** For boaters, mooring buoys offer increased safety and convenience. They provide a stable and reliable point to secure the boat, reducing the risk of drifting and collisions. Mooring buoys are easier to use in various weather conditions, making them a safer option compared to anchoring, which can be challenging and potentially hazardous in strong winds or currents ([What's Happening Around Florida](#)).
6. **Long-Term Economic Benefits:** By preserving marine environments, mooring buoys support long-term economic benefits. Healthier ecosystems attract more tourists and support robust fisheries, which can enhance local economies. Additionally, preventing environmental degradation reduces the need for costly restoration efforts in the future ([IPS News](#)).

Overall, mooring buoys are a practical and environmentally friendly alternative to traditional anchoring, offering numerous benefits for both marine ecosystems and human users. They help protect delicate underwater habitats, improve water quality, support sustainable tourism, and enhance boating safety and convenience ([SeaMag](#)) ([coris](#)) ([What's Happening Around Florida](#)) ([Octo Group](#)) ([IPS News](#)).



September 12, 2023

Mooring Buoys and Marine Protection

Protecting Coral Reefs

Mooring buoys play a significant role in protecting coral reefs from damage caused by boat anchoring. By installing a [mooring buoy](#) near or over traditional anchoring spots, boaters can tie off to the buoy instead of dropping anchors that can damage delicate coral ecosystems. This simple concept has a profound positive impact on coral reef conservation and helps maintain the balance of these underwater habitats.

Supporting Marine Life

Coral reefs serve as essential habitats for a vast array of [marine life](#), including fish and various other species. Protecting these reefs with the use of mooring buoys contributes to the overall health of the marine ecosystem.

When coral reefs are safeguarded, the marine life that depends on them can thrive. Fish populations, in particular, benefit from the [stable and healthy coral reef ecosystem](#). Many fish species rely on coral reefs for shelter, breeding grounds, and food sources.

In addition to fish, other marine organisms also benefit from the preservation of coral reefs. Mooring buoys help to prevent the destruction of habitats for invertebrates, such as crustaceans and mollusks, that contribute to the overall biodiversity and balance of the marine environment.

By incorporating mooring buoys in boating practices, both the coral reefs and the marine life that depends on them can be preserved and protected. This results in healthier ecosystems and a more sustainable relationship between humans and the ocean.

THE ECOLOGICAL BENEFITS OF USING MOORING BUOYS INSTEAD OF ANCHORS

Anchoring is a common practice for vessels to stay in place in marine environments, but it can have several negative impacts on the underwater ecosystem. Traditional anchors often drag along the seafloor, causing physical destruction to habitats, especially delicate ones like coral reefs.

In contrast, mooring buoys present an eco-friendly alternative. Here are some of the ecological benefits of using mooring buoys instead of anchors:

Reduced Habitat Destruction

Moorings protect the underwater environment. When boats use mooring buoys, they don't drag anchors across the seafloor. This means less damage to coral reefs and other habitats. The seafloor stays healthier and more marine life can thrive. It's a simple change that makes a big difference for ocean life.

Maintenance of Biodiversity

Using mooring buoys helps keep the ocean full of many different kinds of fish and plants. When we protect the sea floor from damage, it means all sorts of sea life, big and small, can live better. It's kind of like making sure a garden has lots of types of flowers and bugs.

This way, the ocean stays healthy and full of life. For boaters looking for an eco-friendly way to anchor, considering a [boat slip rental](#) is a great option. It's a smart move for the sea and for keeping it bursting with life.

Water Quality Improvement

Using mooring buoys also helps make the water cleaner. When anchors don't rip up the seafloor, less dirt and stuff get mixed into the water. This means clearer water and healthier conditions for fish and plants. Clean water is super important for marine conservation because all the sea animals and plants need it to be healthy.

Plus, when the water is clear, it's better for people too. We can swim, fish, and enjoy the ocean without worrying about pollution. Marine conservation benefits a lot when we keep the water nice and clean by using things like mooring buoys instead of heavy anchors that mess up the bottom of the sea.

Sustainable Tourism

Sustainable tourism means traveling in ways that don't hurt the environment. When people use mooring buoys, they practice sustainable boating. This is good for the places they visit, like beautiful beaches and oceans, because it keeps them clean and safe for animals and future visitors.

Sustainable boating shows that we care about the ocean and want to enjoy it without causing harm. It helps make sure everyone can have fun in the water, now and later.

Long-Term Economic Benefits

Adopting mooring buoys for anchoring can bring long-term economic benefits. Simple but true, healthier oceans attract more tourists, which means more money for local businesses. When marine life thrives, so does fishing, which can support many people's jobs.

Plus, saving the ocean now by using things like mooring buoys can mean less money spent fixing damage later. It's a smart choice for the future, helping to keep our oceans and the economies that depend on them, strong and vibrant.

Learn All About Mooring Buoys

In conclusion, mooring buoys rock! They save our ocean homes from getting messed up by anchors. They keep the water clean, make sure lots of different fish and plants can hang out, and even make places cooler for tourists.

Plus, they help people make more money in the long run. It's all about loving our big, blue ocean and making sure it stays awesome for everyone.



OCTO

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Mooring Buoys as a Management Tool for Controlling Visitor Impacts: An Introduction

by [John Davis](#) | Sep 15, 2005

Boat anchors can cause significant damage to seafloor habitats. Whether from the dragging of a single anchor or anchor chain during a storm, or the repeated anchoring of boats at a popular dive spot, the damage can transform a picturesque, productive habitat to rubble. To counter this, many MPAs have installed mooring buoys. Consisting of a permanent fixture on the seafloor, a floating buoy on the surface, and a line or cable to attach the two, these systems enable boat users to tie off to an existing mooring rather than drop anchor, thus reducing the effect on the environment.

Installing and maintaining mooring buoys are not without challenges, however. This month, *MPA News* provides an introduction to this technology and examines how managers are using it to control visitor impacts.

What roles can mooring buoys play in MPAs?

Although all mooring buoy systems feature the same three general components described above, they otherwise come in a variety of designs. The different designs allow individual models to perform well in particular environments (solid bedrock, sand, mud, and so forth) and offer various other features, like self-cleaning buoy lines to reduce maintenance costs. A MPA considering installation of mooring buoys will want to match its environment, user needs, and technical and financial capabilities with the appropriate system. (An explanation of the types of mooring buoy systems available, as well as an overview of mooring buoys in general and tips on installing a system, is available in the *Mooring Buoy Planning Guide*, published by the Project AWARE Foundation and the PADI International Resort Association. It can be downloaded at <http://www.projectaware.org/americas/english/pdfs/moorbuoy.pdf>. In addition, a case study on installation of mooring buoys at Komodo National Park, Indonesia, is available at <http://www.komodonationalpark.org/downloads/mooring%20buoy%20report%20lowres.pdf>.)

Aside from helping prevent anchor damage, mooring buoys can aid MPAs in other ways. Billy Causey, superintendent of the Florida Keys National Marine Sanctuary in the US, says that while the sanctuary's deployment of hundreds of mooring buoys in high-use areas has effectively eliminated anchor damage to the coral reefs and seagrass areas, it has also provided benefits such as demonstrating protective management action. "The installation of mooring buoys is a very visual sign to sanctuary visitors that management actions are being taken to protect the coral reefs," says Causey. In addition, he says, the mooring buoys provide convenience and peace of mind to resource users, who can tie off relatively easily and can rely on the moorings for a solid hold.

Craig Quirolo, founder and director of marine projects for Reef Relief (a US-based coral-protection NGO that installs mooring buoys as one of its programs), says the reef conservation effort symbolized by mooring buoys leads visitors to a discussion of anchoring impacts and introduces the concept of avoiding contact with fragile seafloor habitats. "This concept is easily extended to standing, touching, harvesting, etc., when diving or snorkeling," he says. Mooring buoys can also help reduce user conflicts, he says, by demarcating where particular uses – such as diving or snorkeling – are allowed or promoted. "The buoys provide a perfect opportunity to establish no-take areas – you do not want spearfishing to occur where people are snorkeling," he says.

What factors should managers consider when siting mooring buoys?

Mooring buoys are sited near sensitive seafloor habitat in need of protection, ideally in substrate appropriate for drilling and cementing. (In cases of "substrate failure", an entire cemented core can be pulled up and dragged across the bottom.) Also, managers should generally place mooring buoys where boat users already prefer to go. Dave Merrill, president of Boatmoorings.com, a private firm that has provided moorings and training to several marine parks worldwide, says, "When designing walkways, the saying goes, 'Put them where the people walk.' The dive vessel's captain is going to take his customers to where it's most attractive or of the most interest. To install a mooring where the parks people want the vessels to go, instead of where the users will go, is wasteful." Considering the financial investment necessary for installing and maintaining mooring buoys – US\$500+ per mooring buoy per year,

according to the *Mooring Buoy Planning Guide* – siting moorings where they will be used is imperative.

Activities associated with anchored boats in MPAs – diving and snorkeling, for example – can also have impacts on the environment, such as from kicking, standing, or uncontrolled buoyancy. The potential for this damage should be considered when siting mooring buoys, as moorings tend to focus user activity around them. When Kalli De Meyer took over management of Bonaire National Marine Park in 1991, a system of moorings already existed. “It had been put in place by the dive industry, whose prime consideration was creating access to their favorite dive sites,” says De Meyer, who is now executive director of the Dutch Caribbean Nature Alliance, an NGO based on Bonaire. “Using moorings as a tool to manage visitation had not yet been considered.” This was evident, she says, in the distance between moorings. “In our inherited system, moorings were placed too close together: divers could swim from one to the next and back again in a dive,” she says. As a result, there was no protected zone between the dive sites that was free from visitor impacts – the entire area was essentially one big dive site. “We have learned a lot since then,” she says.

Artie Jacobson, district manager for the Whitsunday region of the Great Barrier Reef for the Queensland Parks and Wildlife Service (Australia), says it is essential to involve the community and industry in choosing mooring buoy sites, particularly where use levels are high. The Whitsunday region, although comprising just 1% of the area of the Great Barrier Reef Marine Park, accounts for 60% of the park’s tourism activity.

“Each site within a park can be assessed in consultation with interest groups to determine how best it could be used and subsequently protected, assuming that conservation/protection is the bottom line,” says Jacobson. He instituted a program more than 10 years ago for the Whitsunday region that involved installation of mooring buoys to help manage visitors. “Rather than implement a ‘moorings program’, per se, we adopted the theme or project title of ‘reef appreciation and protection program’,” he says. “This broader approach allowed us to

consider a number of options that would mitigate physical impact to the specific area (usually a bay or reef that was protected from the prevailing south easterly wind), and think about how best to provide for ongoing access and reef appreciation. It also allowed us to think about the cost of doing this – a key consideration.” Ultimately, the approach resulted in a tiered system that demarcated where anchoring and/or tying to a mooring buoy was allowed or not.

“When we commenced our program, we worked with the community to establish a volunteer dive group,” says Jacobson. “These teams went out into the park – through their own means – and surveyed the edge of the reef for where good coral-growing substrate existed, marking these sites with small temporary buoys.” Jacobson’s team followed, made any necessary adjustments, then installed markers and moorings to indicate the area’s management scheme. “Actively engaging the community in such schemes – these guys were generally employed by the dive industry – gave them a true sense of ownership in protecting these reef systems,” he says.

“Consultation is good, but to engage the community and industry actively in the ‘doing’ side of business is even better.” Jacobson says some sectors of the tourism industry would be happy to see moorings within every bay as it is convenient and cost-effective for them to pick up a mooring rather than lay and weigh anchor. “I don’t think we want to see every destination within the park ‘industrialized’ through the installation of infrastructure, though,” he says, adding that it would be too costly as well to implement.

What are the main challenges of operating mooring buoys?

As mentioned above, mooring buoys can serve as magnets for use, leading to seafloor impacts associated with visitor activity. The related degradation that can occur is another reason why mooring buoys are often not placed in pristine, unvisited areas

[see [next article](#)]. To mitigate the impacts of this magnet effect, experts on mooring buoy installation suggest combining mooring buoys with other management actions, including reef closures, limited entry schemes, and rotation of buoys. The Florida Keys National Marine Sanctuary, for example, has installed 36 mooring pins in its Dry Tortugas Ecological Reserve, but puts only 12 buoys out at a time. "This is proving to be a good management tool," says sanctuary Superintendent Causey. "We can manage the user activity by rotating the mooring buoys and requiring their use in the reserve."

Dave Merrill of Boatmoorings.com says, however, that the main challenge of mooring buoy systems is "money, money, money". Namely, it costs to install the moorings and maintain them. Moorings wear out due to environmental factors and usage, and need to be replaced. Sometimes they are stolen or cut. The investment does not end with the initial installation.

Merrill says that because mooring buoys offer convenience to users, it may be feasible to pass along at least some of the expense to them. "Most mariners understand there is an expense to installing and maintaining moorings," he says. "To have moorings for the boaters to utilize certainly helps rationalize the necessity of a user fee."

David Rowat, chairman of the Marine Conservation Society Seychelles (MCSS), an NGO, says that the high cost of fuel and labor in the Seychelles is partly to blame for why many of the country's 80-plus installed mooring buoys have fallen into disrepair. Maintenance of the moorings is the responsibility of the national marine parks authority and several local conservation organizations (not including MCSS), but these institutions are short of funds to carry out the task, says Rowat. The poor condition of the moorings has led boaters to avoid them and drop anchor elsewhere. A new funding system is needed, he says. (Rowat estimates that the annualized cost of installation, monthly cleaning, and bi-annual replacement of components could add up to as much as US\$1850 per mooring per year if performed by an outside contractor. If performed "in-house" by the marine parks authority and responsible NGOs,

he says, the cost would be lower, assuming the expenses of staff time and vessel operations are internalized.)

MCSS is working to create a national mooring fee system in association with charter yacht operators, an expanding and profitable sector of the Seychelles tourism industry with more than 120 boats. (The dive sector, in contrast, has fewer than 25 boats.) Under the MCSS proposal, an additional 80 mooring buoys would be installed for charter boats' use. Installation and maintenance would be paid for through a weekly mooring-use fee per boat, payable in advance by the charter companies and passed on to their clients. MCSS and the companies are in negotiations. "The fee would cover only the new mooring buoys," says Rowat. "The existing mooring buoys are already covered under the individual arrangements with management organizations. [Maintenance of the existing mooring buoys] could be included in the new system if their organizations were prepared to contribute."

Again, keeping the community and tourism sector involved is key to building support for a mooring buoy system and warding off opposition. Says Jacobson of Australia's Whitsunday region, "Rather than promoting conservation as the key outcome of what we are attempting to do, I have learned that when dealing with tourism operators and industry it is best to use the term 'tourism product'. This is not to downplay the value of conservation, but simply a way to highlight that what the industry is selling as a tourism product is all the things that nature provides. It then becomes easier to convince the industry that there is a range of 'tourism products' out there in the park available for presentation, and an ongoing need to work together to look after them. We are all in this together."

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REGIONS UTILIZING ENVIRONMENTAL REEF MOORINGS REGION INITIAL
INSTALLATION DATE APPROX. NUMBER BY 1996

REGIONS UTILIZING ENVIRONMENTAL REEF MOORINGS

REGION	INITIAL INSTALLATION DATE	APPROX. NUMBER BY 1996
U.S.A., South Florida	June, 1981	500 *
Cayman Islands, B.W.I.	Sept., 1986	205 *
Netherland Antilles, Saba	April, 1987	20 *
U.S.A. Hawaiian Islands	July, 1987	45 *
Malaysia, Peninsular	July, 1987	150 *
Turks and Caicos, B.W.I.	Dec., 1988	35 *
Netherlands Antilles, Saba	March, 1989	7 **
British Virgin Islands, B.W.I.	March, 1990	170 *
Belize, C.A.	May, 1990	52 *
Thailand, Phuket	1989	10
U.S.A. Texas Flower Gardens	May, 1990	12 *
Samoa, American	June, 1990	6
U.S.V.I. Nat. Park, St. John	Nov., 1990	40 *
U.S.V.I. St. Croix	Feb., 1991	20 *
St. V. & Grenadines, Mustique	March, 1991	25 *
Jamaica, Negril	Nov., 1991	35
Jamaica, Montego Bay	Dec., 1991	13 *
Honduras, Bay Islands	1991	10
Bahamas, Bimini Chain	Jan., 1992	76 *
Bahamas, Lucay C.B.I.	March, 1992	75 *
Puerto Rico	May, 1992	64 *
Anguilla, B.W.I.	June, 1992	50 *
Micronesia, Palau	Sept., 1992	25 *
Bahamas, San Salvador	Dec., 1992	36 *
Bahamas, Exumas/Land & Sea Park	Feb., 1993	105 *
St. V. & Grenadines, Tobago Cays	March, 1993	50 *
Bahamas, Nassau	June, 1993	25
Egypt, Harghada (Red Sea)	July, 1993	48 *
Australia, Whitsunday Is.	August, 1993	5 *
Belize, Cay Caulker	Sept., 1993	39 *
Bahamas, Exumas/Land & Sea Park	March, 1994	10 *
Saipan	May, 1994	10 *
U.S.A., Hawaii/Molokini, Maui	May, 1994	6 **
Bahamas, Gingerbread/Bimini	June, 1994	12 **
Bahamas, Harbour Is./Eleuthera	June, 1994	18 *
Indonesia, Bali Barat Nat. Park	Sept., 1994	8 *
Indonesia, Komodo Nat. Park	Sept., 1994	8 *
St. Lucia, Soufriere SMMA	Dec., 1994	42 *
Dominican Republic	Jan., 1995	30 *
Bahamas, Abaco/Hog Cay	Feb., 1995	3 *
Bahamas, Abaco/Green Turtle Cay	May, 1995	6 *
U.S.V.I. St. Thomas/Reef Ecol. Tr.	May, 1995	50 *
Indonesia, Komodo Nat. Park	Sept., 1994	8 **
St. Lucia, Soufriere/SMMA	Dec., 1995	11 **
Jordan, Aqaba	Jan., 1996	10
Papua New Guinea, Walinde Bay	March, 1996	14 *
Micronesia, Yap	March, 1996	16 *
St. V. & Grenadines, Tobago Cays	May, 1996	46 **
U.S.A., Great Lakes (No. IL Scuba)	May, 1996	3
Aruba/Watersports Assn.	June, 1996	22 *
Bahamas, Abaco/March Harbour	1996	15
Micronesia, Kosrae	1996	3
Egypt, Harghada HELCA-Winrock	Proj 1996	225 **

APPROXIMATE TOTAL MOORINGS BY 1996:

2,530

The Cayman Islands A Case Study for the Establishment of Marine Conservation Legislation in Small Island Countries by G.C. Ebanks and P.G. Bush Abstract The Cayman Islands have experienced a tremendous rate of growth in the last twenty-five years and tourism, particularly diving tourism, has emerged as one of the two main pillars of the country's economy. Everincreasing numbers of visitors and the parallel economic growth and development of the Islands continue to place significant stress on the marine environment. In response to early warnings of inevitable environmental degradation, Government introduced the Marine Conservation law in 1978. Since 1978

additional measures have been taken, culminating in the establishment of the Marine Parks system in 1986. Although much has been done towards management of these protected areas, the legislation which regulates activities within the Parks today does not adequately address the main conservation issues facing the Cayman Islands. These are a. overuse of the reefs and b. degradation of the marine environment resulting from coastal development. Solutions to these problems are being sought and steps are being made toward the creation of new legislation to ensure that future development is more sensitive to the environment. Key Words: marine conservation law, growth and development, marine parks.

The Marine Conservation Law

The Marine Conservation Law (1978) created the entire framework for Cayman's marine conservation laws and regulations and is arguably the most important piece of conservation legislation passed in the Cayman Islands to date. It outlawed the taking of any marine life while on SCUBA and prohibited the use of noxious substances for the taking of marine life. The Law set a size and catch limit and a closed season for the spiny lobster (*Panulirus argus*), while the taking of any other species of lobster was prohibited. In addition, a catch limit for conch (*Strombus gigas*) was established and the use of spearguns and nets regulated. The collection of coral and sponges was outlawed and the displacement or breaking of any coral or underwater plant formation during construction or dredging was prohibited, unless licensed by Government. A restriction was placed on the taking and export of certain marine species and the discharge of harmful effluent and raw sewage into the sea was made illegal. The Marine Conservation Board which is responsible for the general administration of the Law was established. The Law also empowered Executive Council (the main governing body of the C.I.G.) to make Regulations prescribing marine parks, restricted marine areas, minimum catch sizes for certain species, closed seasons, and Regulations to control many other activities such as anchoring and fishing. Regulations protecting female sea turtles and their eggs during the months of May through September were passed with the Law in 1978. The social and political climate at that time did not allow the Law to encompass all of the recommendations made by the Natural Resources Study but provisions written into the Law have enabled the subsequent introduction of more detailed legislation.

A Strategy for the Establishment of Marine Parks

After some years of working with this Law it became evident that, with ever increasing numbers of visitors to the islands and an expanding population, marine resources were being placed under greater and greater stress and needed more protection than the Marine Conservation Law, as it then stood, could offer. Dive operators, who for years had been lobbying for the establishment of marine parks and some local fishermen complained of the noticeable degradation of the reefs and the declining numbers of fish, conch and lobster. At that time, September 1984, the Government employed a Scientific Officer and Assistant Scientific Officer for the Natural Resources Laboratory. The function of the Laboratory was to monitor the coral reef, lagoon and mangrove ecosystems of the islands. This was the first time that the building originally constructed to accommodate the investigators affiliated with the

1975 Natural Resources study would have a full-time staff as had been recommended. Information provided by the Laboratory, the pressure of public opinion and a change of Government at the 1984 General Elections all acted to provide the impetus for a first try at the establishment of Marine Parks in the Cayman Island. This first attempt met with failure, 5-25 both on the political and social fronts. However, in late 1985, certain factors once again converged to provide the political mandate necessary to allow for a second try. A two person team - one biologist and one lawyer - was assembled within the Government Portfolio responsible for conservation and charged with the responsibility of developing the Marine Parks Plan and map. A large broad-based committee comprised of watersports operators, fishermen, commercial boat trip operators, Government biologists and local environmentalists was set up. This committee held an intensive series of meetings to establish the zone types, zone boundaries and associated rules for Grand Cayman. This was followed by the development of a public information campaign which included a slide show on the benefits and uses of marine protected areas as applicable to the Cayman Island, and island-wide Ocean Awareness week in the schools, special radio broadcasts, and presentation of the slide show to all service clubs, youth groups, churches and schools. Meetings were also held in the Town Hall of each district on the island where local biologists and other members of the Committee explained the proposed Grand Cayman Marine Parks system to the public. In general the plan was extremely well received, but strong objections to parts of the plan as well as suggested alternatives were carefully noted and taken back to the Committee. These points were discussed and a revised version of the plan was drawn up which reflected the input of the community without compromising the purpose of the protected areas. In March 1986 Government accepted the plan and the Marine Parks Regulations for Grand Cayman came into effect. A similar method was used in Cayman Brac and Little Cayman and one month later both of these islands also had marine parks. After several years of analysis of the techniques used to gain support for the establishment of the parks a few key reasons for success have become evident. First, a significant volume of information on the marine resources (both scientific and local) was readily available for use. Due to the narrow shelf around the Islands, there was a tremendous amount of local knowledge of key areas, especially among dive operators and fishermen. The use of local biologists in the preparation of the plan and its presentation to the public greatly reduced the potential for cultural conflicts. For example, it is easier to convey the need for conservation measures to local fishermen of one is able to use familiar expressions and terms for habitats and fishes. Also, the public testimony of key figures in the community on the current status of fisheries stocks etc. had a great impact on the skeptics. While their small size may be disadvantageous in some respects, small islands present a "captive audience" easily targeted by all available media and public meeting. Lastly, the fact that the input received from the public was taken into account lent much credibility to the public review process. The Marine Parks and Enforcement Methods Salm (1984:213)

provides a detailed set of guidelines, based on sound ecological theory, for the determination of the sizes and boundaries of marine protected areas and highlights the value of the zoning technique. While lack of time, resources and personnel prevented the strict application of Salm's guidelines to the establishment of marine parks in the Cayman Islands, the principle of zoning was heavily utilized in order to cater as much as possible to traditional activities and to reduce user conflicts. The Cayman Islands Marine Parks system utilizes three types of zones: the Marine Park Zone, the Replenishment Zone and the Environmental Zone). The Marine Park Zones were created primarily to protect the coral reefs and associated organisms incur most heavily used diving areas. In these zones taking of marine life, alive or dead, is prohibited except that line fishing from shore and beyond the drop off is permitted. Seine nets, spearguns, pole spears and fish traps are totally prohibited. Anchoring is also prohibited except that boats 60' or less may anchor in sand as long as a grappling hook is not used and neither the chain nor rope lies on the coral. Anchoring is also permitted within the designated Port Anchorage areas. The Replenishment Zones were created to ensure protected breeding and nursery areas for marine life, especially conch (*Strombus gigas*) and lobster (*Panulirus argus*). Spearfishing and fishtraps are strictly prohibited in these Zones but anchoring and line fishing are allowed. To ensure the preservation of a portion of the undisturbed, mangrove-fringed North Sound lagoon environment, a single Environmental Zone was created. All fishing and anchoring are prohibited and no in-water activities are allowed. A speed limit of five knots or less applies in the Zone. Regulations making spearfishing a licensed activity were passed simultaneously with the Marine Parks legislation. Applicants must fulfill certain age and residency requirements and must produce a clean 5-26 Police Record. With the introduction of Marine Parks legislation the penalties for violating the Law and regulations were made more severe: a judge may now impose a fine of up to CI\$5,000 and a term of imprisonment of up to twelve months, and may order the confiscation of all equipment and vessels used to commit to offence. Initially enforcement of the Law and Regulations was carried out by volunteer Fisheries Officers but now the Parks are patrolled by Marine Enforcement Officers seconded from the Police force. There are two Enforcement Officers for Grand Cayman and one for Cayman Brac and Little Cayman. It is hoped that these numbers will be increased in the future. Additional Measures Taken to Protect the Marine Environment Lang and Land (1976:2) noted the significant damage being caused to the reefs on Grand Cayman by the anchors of both large and small vessels. In 1984 when the Government's Natural Resources Unit began to monitor the health of the Cayman's coral reefs it became evident that anchor damage was still the main threat to the continued health of the reefs. The damage being caused by cruise ship anchors was particularly severe. Smith (1988:231) recorded 3150 square metres of previously intact reef being destroyed by one cruise ship anchoring on one day. After the introduction of the Marine Parks legislation the C.I.G. provided the funds necessary to purchase the equipment to implement a mooring system for dive boats and recreational

vessels. This mooring system is based on that used in the Key Largo National Marine Sanctuary, Florida (Halas 1985:239-240). Today 205 dive sites in the Cayman Islands have permanent moorings. Of this total 119 are located on Grand Cayman; 60% of the sites on Grand Cayman are located within the Marine Park on the western coast. The question of providing permanent moorings for cruise ships has still not been resolved. New Regulations passed in 1988 make it an offence for a vessel of any size to anchor in such a manner as to cause damage to coral anywhere in Cayman's territorial waters. In 1988 Regulations giving the Marine Conservation Board the authority to control access to Bloody Bay Wall were passed. This area is located in the Marine Park on the north coast of Little Cayman and one of Cayman's most famous and popular dive sites. The Board is currently in the process of gazetting the Directives which will be used to licence boats using the area. Current Problems and Proposed Solutions Overuse of the reefs, particularly on Grand Cayman, is perhaps the most pressing marine conservation problem in the Cayman Islands today. Long before the introduction of marine parks, dive operators have discovered and named particular dive sites e.g. Orange Canyon, Bonnie's Arch and Big Tunnels. Repeat visitors make special requests to return to these favored sites. These sites are all located along the west coast of the island where the reefs are easily accessible, the weather conditions are most often favorable and where the majority of hotels and condominiums are located. It is estimated that 85% of the diving taking place on Grand Cayman occurs on the reefs in this area. The West Bay peninsula continues to attract the vast majority of tourist oriented development. Two large hotels have recently opened and another is due to open late in 1990. All of these hotels have large diving franchises connected with them. However, the first draft of the proposed Marine Control Law, which advocates controlling the growth of the watersports industry, has been produced as a result of dialogue between the watersports industry and Government. Certain symptoms of rapid growth are also beginning to cause concern in other areas of life and the Government has recently placed a five year moratorium on hotel development. In the meantime, a 10 year Tourism Development Plan has been commissioned by the Government and environmental concerns have featured heavily in all discussions to date. Large scale speculative development of the mangrove swamps on the western coast of the North Sound continues. Typically this development involves the digging of canals, lakes and yachting basins; inevitably a certain amount of dredging in the open Sound is required to provide enough material to fill the land. Much of the mangrove swamp of the West Bay peninsula has disappeared; the Central Mangrove Swamp is the only remaining major body of undisturbed mangrove on Grand Cayman. Small areas of mangrove swamp have been designated as Wetlands of International Importance under the Ramsar Convention and two of these have been declared Animal Sanctuaries under the Animals Law. In response to the overwhelming number of dredging proposals, the Government has recently formed a Coastal Works Advisory Committee. This Committee embodies, for the first time, both biological and technical expertise to

advise Government. Its terms of reference are to review and make recommendations on all proposed coastal development. The Government has also recently secured funding for a consultancy which will look at the environmental costs of providing fill material for developing by dredging and discuss alternatives. Ironically, the existing Marine Parks Regulation do not cover dredging as the political situation in 1986 made passage of such legislation difficult. At the moment there is an unwritten policy that dredging should not be permitted in the Replenishment Zone area of the North Sound, or in the marine protected areas in general. It is hoped that, with the proposed creation of a Department of the environment, these sentiments will be translated into legislation. The Natural Resources Unit, now with a staff compliment of eight, continue to monitor the marine resources of the island. Conchs and finfish populations studies are conducted annually and an in-depth study on the status of the Nassau grouper (*Epinephelus striatus*) fishery is nearing completion. Unit staff have also been deeply involved in assisting the National Trust for the Cayman Islands in providing environmental education materials to the school, and to the adult membership on the Trust. Education of the Caymanian public has done much to promote the idea of controlled growth and development based on the sustainable utilization of resources. It is now generally well accepted that the creation of marine conservation legislation and marine protected areas has been a first and major step in protecting our marine resources. Ensuring their continued survival will require constant vigilance and cooperation on all fronts.

Caribbean Travel and Life Save Our Sea The Cayman Island lead the Caribbean into the era of region-wide marine preservation by Kay Showker The Cayman Islands now have stiffer fines for dumping and the destruction of marine life than any country in the Caribbean. This recently approved measure increases 100 times the fine that can be levied on any ship—cargo, tanker, cruise, or pleasure—from CI\$5,000 to CI\$500,000 (about US\$5,200 to US\$518,000). When the Honorable Thomas Jefferson, Executive Council Member for Tourism, Environmental and Planning of the Cayman Islands Government, announced this new policy at the meeting of the Third Caribbean Conference on Ecotourism in Grand Cayman last May, environmentalists seized upon the Cayman's initiative to push for region-wide action. They called for a task force to draft regional laws to protect the Caribbean's marine environment. The group, working under the Caribbean Tourism Organization, will review existing international legislation affecting the Caribbean region and will propose new guidelines. The resulting code will be called the Cayman Convention on Caribbean Marine Environmental Protection. Holding this year's Ecotourism Conference in the Cayman Islands could not have been more appropriate. Dedicated to marine conservation with the theme "Protecting the Caribbean Sea: Our Heritage, Our Future," the Conference (cosponsored by the Caribbean Tourism Organization and the Cayman Islands) focused on how the Caribbean as a region can safeguard its delicate marine environment. Few Caribbean nations have set a better example than the Caymans, which began hosting scuba divers soon after the sport was first introduced 36 years ago; the Caymans themselves have

served as a model for marine conservation efforts on many other islands. The Caymans were the first Caribbean destination to promote-diving vacations in a big way. Today, some 85,000 divers visit this three island country every year. In addition, Grand Cayman, as an important cruiseship port in the Western Caribbean, receives an average of 16,000 visitors a week aboard liners—a 14 percent increase over last year. Therefore, it is not surprising to find the Cayman Government getting tough in an effort to reverse the destruction that the rapid growth in tourism has had on the islands' marine life. What may be surprising is the road traveled to achieve the kind of commitment that the government now manifests. Although the Cayman's first conservation laws were passed in 1978, the laws by the government's own admission-were not sufficiently enforced until the first Marine Park Regulations were passed in 1986, 29 years after the first dive shop opened on Grand Cayman and almost a decade after Bonaire had established its Marine Park. But a Cayman park 5-28 might never have happened had it not been for the Cayman Island Watersport Operators Association (CIWOA). Born initially out of safety concerns, the group took on the conservation cause when it began to witness the detrimental impact that increasing numbers of divers, snorkelers, boaters, fishermen, and cruise ships had on the reefs. CIWOA rallied public support and lobbied the government for tougher environmental action. Particularly, the group sought to establish a marine park system, which it deemed essential to the government's ability to enforce conservation laws. CIWOA eventually helped design the parks. For the first time, the Cayman Islands Marine Park Regulations clearly defined the areas for protection in three levels: Replenishment Zones to prohibit the taking of conch and lobster year-round, a single Environmental Zone to preserve portions of the mangrove-fringed North South Lagoon, and Marine Park Zones where anchoring and fishing are strictly regulated to protect delicate coral reefs. The kinds of activities permitted in each zone—from diving to boating to fishing—are clearly spelled out. The system prohibits dumping, damaging, or taking of coral and sponges. Newer regulations make it illegal to damage coral anywhere in Cayman territorial waters. A licensing system was established to limit access to Bloody Bay Maine Park, home to the famous Bloody Bay Wall. A pamphlet that outlines these laws, Guidelines for the Preservation of Diver Damage, is distributed to visitors. It details how divers must maintain buoyancy control, avoid dangling gauges and alternate air sources, keep their fins from scraping reefs and resist touching and disturbing any and all sea creatures. But even before CIWOA had received government sanction, its members began setting up moorings for boats, having learned that anchors are one of the major causes of reef destruction. There are now 206 mooring sites surrounding Grand Caymans, Little Cayman, and Cayman Brac, and more are being installed all the time. CIWOA also advises boat captains on anchor locations and even suggests the best anchors to use. By developing a good working relationship between its members and the government, CIWOA continues to have influence on environmental matters. Many CIWOA members sit on government committees, such as Planning, Tourism, Development, and Conservation.

Strengthening the conservation laws is only one step the Cayman Government has taken to demonstrate its commitment to environmental protection. Following the election of a new government in 1992, the Tourism portfolio was restructured to include the newly created Department of the Environment and the Department of Planning. A Ten-year Tourism Development Plan, reviewing the impact of cruise tourism on the Cayman environment, has recommended limiting the number of ships calling at George Town Harbour to three ships a day, or 5,500 passengers. The Cayman Islands have set a fine example for their Caribbean neighbors. So far, however, little has been done to safeguard the Caribbean's marine world on a regional level (see side bar, "Reefs at Risk"). Hopefully, this will change when proposals made at May's Ecotourism Conference become reality. Plans call for the formation of a Caribbean Ecotourism Society to keep a data and resource bank. In addition, a Regional Advisory Council, Made up of representatives from private and public sector groups concerned with environmental matters, will form a link between national and regional ecotourism activities; and an Ecotourism Unit at CTO headquarters will service the activities of the Society and Council, organize future Ecotourism Conferences, and help to implement actions the groups propose. As Jefferson concluded at the Conference, "Our way of life and our economies depend upon the maintenance and preservation of our marine resources. This can be achieved only with a strictly enforced marine environmental code. It is our hope that other countries will follow suit. All of us with tourism interests in the region, including the cruise lines, can benefit, indeed profit, from a protected and preserved Caribbean." Reefs at Risk By Marci Bryant Islands are surrounded by water—that's their nature. But until just three years ago, no one had ever completed a region-wide study of the Caribbean's shallowwater corals, which affect the sea and all other life forms within and around it. Then in 1990, The Nature Conservancy, cooperation with the University of Miami, the Smithsonian Institution, and the MacArthur Foundation, undertook the task of ranking and classifying 147 corals found in eight biogeographic regions from southern Florida to Central America. And the results were shocking. More than half of the corals studied in southern Florida, the northwest Caribbean, 5-29 and the continental Caribbean were either endangered or rare; and more that one-third of those studied in the other five regions (the Gulf of Mexico, the Bahamian Archipelago, Puerto Rico, the Lesser Antilles, and Bermuda) were in the same predicament. The coral populations were ranked in three categories—fragility, abundance, and distribution. "The objective with the ranking is to provide a tool to conservation agencies so they can direct their programs," said Brad Northrup, director of the Conservancy's Caribbean programs. "It struck me that there are specific areas that clearly need some immediate conservation efforts." The study, which was completed earlier this year and will be updated annually, found that "several coral reef systems off the Florida Keys, the Virgin Islands, Puerto Rico, and the Lesser Antilles of the Eastern Caribbean were seriously deteriorating. "A damaged reef might never be healthy again..." said Kathleen Sullivan, an investigator in the study. "Once it is damaged, it will erode away faster than it can

recover." When reefs break down, coastlines are threatened by every tropical storm. Erosion of the beaches affects tourism, which in turn affect the local quality of life. Fish, which divers and snorkelers on vacation expect to see in abundance, will also move farther out to sea as their habitats and food sources become scarce. These same fish sustain the livelihoods of local fishermen. "The traditional focus has been protecting terrestrial ecosystems. This study shows that reefs are as rich in diversity as the rain forests ad deserve equal conservation efforts," said Nature Conservancy zoologist for the Latin American Caribbean Program, Roberto Roca. The Dominican Republic has 14 parks of which only six are marine; Trinidad and Tobago have 10 parks, one is marine; and Puerto Rico has more than 15 parks, non of which is marine. Meanwhile, coral reefs continue to be "stressed." Ocean dumping, untreated sewage, coastal development (deforestation and mining), and careless boaters, fishers, and divers are among the culprits causing the destruction. "Basically, anyplace where there are a lot of people and a small shelf areas, the reefs are damaged," said Sullivan. But the waves of destruction may soon be calmed by "Rescue the Reef", a Nature Conservancy program that works with the local populace to create the basic infrastructure needed for marine park management and other long-term projects. The program, started in January 1993 with a grant from Scubapro, a scuba equipment manufacturers, is already active in the Dominican Republic's Parque del Este. Rangers are being hired, trained, and provided with equipment. In Florida, volunteer divers are identifying and tracking endangered marine species via satellite. Now that the Conservancy's study has set up the guidelines for how to determine marine rareness, "Rescue the Reef" can work to prevent it. To become a member of "Rescue the Reef", send a check for \$30 (members will receive three newsletters and a waterproof logo sticker) to Rescue the Reef, c/o The Nature conservancy, 1815 North Lynn Street, Arlington, Virginia 22209; or call (800) 628-6860. Some major credit cards are also accepted. Caribbean Travel and Life Take Back the Reef Tiny Bonaire plays the Caribbean's leading role in reef protection and marine preservation. by Norie Quintos Danyliw Since the beginning of this year, Bonaire has been charging an admission fee to divers—the first major diving destination in the Caribbean to do so. After quite a furor last year over the impact of such a fee on dive tourism, including dire predictions of a massive diver boycott of Bonaire, the fee seems to have been accepted by most involved as necessary to keep the Bonaire Marine Park healthy. This is the way it works: Anyone planning to dive in the Bonaire Marine Park (which includes all the waters from the high water mark to the 200-foot depth contour surrounding Bonaire and Klein Bonaire) must pay a \$10 fee, good for one year of unlimited diving. Residents of Bonaire are not excluded from paying the fee. Visitors may pay at the Bonaire Marine Park headquarters in town or at any island dive operator. A tag and admission ticket are issued; the tag must be attached to dive gear and be visible at all times. Dive operators have the legal obligation to inspect tags before filling tanks with air. Bonaire Marine Park rangers will also check divers for tags. All monies collected (expected to be about \$150,000 in 1992) will go directly to the Marine Park for

upkeep and maintenance, law enforcement, information and education, and research and monitoring. 5-30 This is pretty activist stuff, especially for an island on the edge of the Caribbean that few people have even heard of. But Bonaire's no stranger to activism, nor has it ever been afraid to be the first on the block to take action, particularly when the reef is concerned. In 1971, while dive magazines were publishing page after page of spearfishing equipment ads, and spear guns were widely considered standard scuba equipment, the island of Bonaire was banning spearfishing from its waters. Soon after came a project to place permanent moorings at popular dive sites to prevent anchor damage of reefs. Four years later, the government banned the taking of coral—alive or dead—from its waters. And in 1979, Bonaire took its biggest step, becoming the first island in the Caribbean and perhaps the world to declare all its surrounding waters a protected marine park. Last year, Bonaire was the first to offer free advanced buoyancy classes to every single diver in 1991 in order to improve diver comfort and reduce diver damage to the reef. That year also saw the birth of the Dutch-Bonairean Turtle Club, a group raising funds to save the endangered sea turtles. A mere mote on most maps, Dutch Bonaire, about 50 miles off the Venezuelan coast, is hardly the logical choice for pacesetter in the fight to protect the reefs. Other Caribbean nations have paid lip service to marine conservation and there are even some marine parks that predate Bonaire's, but most of those were and continue to be "paper" parks with little or no active management. Bonaire is on the cutting edge of dive ecology—years ahead of places that are many times its size—including the United States. Indeed, perhaps Bonaire's minute size has been an advantage in this matter. Bonaire is basically a one-industry town. "Let's face it, we {Bonaire} don't have Aruba's beaches nor Curacao's commerce. What we have is great diving," says Sand Dollar dive operator Andre Nahr. And that industry is growing. Last year, Bonaire had 15,000 divers making an average of 10 dives each. That's a lot of reef contact, especially on the more popular dive sites. Twelve years ago, Bonaire got only 4,700 diving visitors; in 1970, only several hundred. With this rapid growth, Bonaireans have come to realize that it makes good economic sense to preserve the reef—if not for the nobler sake of future generations—then for the sake of their own livelihoods. Also, with only 12 dive operators on the island—all pretty much in the same boat—achieving consensus and cooperation is feasible. According to Bonaire Marine Park manager Kalli De Meyer, another advantage of size is that "people notice. They notice if the groupers disappear—which has happened here—or if a particular reef gets damaged—which has also happened here. People see the impact on their environment more readily and greater pressure can be put on the government." But perhaps most significantly, Bonaire's activism—which has not been limited to the sea but extends to land as well—has been launched, driven, and buoyed by a combination of factors: a receptive government, concerned conservation groups, and some very committed residents. Undoubtedly the single most important person in this story is "Captain" Don Stewart, who arrived on Bonaire in 1962. A crusty Californian, Stewart came to collect ornaments for the aquarium trade and became

involved with the expansion of the island's first hotel—the Flamingo Beach Club. Like many intrepid divers during the early years of scuba, Stewart was an avid spear fisherman. He worried little about the marine environment—not because he didn't care, but because it seemed inconceivable that the sea might one day fail to replenish what was taken; there seemed to be an endless supply of fish, coral, shell— all of it available for the taking. But one day it hit him. He has been quoted as saying, "I originally discovered conservationism after I put on one of the biggest spearfishing tournaments in the islands. I saw hundreds of fish piled up there for no reason . . . and I stopped that very moment." Stewart hung up his spear gun and began actively campaigning for a prohibition. The spearfishing ban was passed by the Bonaire government in 1971. But Stewart's activism didn't stop there. He saw the damage wrought by anchors dropped at dive sites and developed the concept of permanent moorings for scuba diving vessels. First used on Bonaire, mooring systems are now being introduced all over the world (though many major diving destinations still prefer to throw in an anchor). Today, more than 75 permanent moorings, now maintained by the Marine Park, ring the islands of Bonaire and Klein Bonaire. Stewart considers this his greatest achievement. By the late 70s, various concerned groups were pushing for stronger legislation and the creation of a marine park. The Park was established de facto in 1979 (though the supporting legislation was not passed until 1984), as the first in the Netherlands Antilles. Funding for management of the Marine Park came for the Dutch government and a grant from the World Wildlife Fund-Netherlands. Unfortunately, despite the good intentions, money ran out a few years later, and with it went active management of the Park. "In essence, it became a paper park—a park in name only—with what little management there was being done by CURO (Council of Underwater Resort Operators), says De Meyer. The diver operators—working voluntarily and as a unit— took over such functions as the maintenance of moorings and closures of overused dive sites. Most importantly, they kept the idea of the park alive, educating thousands of visitors about Park regulations, even though these rules went unenforced for years. But however admirable CURO's efforts were, Bonaire's reefs were beginning to show signs of wear. Not all of the damage could—nor should—be attributed to divers. Non-ecological construction, thoughtless waste management, and certainly other users of the marine environment such as boaters, fishermen, and swimmers had also taken their toll. Finally in 1990, after increasingly vocal calls for action by various groups, including Prince Bernhard of the Netherlands, the Bonaire government commissioned an evaluation with a view towards resuscitating the Marine Park. The resulting recommendations formed the basis for the revised Marine Ordinance, which the Island Council of Bonaire passed in June 1991. Once again, the Dutch government came up with funding and technical assistance for a period of three years on the condition that a visitor fee be introduced, which would make the park self-sufficient beyond 1993. The reception of the admission fee for divers has been generally positive, if guarded. Leonora Reich, 68, who first came to Bonaire more than 20 years ago, recently brought

her grandson, 13, to Bonaire to learn how to dive. She took him down to Leonora's Reef, the dive site named after her by old pal Captain Don Stewart, and pronounced it "in surprisingly good shape." And what of the new diver fee? "We pay \$10 to commercial enterprises all the time that don't do one thing to help the environment, and we don't even blink. If it [a divers' fee] does what it is meant to do, and that is to preserve the island's reefs for my grandson's grandson, then it is money well spent." Dee Scarr, a dive guide and a part-time Bonaire resident, agrees, "People seem very glad, as I am, to participate in the maintenance of the Park. It's just one more piece of evidence of this island's desire to keep its reefs healthy, which is one reason I'm here in the first place." Still, there are those who contend that divers have been unfairly targeted, when swimmers, snorkelers, and boaters use the Park too. De Meyer defends the fee. "Yes, divers are bearing the load of financing the Marine park. But they are 90 percent of the users of the Park and they are the ones who will most directly benefit as well. In fact, divers can see the fruits of their investment immediately—in moorings that are well maintained, in shore markers that designate a dive site . . . in many cases we've even marked the easiest point of entry and exit . . . that's all for the benefit of divers." Though the diver fee is certainly the most important regulation to come out of the revised ordinance, other significant changes were also implemented. Among them: the ban against the taking of sea turtles, the strengthening of the spear gun prohibition, and the reduction of the unrestricted anchorage zone. Everyone agrees that more can and needs to be done. Tom van't Hof, independent consultant to the Netherlands Antilles National Parks Foundation, notes, "Indeed there is a great need to do more coastal zone planning. We've noticed increased runoff and resulting damage to the reefs due to non-ecological construction practices. We need to come up with strategic and sensitive planning in future development projects. The revitalized Marine Park is in a good position to play a major role in this." More also could be done in the education and enforcement level. Says Michael Gaynor, a dive instructor and a Bonaire resident, "You see people of through the airport all the time carrying bags of shells, coral, sea fans—out in the open—and nobody says anything." Still, Bonaire's achievements far out pace many other diving destinations and are an example to the region of what a community, however small, can accomplish. Says Andre Nahr, current president of CURO, "We don't want Bonaire for just 10 years. We want it for 50, 100, 500 year from now." So do we.

You Too, Can Save a Reef Whether sailing, scuba diving, snorkeling, swimming, or just beaching, you can do your part to preserve the reef and protect marine life wherever you happen to be in the Caribbean. Here are some dos and don'ts from Bonaire's dive masters.

- If you dive or snorkel, avoid silting up the bottom with your fins and touching living corals. Divers should practice good bounce control to avoid accidentally bumping into coral; most dive shops offer free workshops in advanced buoyancy control.
- Though the point is debatable, many experts recommend that you refrain from feeding a fish food 5-32 inappropriate to its diet (like Cheez Whiz) as it can make a fish ill, change its behavior, or otherwise upset the natural balance of the environment.
- To prevent

distress to marine life, avoid handling marine creatures, e.g., tormenting a puffer fish to make it puff up, riding a sea turtle. ◦ Even dead coral and empty sea shells have their roles. They often provide shelter for tiny reef animals; eventually, they get crunched up and provide the white sand we travel so far to see. Avoid taking them home with you. (In Bonaire it is illegal to remove anything— living or dead—from the Marine Park.) ◦ Boaters should keep in mind that anchoring causes permanent damage to coral reefs. If at all possible, find a mooring. If there is not one available, keep frequency of anchoring to a bare minimum. (In Bonaire, anchoring is strictly forbidden except in a small harbor area in town or for fishing boats of less than 12 feet.) * Avoid buying items made out of coral, shell, or turtle shell. On some islands it is illegal. U.S. Customs also prohibits the importation of items made out of endangered animals. Unless you are certain your purchase is neither illegal nor ecologically harmful, it's best to avoid the issue altogether.

Channeling Revenues to Resource Protection Kalli De Meyer Bonaire Marine Park Manager. I believe that most people here would agree that resource management and protection is of paramount importance for the development of sound economic growth in the field of tourism especially where there is "ecotourism". More blandly stated a healthy environment is the goose which lays the golden egg for tourism and the protection of that goose is really in everyone's best interests... It should come as some surprise, therefore, to learn that, according to a recent report by OAS (OAS/NPS, 1988), of the established marine protected areas in the Caribbean only 29% may be considered "fully protected" - if the USA is excluded this figure drops to a mere 16%. Furthermore that only 24% have effective day to day management and that a stunning 50% are without personnel. Considering their economic importance this is staggering . . .

. Why is this the case? Brief Case History of the Bonaire Marine Park (Let me briefly share with you our experiences on Bonaire) Bonaire has always been very proactive when it comes to conservation: ◦ Turtle nests and eggs have been legally protected since 1961 ◦ Spearfishing was banned way back in 1971 an act equivalent in many ways to what would be the banning of underwater cameras today. ◦ Capt. Don Stewart, the first person to set up a dive business on Bonaire and quite a figure in his own right, can be justly proud of setting up the first system of moorings to avoid having his dive boats anchoring on the reef. ◦ On Bonaire the corals, which are of course the building blocks of any reef, have been legally protected since 1975. These regulations show an increasing concern for marine environmental protection which culminated in 1979 in the establishment of the Bonaire Marine Park. With Tom van't Hof as the Park's first manager and Eric Newton his local counterpart the Park go off to a flying start. Perhaps most importantly, comprehensive legislation was drafted which established the Marine Park as a protected area from the high water mark to the 200' depth contour both around Bonaire and the smaller adjacent island of Klein Bonarie. Research and monitoring programs were set up, a system of more than 40 moorings was established for use by dive boats, shore access points were marked and extensive information on the Park, including a book, were produced and distributed. And the goal of the Marine

Park - simply to ensure a sustainable marine environment. With so much going for it, why was it then that after 5 brief years, active management of the Marine Park ceased? (I should emphasize that this is not to say that marine protection and the concept of the Marine Park were things of the past-the dive operators took it upon themselves to maintain and expand the mooring system through Capt. Don's pioneering "Sea Tether" program. They also continued to brief divers about the existence of the Marine Park and did their best to ensure that Park regulations were adhered to. But the Marine Park had ceased to be actively man- 5-33 aged and many of its important functions such as the provision of information and education, research and monitoring and patrolling were simply not being fulfilled) The fatal flaw was lack of a firm financial basis for the Marine Park. The original project was funded by World Wildlife Fund, Holland with additional subsidies from both the Dutch and Antillean governments. This covered the initial start up costs. However once grant funding ran out . . . so inevitably did active management. So, What's the Answer? (I'd like to share with you what our solution has been) In 1979 when the Marine Park was first established there were just 4 dive operations on Bonaire catering to less than 5,000 divers annually. By 1989 there were already 8 dive operations catering to approximately 15,000 divers annually (i.e. over a 10 year period the number of dive operations had doubled and the numbers of divers had tripled!). Roughly 75% of the tourism to Bonaire is dive related. This tremendous growth in the tourism sector led to renewed concern for the resource base-Bonaire's spectacular coral reefs-and sufficient impetus was generated both on and off island that in April 1991 the Marine Park was revitalized. Again grant funding, was very generously supplied by the Dutch government, was used to cover the initial start up costs but this time the Dutch government very wisely stipulated as a condition of providing the grant monies that the Marine Park must become self supporting within the term of the grant i.e. within 3 years. A decision was therefore taken that, since tourism relies directly on the natural resources of the island, it should be the one to pay for the upkeep of the Marine Park and at this point any number of funding options were considered including raising existing tourist taxes, introducing a new tax, franchising the hotels/ dive operations or passing the costs on to the end users-those who in fact benefit most directly from a well managed and well maintained Marine Park-the divers. Eventually, after extensive discussions with all concerned, but particularly with members of the dive community and hoteliers, it was decided (I can't really say "agreed") to implement a \$10.00 per annum admission fee which would be paid by everyone scuba diving in the Marine Park. This was promptly written into the legislation together with regulations concerning what use could be made of these fee monies and the first tickets and tags were sold on the 1st January 1992. Despite some initial unease about the admission fee on the part of local dive operators and an influential dive magazine, the admission fee system has found a whole hearted support amongst divers and has been a tremendous success. Dive operators ensure the success of the program by selling admission tickets on behalf of the Marine Park and they have been able to fit the sale of admission tickets neatly into

their regular "check-in" procedure. When a diver pays the admission fee they receive a ticket and plastic tag-the tag is then attached to an item of dive gear the diver will have with them in the water. For those of you coming to Bonaire for the field seminar you will have the opportunity to witness this process first hand. And the Secret to (continued) Success in Managing Protected Areas? One of the keys to success has to be . . . GET THE FINANCING RIGHT! Here are some points to bear in mind: 1. It is important to distinguish between "one off" and "continuing" expenses. One off expenses like start up monies or special projects can most easily be covered by applying for grant funding either from a government or NGO or through corporate or private sponsorship depending on the amount involved. 2. It is very difficult to get continuing expenses, such as operational expenditure, met in this way-this is where concession, user fees and the like come into their own. 3. Finally, it is important to utilize as many different funding options as possible in order to channel as much money as possible into resource management. ◦ Our start up funds came from the Dutch government and were used primarily for the purchase of capital equipment (boats, cars, telecommunications, office equipment) etc. ◦ Diver admission fees are used to cover basic operational and personnel costs. The money from admission fees comes directly to the Marine Park so none is frittered away or lost in transit. By the end of 1992 we were indeed able to meet our own day to day running costs. ◦ We offer souvenirs for sale-at the moment this is limited a to few T-shirts and caps-but it should be realized that the sale of souvenir items may prove to 5-34 be a very lucrative source of additional funding. We are currently trying to involve the local tourism industry in selling souvenirs on our behalf. ◦ For special projects we apply for NGO funding. For example we just received grant funding from World Wildlife Fund Holland to bring a scientist from Europe to spend 3 months working with the Park Manger in order to set up a long term monitoring program for the Marine Park. ◦ We have plans to set up a "Friends of the Bonarie Marine Park" to accept private donations. We do accept, and in fact have received private donation, both of money and, just as importantly, donations of equipment e.g. dive equipment, computer hard+ software . ◦ We solicit as much volunteer support as we can both from the local community and from visiting tourists (for data collection, administration, mooring maintenance as well as a host of other things). We have one scientific project right now which is being run entirely by volunteers. In conclusion, it is clear that tourism, especially "ecotourism", is an industry which is growing and expanding at a phenomenal rate. The health of this industry relies directly on the health of the tourism "product" it seeks to sell in other words the natural and cultural resources of the tourist destinations. As resource protection agencies it is our task to work with the industry, with government, with funding agencies, and with the consumer to channel as much funding as possible into resource protection by whatever means at our disposal. And any message to the tourism industry, I guess, is don't be too stingy on the food if you want that goose to continue laying! Reference OAS/NPS. 1988 Inventory of Caribbean Marine and Coastal Protected Areas. Summary Limited only by your imagination! ◦

government funding (often difficult to obtain and difficult to work with but may be a good source for start up funds) ◦ NGO grants e.g. WWF, Nature Conservancy (excellent for special groups) ◦ user fees (most appropriate for tourist destinations) ◦ concessions (most appropriate for tourist destinations) ◦ private donations (“friends” of . . .) ◦ corporate sponsorship (may be money, equipment, office space) ◦ sales (souvenir articles) ◦ trust endowments ◦ inkind services and support (volunteers local and international – Earthwatch, Cedam) 6-1 S

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Studland Bay: Eco-moorings to protect seahorses set to double

3:22 AM

Eco-moorings to stop boats dropping their anchors, causing damage to seagrass beds in a Dorset bay, will more than double to almost 100.

Ten buoys were first put in during 2021, increasing to over 30 last year.

The additional moorings, which boaters pay £10 to use for up to 24 hours via an app, are expected to all be in place for the summer season by early May.

In December 2021, a Voluntary No-anchor Zone (VNAZ) was introduced in the bay, home to a range of species including seahorses, undulate rays and cuttlefish.

The outer edge of the VNAZ is being marked out ahead of the summer season with yellow buoys.

Neil Garrick-Maidment, from The Seahorse Trust charity which started the project in 2008, said: "This is a massive step forward for the protection of the bay.

"It means there will be enough eco-moorings to use, the seagrass is marked and so if you cannot find an eco-mooring to use, then please anchor outside of the marked area."

Set up by the Studland Bay Marine Partnership (SBMP), the £240,000 scheme has been funded by a £186,000 grant from the Marine Management Organisation's Fisheries and Seafood Scheme and fundraising of £54,000.

The fees to use the eco-moorings have been brought in to pay for the £100,000 a year needed to maintain and insure the moorings.

The 96 buoys being put in for this year are made up of 87 buoys put in by SBMP along with nine moorings owned by the Bankes Arms pub, which they have converted to eco-moorings.

During the winter, the mooring buoys and their elastic lines will be removed from their screws on the seabed to be cleaned, checked and maintained.

A small number of eco-moorings will remain available in Studland Bay during the winter.

Covering six nautical miles along the Dorset coast, Studland Bay was formally designated as a Marine Conservation Zone on 31 May 2019, external.

The SBMP is made up of The Seahorse Trust, boatfolk, National Trust, RYA, Southampton University and a host of conservation and boating organisations.

Seagrass

- Across the globe, there are more than 70 species of seagrass, growing in shallow and sheltered coastal areas
- It absorbs 10% of the ocean's carbon each year and captures carbon up to 35 times faster than tropical rainforests
- Seagrass builds its leaves and roots using carbon, which it extracts from water through the process of photosynthesis, and it holds on to it even after it dies off
- Dead plant material decomposes slowly on the ocean floor, and this means that the carbon stored within is eventually buried under the seabed
- Seagrass is critically endangered and appears on the EU Red List of habitats

Source: BBC Earth, external

POLICY & FINANCE COMMITTEE

Report with Proposition to Midsummer Chief Pleas, 3rd July 2024

REVIEW OF COMMITTEE MANDATES

The Committee's attention has been drawn to concerns of potential ambiguities, unnecessary overlaps and lack of clarity in some of the mandates of the various committees of Chief Pleas.

In part this is understandable as they have evolved over time, new responsibilities have arrived, new Committees have been formed, etc. Some mandates are large others are comparatively small. Some are very specific in the roles and responsibilities, others less so.

Having considered the representations on the matter it is persuaded of the merits of each Committee carrying out a fresh review of its mandate. The aim being to ensure that anyone, be they a local resident, a prospective Committee Member, or a sitting Member can be sufficiently clear of what the Committee is, and is not, responsible for.

After allowing time for each committee to carry out its own assessment, the Policy & Finance Committee, will arrange for a coordinated discussion at one of its regular joint meetings with the Committee Chairs.

Thereafter the Policy & Finance Committee will return to Chief Pleas in due course with any relevant recommendations.

It is recommended to Chief Pleas to direct each Committee to review its mandate to identify any areas for improvement and clarification, and for the resultant conclusions to be shared with the Policy & Finance Committee for discussion in conjunction with the Committee Chairpersons.

Proposition 1 –

That Chief Pleas directs each Committee to review its mandate to identify any areas for improvement and clarification, and for the resultant conclusions to be shared with the Policy & Finance Committee for discussion in conjunction with the Committee Chairpersons.

**Conseiller John Guille
Chairman, Policy & Finance Committee**

ITEM 12

DOUZAINE

Report with Propositions to Midsummer Chief Pleas, 3rd July 2024

DOUZAINE MANDATE and THE CONSTITUTION AND OPERATION OF CHIEF PLEAS COMMITTEES

At the Michaelmas Meeting of Chief Pleas, 4th October 2023 (item 9 & 10) the Public Works Sub-committee and the Old Island Hall Sub-committee were disbanded. The Michaelmas Report included mention that both the Douzaine Mandate and The Constitution and Operation of Chief Pleas would need to be amended to accommodate these changes. This report brings the amended documents to Chief Pleas for approval.

Proposition 1 –

That Chief Pleas approve the amended Douzaine Mandate (as attached).

Proposition 2 –

That Chief Pleas approve the amended Constitution and Operation of Chief Pleas (as attached).

**Conseiller Chris Bateson
Chairman, Douzaine**

DOUZAINE

MANDATE

The Douzaine was constituted by Resolution of Chief Pleas in October 1770

CONSTITUTION:

- Membership of seven Conseillers in accordance with Section 43 of The Reform (Sark) Law, 2008, as amended.
- Up to 2 non-voting members who shall not be sitting members of Chief Pleas but who shall be elected by Chief Pleas.
- A quorum shall be half of the number of Conseillers elected to the Douzaine, rounded up to the nearest whole number, but never less than three.

MANDATE:

1. To nominate and propose to Chief Pleas the appointment of the Constable and Vingtenier after discussions with the then holders of those offices.
2. To nominate and propose to Chief Pleas the appointment of the Procureur and Deputy Procureur after discussions with the then holders of those offices.
3. To review the need and financial status of persons applying for financial assistance or residential care brought to the attention of the Douzaine by the Procureur des Pauvres. To allocate assistance as and when required from funds provided to the Procureur des Pauvres by the Island Treasurer. The Douzaine reserves the right to recover assistance given from the estate of any person receiving assistance.
4. To cause accurate accounts to be kept by the Procureur des Pauvres of all monies received and all expenditure incurred. The Douzaine shall scrutinise the accounts before they are submitted to the Treasurer for inclusion in the Financial Statements of the Island.
5. To maintain a register (the Cadastre) of property ownership and possession for the purpose of supplying the Island Tax Assessor with accurate records in accordance with the requirements of The Direct Taxes Law, 2002 and The Direct Taxes (General Provisions) (Sark) Ordinance 2003.
6. To be responsible, via Public Works, for the maintenance and cleaning of public roads, gutters, water-courses, paths, public toilets, public seats, and steps leading to the Island's bays and landing places, and to request funds from the Island Treasurer for those purposes.
7. To appoint, supervise and manage the Island's manual work force and to request funds from the Island Treasurer for their payment.
8. To ensure that Public Works correctly collects, manages and disposes of the Island's waste material and sewage and to request funds from the Island Treasurer for those purposes net of monies collected in respect of those services.
9. To be responsible, via Public Works, for the maintenance and repair of all Island machinery and equipment used for Public Works and Douzaine purposes.
10. To be responsible, via Public Works, for the erection and maintenance of warning signs, direction signs and signposts, and to request funds from the Island Treasurer for those purposes.
11. To be responsible, via the Constables for ensuring that landowners correctly cut and maintain all hedgerows and banks bordering all Island roads.

12. To be responsible for advertising for tenders and placing contracts for the maintenance of Island property other than that under the control of the Island Trustees.
13. To be responsible for letting, appointing tenants, fixing rents and terms on property surplus to the requirements of the Douzaine. Income arising from and expenditure on Island Property to be recorded in the Island's Financial Statements.
14. To be responsible for the purchase and maintenance of Island trees, and to request funds from the Island Treasurer for those purposes.
15. To be responsible for everything concerning the Island cemeteries and adjacent land and to prepare for the future need for burial sites.
16. Together with the Seigneur to propose or approve all alienation of land for the benefit of the community.
17. To be responsible for the management, repairs and maintenance of properties delegated to the Douzaine by the Island Trustees.
18. To maintain the Register of Restricted Dwellings as required by The Housing (Control of Occupation) legislation.
19. To administer and issue licences for firearms, shotguns and ammunition under the Firearms (Sark) Law, 2001 and related Ordinances.
20. To liaise with the Chief Officer of the Guernsey Police on firearms matters.
21. To keep accurate records of all firearms held by licensees.
22. To keep accurate records of all licence fees received.
23. The regulation and licensing of all tractors and carriages and the testing and licensing of their drivers. The testing to be carried out by the Constable or an authorised tester.
24. The licensing of invalid carriages and their drivers, tested by the Constable or an authorised tester.
25. The regulation of the Harbour Hill Transport.

LEGISLATION

See **Appendix 1**

Appendix 1

Laws

- Order in Council Alienation de terres dans l'île de Sark 1927
- The Housing (Temporary Provisions)(Sark) Law, 1976
- The Housing (Temporary Provisions)(Amendment)(Sark) Law, 1986
- The Reform (Sark) Law, 2008
- The Direct Taxes Law, 2002
- The Housing (Control of Occupation) (Sark) Law, 2011
- The Housing (Control of Occupation) (Sark) (Amendment) Law, 2013
- The Housing (Control of Occupation) (Sark) (amendment) Law, 2014

- The Firearms (Sark) Law, 2001

- Road Traffic (Horse-Drawn Vehicles)(Sark) Law, 1969
- Road Traffic (Horse-Drawn Vehicles)(Temporary Provision and Amendment)(Sark) Law, 1980
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Law, 1983
- Reform (Sark) Law, 2008 – Schedule 1
- Motor Vehicles (Sark) Law, 2013
- Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Law, 2013
- Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015
- Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment No. 2) Law, 2015

Ordinances

- The Direct Taxes (General Provisions) (Sark) Ordinance 2003
- The Cutting of Hedges (Sark) Ordinance, 2009
- The Housing (Control of Occupation) (Commencement and Prescribed Persons) (Sark) Ordinance 2014 (No. *1/2014*)

- The Shotguns (Sark) Ordinance, 1994
- The Firearms (Sark) Law, 2001 (Commencement and Fees) Ordinance, 2002

- The Refuse and Litter (Sark) Ordinance, 1983
- The Transfrontier Shipment of Waste (Sark) Ordinance, 2001

- Road Traffic (Horse-Drawn Vehicles)(Sark) Ordinance, 1968
- Road Traffic (Horse-Drawn Vehicles)(Commencement) Ordinance, 1970
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 1972
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 1976
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 1977
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 1978
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 1980
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 1983
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 2002
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 2008
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 2010
- Road Traffic (Horse-Drawn Vehicles)(Amendment)(Sark) Ordinance, 2012
- The Motor Vehicles (Sark) Law (Commencement) Ordinance, 2014 (No *xv/2014*)

- The Road Traffic Offences (Motor Vehicles and Bicycles)(Sark) Law 2013 (Commencement) Ordinance 2014 (No. XVI/2014)
- The Road Traffic (Constitution of Tribunal) Ordinance, 2014 (No. XVII/2014)
- The Road Traffic Offences (Motor Vehicles and Bicycles)(Sark) Amendment Law, 2015 (Commencement) Ordinance 2016 (No. II/2016)

Regulations

- The Motor Vehicles (Sark) Regulations, 2014
- Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Regulations, 2014
- The Motor Vehicles (Sark) (Amendment) Regulations, 2015

Conventions

- Rotterdam Convention – Prior Informed Consent (P&P lead)
- Basel Convention – Transboundary Shipment of Hazardous Waste
- London Convention and Protocol on Marine Pollution
- EUCARIS treaty on Driving Licenses

Agreements

- MoU between the Sark Firearms Committee, The Sark Constable & The Guernsey Police.
- Motor Insurers Bureau

3rd July 2024

THE CONSTITUTION AND OPERATION OF CHIEF PLEAS COMMITTEES

As amended consequential upon amendments made to the 2008 Reform Law
by the Reform (Sark) (Amendment) (No. 2) Law, 2010.

Approved by Michaelmas Chief Pleas on 2nd October 2013 and further approved,
as presented to Chief Pleas on 1st October 2014, on 21st January 2015, 30th September 2015,
6th April 2016, 26th April 2017 and 17th January 2018 (coming into effect on the 11th January 2019, less for
Rule 5 (1) & (2) that shall be effective from the 4th January 2019), October 5th 2022 and 3rd July 2024.

1. Constitution

Prescribed by Resolution of Chief Pleas with the following provisions, except where contrary provision is made -

- (a) by any enactment;
- (b) by any subsequent resolution of Chief Pleas.

2. Definitions

In these Rules the expression -

“Chief Pleas Committee” means any body constituted either by enactment or by Resolution of Chief Pleas, whether it be styled Committee, Board, Authority, or otherwise. This excludes the Policy Development Group.

“Standing Chief Pleas Committee” means any permanent Chief Pleas Committee.

“Special Chief Pleas Committee” means any temporary or *ad-hoc* Chief Pleas Committee charged with the execution or investigation of a particular matter.

“Sub-Committee” means a temporary or *ad-hoc* Committee of a Standing Committee charged with the execution or investigation of a particular Standing Committee matter.

“Ex-Officio Member” means any Committee member by virtue of their office (i.e. Medical Officer, Constable, Vingtenier or Harbourmaster etc.) Unless otherwise provided for, *ex-officio* members shall not have a committee vote.

The “Policy Development Group” is a group, consisting of all Conseillers, whose purpose is to prioritise the work streams of Chief Pleas.

3. Size

- (1) Standing Chief Pleas Committees, less the Douzaine and Policy and Finance Committee, shall consist of four Conseillers, unless Chief Pleas specifically resolve to have a larger or smaller size committee; a minimum size shall not be less than three Conseillers.
- (2) A sub-committee shall consist of three Conseillers.
- (3) The Policy and Finance Committee shall consist of six Conseillers.

- (4) The Douzaine: The Douzaine shall consist of seven Conseillers, unless under Section 43 of The Reform (Sark) Law, 2008 Chief Pleas resolve to have a larger or smaller size (such number to be at least 3 but no more than 12).
- (5) A sub-committee of the Douzaine shall consist of not less than three Conseillers.

4. Non-Chief Pleas Committee Members

At the request of a Chief Pleas' Committee, Chief Pleas may elect up to three non-Chief Pleas members onto a Committee without voting rights. (Also applicable to special purposes committees and sub-committees.)

5. Chairman

- (1) The Chairman of the Policy and Finance Committee shall be elected by Chief Pleas in a secret ballot, with the Greffier acting as Returning Officer, nominations are to be proposed and seconded and given to the Greffier a minimum of 5 working days before the meeting at which the election is to take place. The person so elected shall have a mandate to speak to the outside world on behalf of Chief Pleas.
- (2) The Deputy Chairman of the Policy and Finance Committee shall be elected by Chief Pleas using the same election procedures as the Chairman.
- (3) Other Chief Pleas Committee shall elect a Chairman and a Deputy Chairman from amongst those persons on that Committee who are Conseillers. The Speaker of Chief Pleas [the Speaker] must be informed within seven working days of the appointment/s or any changes thereto.
- (4) The Chairman of a Chief Pleas Committee, or in the absence of the Chairman the member who presides at a meeting of such a Committee, shall have an original vote but not a casting vote.

6. Members

- (1) To be eligible for election to membership of a Chief Pleas Committee as a non-Chief Pleas member a person should be, but does not have to be, a person normally resident on the Island.
- (2) A person in the role of the Seigneur, the Speaker, the Seneschal, the Prévôt, the Greffier, the Tax Assessor or their Deputies may not serve on any governmental committee.
- (3) There shall be no restriction on the number of Chief Pleas Committees on which a Conseiller may serve.
- (4) Conseillers shall not be co-opted to membership of any Chief Pleas Committee.

7. Term of Office of Committee Members

Conseillers shall serve their Conseiller term of office on committees but may resign their membership at any time. A member shall be deemed to have resigned at a General Election and, if re-elected to Chief Pleas, shall be required to be elected to committees.

8. Term of Office of Non-Chief Pleas & Ex-Officio Committee Members

- (1) The term of office for non-Chief Pleas Committee members shall be for the duration of the project or work to which they are contributing.
- (2) Ex-officio members' term rests with the length of their original office.

9. Removal from Committee

Chief Pleas may, by Resolution, remove a person from any committee, including the Douzaine.

10. Resignations

Any Conseiller or non-Chief Pleas member of a Chief Pleas Committee wishing to resign before their term of office has expired, shall inform the Speaker and the Committee Chairman of their resignation from the specified Committee(s).

11. Motions of No Confidence

Motions of no confidence cannot be made against the Chairman or other member(s) of that Committee in Committee.

12. Nominations of Candidates for Election to a Committee by Chief Pleas

Conseillers shall be eligible for nomination from the floor of the Assembly on the day of election, less for the Chairman and Deputy Chairman of the Policy and Finance Committee, see 5 (1) and (2) above. Where a person is nominated as a non-Chief Pleas member of Chief Pleas, the Committee shall provide the Assembly with a verbal report containing background information of the candidate and the reasons for his name having been put forward. The committee must have had the prior consent of the proposed candidate for his name being put forward.

13. Quorum

- (1) The quorum of any Chief Pleas Committee, less the Douzaine, shall be three Conseillers or such larger number of members as the Chief Pleas may, in respect of a specific committee, resolve.
- (2) The quorum at a meeting of the Douzaine shall be half the number of Conseillers elected to the Douzaine rounded up to the next whole number, but never less than three.

14. Declaration of Interest

Where a decision relating to an agenda item has a direct pecuniary impact either positive or negative upon any member of that Committee, then that member shall remove himself from the debate and decision-making process for that agenda item.

15. Human Rights Compatibility

Every Chief Pleas Committee shall be cognisant of the need to review their existing legislation together with the associated policies, procedures and practices with human rights

compatibility.

16. Presence of Officers, etc. at Committee Meetings

- (1) Any Committee meeting (where there are enough members to be quorate) shall be attended by a CSO and minutes fully.
- (2) In addition to the CSO, The Chief Secretary or Assistant Chief Secretary shall attend all meetings of the Policy & Finance, Douzaine, Education and Medical & Emergency Services Committees.
- (3) The Chief Secretary or Assistant Chief Secretary shall attend the meetings of all Committees at least once annually also when requested by the Chairman.

17. Special Chief Pleas Committees

- (1) Except for those parts which refer solely to standing Chief Pleas Committees, the principles set out above shall be followed in the constitution and operation of all Chief Pleas Committees including Special Chief Pleas Committees.
- (2) Such Special Chief Pleas Committees (i.e., the members thereof) shall continue in office until –
 - (a) They have fulfilled their task, and
 - (b) any legislation designed to give effect to such recommendations of the Committee as Chief Pleas may have resolved to adopt has been presented to Chief Pleas, approved and registered.

18. Sub-Committees

- (1) A sub-committee is formed by resolution of Chief Pleas at the request of a Standing Committee.
- (2) Members are elected by Chief Pleas.
- (3) A sub-committee reports directly to its Standing Committee.
- (4) A sub-committee is disbanded by Resolution of Chief Pleas at the request of the Standing Committee.

19. Policy Development Group

- (1) Except for those parts which refer to standing Chief Pleas Committees, the principles set out above shall be followed in the operation of the Policy Development Group.
- (2) Conseillers who lose their position on a Special Chief Pleas Committee as a result of a General Election shall be automatically returned to that Special Chief Pleas Committee, unless they resign from that Committee.

20. Douzaine

Other rules for the Douzaine are contained in Section 43 of "The Reform (Sark) Law, 2008" as amended. Where any rule herein contained is at variance with Section 43 that Section takes precedence.

TOP LEVEL DOMAIN (SPECIAL) COMMITTEE **Report with Propositions to Midsummer Chief Pleas, 3rd July**

COMMITTEE NAME CHANGE AND MANDATE

The roots of the current TLD Committee were in the “Hot Topic” Committee set up in 2015 to look at the possibility of Sark being able to register and operate its own Top Level Domain on the internet.

The Guernsey (.gg) and Jersey (.je) TLDs were allocated in the 1990s at the time when a direct application could be made to the relevant internet bodies, IANA/ICANN. By 2015, however, the procedure had changed so that an ISO Country Code was needed first. ISO is the International Standards Organisation which maintains the list of Country Codes used globally.

The 2017 submission via BSI (British Standards Institute) to ISO for assignment of an ISO Country Code was comprehensive and agreed by many bodies including Chief Pleas and HMG but was, however, rejected by ISO. The BSI did not agree with this and a series of appeals resulted in an “exceptional” reservation of a Country Code for Sark (cq) as reported to Chief Pleas in 2020.

The work done on the 2017 submission found a whole host of use cases for such a Country Code. These are much wider than technical uses for the internet itself, such as websites and emails.

They include search engines, social media, delivery instructions, financial drop-down menus, taxation and more. In fact, every online task which involves giving a location or being located. As the world has moved online so that just about every task involves some website or app, the need to be able to select “Sark” in these online tasks, as opposed to a different jurisdiction, has become apparent.

It has also become apparent that the “exceptional” Country Code is no longer used in such areas. To get Sark to appear in these lists and drop-down menus, Sark needs to apply for a full assignment and work is continuing in this area with BSI and ISO.

The research by the Committee has pointed to many such areas where Sark would benefit from a better online profile as well as providing extra evidence for ISO and BSI in support of the continuing appeals process as reported to Chief Pleas over the years.

It is therefore suggested that the TLD Committee should change its name to “Online Identity Committee” to reflect the wider tasks in raising Sark’s online profile which have been uncovered.

Proposition 1 –

That Chief Pleas approve the change of name of the ‘Top level Domain (Special) Committee’ to the ‘Online Identity (Special) Committee’.

Proposition 2 –

That Chief Pleas approve the Mandate of the renamed Special Committee, as attached to this Report.

**Conseiller Tony Le Lievre
Chairman, Top Level Domain (Special) Committee**

ONLINE IDENTITY (SPECIAL) COMMITTEE

MANDATE

CONSTITUTION:

- Five members who shall be sitting members of Chief Pleas, two of whom shall be selected as Chairman and Deputy Chairman by their fellow Committee Members.
- Up to 2 non-voting members who shall not be sitting members of Chief Pleas but who shall be elected by Chief Pleas.
- A quorum shall consist of three voting members.

MANDATE:

1. Continue to work with BSI to build on the exceptional assignment of CQ by ISO to get this upgraded to a full assignment.
2. Continue to work with the technical partner identified as reported to Chief Pleas in order to arrive at a formal plan with commercials and terms.
3. Research use cases for the full assignment both as evidence for the upgrade and to prioritise areas to improve Sark's online profile once full assignment is achieved.
4. Consult with existing Committees which already have a mandate for areas with potential use cases and support them in any action they decide.
5. Identify use cases where Sark's online profile could be improved prior to assignment.
6. Report back to Chief Pleas on ongoing progress with, where appropriate, recommendations for action.

3rd July 2024

MEDICAL & EMERGENCY SERVICES COMMITTEE

Information Report to Midsummer Chief Pleas, 3rd July 2024

MEDICAL UPDATE

The Medical & Emergency Services Committee has, for the past 18 months, been looking at the provision of medical services on Sark, trying to find a way to give the best service that Sark residents and visitors should expect, while moving away from the demanding 24/7 cover that Sark doctors have always been expected to do. Among the options considered have been becoming a satellite surgery of a Guernsey Practice and introducing a rotational job share model, such as the one being used in Alderney. However the Committee recognises that it has no experience in setting up and/or running a Medical Practice and, as such, has decided to advertise for a 'transformational' doctor, for a period of 12 to 18 months, who will advise and support it through the necessary changes. This position will be advertised in the very near future.

In the meantime, the Committee has arranged for Dr Bruce Jenkins, who has previously worked at Queen's Road Medical Centre in Guernsey, to cover for a period of 3-6 months. His time off will be covered by Dr Susan Wilson who also worked at Queen's Road Medical Centre for many years. Through this arrangement, the Committee has managed to move away from the need for expensive locum cover and plans to continue this whatever the new model for medical provision in Sark. Appendix 1, attached to this report, has a short bio of both Dr Jenkins and Dr Wilson.

The Committee assures the residents of Sark that it will keep them informed of any developments.

Conseiller Helen Plummer
Chairman, Medical & Emergency Services Committee

Appendix One

Dr Bruce Jenkins

I bring thirty six years of experience with me. I have worked in Private Practice my whole life both here on Guernsey since 2006 and in South Africa from 1988. With the exception of 2005 when I worked in the NHS when qualifying in the UK as a General Practitioner. I did short periods of A&E Staff Grade sessions in England from 2002 to 2005 in large and very busy hospitals in the East Kent Trust, Cumbria, Stoke On Trent etc. In South Africa I worked in Private Practice as a General Practitioner in the full capacity of what is now known as a Procedulist - we did everything including anaesthetics, surgery, obstetrics, A&E and admitted and hospitalised and cared for my own patients.

Dr Susan Wilson

Graduated 1979 Aberdeen University - with Commendation as Most Distinguished Female Graduate and with Louise Tomory Elective Prize for Elective studies in The Gambia with the MRC Labs in 1978.

1979- 1980 - pre-registration house jobs in Paediatric surgery and Cardiology in Aberdeen

1980 - 1983 - GP vocational training in Aberdeen

1983-1984 - GP retainer in Portlethen Aberdeenshire and Bridgend Wales

1984 - moved to Guernsey

January 1985 to January 2024 - GP Partner at Queens Road Medical Practice

January 2024 onwards - Free-Lance GP, Sark, Alderney, First Contact Guernsey

Married to fellow GP Dr Douglas Wilson 1979

4 sons and 2 grandsons

2003 started the Tumaini Fund charity supporting AIDS orphans in Tanzania - which now supports more than 100,000 children.

MBE for services to The Commonwealth in 2014.

Photo from fieldwork in Tanzania January 2024



EDUCATION COMMITTEE

Information Report to Midsummer Chief Pleas, 3rd July 2024

SECONDARY EDUCATION

Since it reformed in May 2023, the Education Committee has been looking at the provision of 13+ education for children on Sark. Looking at the forecasted figures for the next few years under the current system, the Committee was concerned that it would soon become financially unsustainable. With the current numbers in Sark School, by the school year 2028-2029 the cost of 13+ education is expected to be £211,736.13 with the total cost of education including Sark School being £480,270.33 or 20% of the total Island expenditure. (See Appendix 1)

The Reach 2 Review in 2017 hoped to keep a sense of Sark community for the children by recommending that Sark invested in a Sark House enabling children to attend school in Guernsey. This proved more difficult than expected as, under Guernsey regulations, the children would legally have become 'foster children' and the House Parents bound by all the legislation that entailed. The cost of a suitably sized house, either to rent or buy, was also prohibitively expensive and, looking at the requirements set by Guernsey's Health and Social Care Dept (HSC), it is likely that more than one house would have been needed as more children went to school in Guernsey. The first children who went to Les Beaucamps High School successfully found Term Time Hosts (TTHs). However, these have become increasingly difficult to find. The lack of TTHs led to the decision in 2022 to allow parents to choose to send their children to Boarding School in the UK, an option also taken by the parents of the 2023 cohort.

The Committee has researched and discussed different alternatives that might work for Sark. One of the options they looked at was some form of online tuition and it spent considerable time researching the providers offering this. Amongst these, King's Interhigh stood out and the Committee was impressed by the standard of education plus the extras they offered, the possibility of becoming a 'Partner School' with the discounted fees that gives and the willingness of King's Interhigh to work with the Committee and Sark School to create a tailor-made timetable which would work with and support their vision of a 'hybrid' school which gives a top-class education while still allowing the children the benefits of Sark life and being able to stay with their family.

The fees for King's Interhigh are extremely competitive, especially when there are more than 3 children in any given year. (See Appendix 2) (Appendix 3 shows the difference in costs between the current system and King's Interhigh based on current numbers). The Committee plans that the saving in budget on education fees will give Sark School the money to put in place lots of measures that will help fill the gaps which an online school leaves, such as linking up with one or more school(s) in Guernsey on a regular basis for team sports and other activities including access to Science labs, art, music and work experience opportunities which will help to broaden the children's

social interactions. King's Interhigh also offer various exchange programmes with their other partner schools, both in the UK and abroad.

The Committee understands that their children's education is of the utmost importance to parents and carers and what suits one child and their family might not suit another child and family at all. It is therefore considering whether Sark should offer parents the choice of the online school for those who prefer to stay in Sark, or a subsidy towards an off-island school of their choice for those who feel that is a better option for them. This option could possibly only be available to children who have attended Sark School for a specified number of years since they were 5. The Committee envisages that the subsidy for children attending an off-island school would be equal to the annual fee per student for the core package (8 GCSEs). This still gives parents the choice to send their children to school in Guernsey or the UK if they wish, but for those parents who do not want to, or maybe cannot afford to, for the first time ever there would a completely free-to-parents option on Sark. Even pre Reach 2 Review, parents had to pay for the GCSE courses and the costs involved in the children travelling to Guernsey for the exams, although Sark School did cover the cost of the exams. When studying GCSEs with King's Interhigh, the exams can be taken in Sark and the costs are included in the fees.

The Committee has already had one meeting with parents and offered them the opportunity to see the presentation by King's Interhigh, which has also been shown to Conseillers. During the next few weeks it plans to engage with all stakeholders through various means so that when it brings its propositions to the Michaelmas Meeting of Chief Pleas, it can be confident that everyone who wants to has had their chance to be heard so that Chief Pleas can make a fully informed decision on what is best both for the parents and their children, and also for the tax payers and residents of Sark both for now and in the future.

Conseiller Jolie Booth
Chairman, Education Committee

APPENDIX ONE

Secondary Education costs

Based on prescribed fees of Beaucamps cost + 50% contribution towards travel/accommodation

Academic year	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
Beaucamps cost	£8,604.00	£9,034.20	£9,485.91	£9,960.21	£10,458.22	£10,981.13	£11,530.18	£12,106.69
50% travel/accom cost	£4,157.60	£4,365.48	£4,583.75	£4,812.94	£5,053.59	£5,306.27	£5,571.58	£5,850.16
Total prescribed fees	£12,761.60	£13,399.68	£14,069.66	£14,773.15	£15,511.80	£16,287.39	£17,101.76	£17,956.85
No of Pupils	8	7	4	4	8	13	10	7
Total cost to Island	£102,092.80	£93,797.76	£56,278.66	£59,092.59	£124,094.44	£211,736.13	£171,017.65	£125,697.97

Cost per financial year	£94,577.00	£68,785.02	£58,154.61	£102,427.15	£182,522.23	£184,590.47	£140,804.53	£41,899.32
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Estimated cost of education as part of the Island's total expenditure (based on 5% annual inflation)

Budget years	2024	2025	2026	2027	2028	2029
Total Island Income	£2,157,059.00	£2,227,783.00	£2,288,630.00	£2,403,061.50	£2,523,214.58	£2,649,375.30
Total Island Expenditure	£2,153,961.00	£2,192,346.00	£2,206,146.00	£2,316,453.30	£2,432,275.97	£2,553,889.76
Sark School	£242,501.00	£257,206.00	£263,126.00	£283,569.62	£297,748.10	£312,635.50
Secondary Education	£94,577.00	£68,785.02	£58,154.61	£102,427.15	£182,522.23	£184,590.47
Total Schooling cost	£337,078.00	£325,991.02	£321,280.61	£385,996.77	£480,270.33	£497,225.97

% of total expenditure	16%	15%	15%	17%	20%	19%
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King's Interhigh Fees

Fees:

- Prices include partners' 15% discount
- Payments can be made annually or termly

Year level	Option 1: Annual fee, per student	Option 2: Annual fee, per group (up to 20 students)	Option 3: Annual fee for single subjects, per student
Year 3 – Year 6 (7-11 years old)	£2699	£8665	£440
Year 7 – Year 9 (11-13 years old)	£3753	£9800	£750
Year 10 – Year 11 (14-16 years old)	£4505	£10,975	£930
Year 12 – Year 13 (16-18 years old)	£4858	£17,450	£2176

APPENDIX THREE

Costs for King's Interhigh for the Blended Hybrid School Option vs Current System

King's Interhigh Costs	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Year										
Students in Year 9		0	0	4	4	5	5	1	3	5
Students in Year 10			0	0	4	4	4	5	1	3
Students in Year 11				0	0	4	4	4	5	1
Total Upper School	8	7	4	4	8	13	10	7	5	9

Year	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Year 9	£0.00	£0.00	£0.00	£9,800.00	£9,800.00	£9,800.00	£3,753.00	£3,753.00	£9,800.00	£9,800.00
Year 10	£0.00	£0.00	£0.00	£0.00	£10,975.00	£10,975.00	£10,975.00	£4,505.00	£4,505.00	£10,975.00
Year 11	£0.00	£0.00	£0.00	£0.00	£0.00	£10,975.00	£10,975.00	£10,975.00	£4,505.00	£4,505.00
Total Costs to the Island	£0.00	£0.00	£0.00	£9,800.00	£20,775.00	£31,750.00	£25,703.00	£19,233.00	£18,810.00	£25,280.00

Current System Costs	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
Year								
Beaucamps cost	£8,604.00	£9,034.20	£9,485.91	£9,960.21	£10,458.22	£10,981.13	£11,530.18	£12,106.69
50% travel/accom cost	£4,157.60	£4,365.48	£4,583.75	£4,812.94	£5,053.59	£5,306.27	£5,571.58	£5,850.16
Total prescribed fees per student	£12,761.60	£13,399.68	£14,069.66	£14,773.15	£15,511.80	£16,287.39	£17,101.76	£17,956.85

No of Pupils	8	7	4	4	8	13	10	7
Total cost to Island	£102,092.80	£93,797.76	£56,278.66	£59,092.59	£124,094.44	£211,736.13	£171,017.65	£125,697.97

Capacity Costs	Year 9	Year 10	Year 11	Total Costs to the Island
	£9,800.00	£10,973.00	£10,973.00	£31,746.00
	20 pupils	20 pupils	20 pupils	

**AGRICULTURE, ENVIRONMENT &
SEA FISHERIES COMMITTEE**

Information Report to Midsummer Chief Pleas, 3rd July 2024

NATURE PROTECTION

The natural beauty of Sark is greatly appreciated by residents, and its landscapes and seascapes are some of the main drivers of tourism to the island.

Sark has an extraordinarily diverse range of natural habitats, including the cotils with their range of wildflowers and rare plants, the important bird and marine habitats of the cliffs and foreshores, and the woodlands and grasslands with their many birds, bats and butterflies. The hedges, banks and tree-lined lanes also provide important habitats for a range of species.

Despite this richness, however, there is only one officially protected area: the Ramsar site, which includes the Gouliot cave system and the lower parts of the Gouliot headland. The potential for extensive new development in the near future makes this an appropriate time to consider whether there should be any additional protected areas.

Protecting the natural environment is also important in the defence against climate change, and there is an opportunity for Sark to be part of the global “30 x 30” initiative which aims to protect and manage 30% of land and sea by 2030.

La Société Sercquaise is undertaking some studies of the key habitats around the island with a view to having a scientific basis for understanding what is most important. As part of this work, La Société also proposes to look at what additional nature designations might be appropriate and how these might be implemented and managed. There is clearly a need to balance any potential nature designations against the needs of residents and visitors, but La Société considers that it likely all these aims can be achieved.

A preliminary report is attached for information, and La Société will report back in more detail to Chief Pleas through the Agriculture and Environment Committee in due course.

Conseiller Helen Plummer
Chairman, Agriculture, Environment & Sea Fisheries Committee

REPORT

Any proposed new designations for nature conservation need to be based on an understanding of the significance and scientific interest of habitats and the species that live there. This report sets out some of the preliminary work which has been undertaken to date by La Société Sercquaise.

Habitat Survey of Land Areas

An initial habitat survey of the land areas of the island was undertaken in 2013 for La Société Sercquaise by Julia Henney, resulting in a detailed habitat map (see Appendix 1 of this report). This map has also been useful for other purposes, such as understanding the key land uses such as grasslands, amenity land and residential curtilages.

The survey covered all of the land area of Sark and shows a very diverse range of habitats including an area of unimproved grassland, a habitat which no longer exists on Guernsey. As the map shows, the key habitats such as unimproved and semi improved grasslands, coastal grassland and coastal heathland are situated along the coasts and cotils and provide a range of habitats for both plants and important wildlife such as birds and butterflies. Nearer the water, intertidal rock and boulders are important for marine organisms, and the hard cliffs provide nesting spots for marine birds.

There is clearly a need to balance any prospective designations against the needs of residents and visitors, but to a large extent these areas are good habitats for wildlife because they have been little used by humans in recent years except for grazing or light recreation such as walking and swimming. Nonetheless, some areas are under threat, either from inappropriate development or because of the decline in traditional grazing practices, which has allowed “thug” species such as bramble, blackthorn and gorse to spread at the expense of the more delicate wildflowers.

Ms Henney is currently in the process of updating this study and will report back later in the summer. The revised survey will be more detailed in its assessment of individual habitats, and the associated reports (not included with the original study) will also include suggestions for future management of important habitats.

Marine Habitats

Fully underwater marine habitats were not included in the 2013 habitat map or in the recent update, and La Société is looking into ways to better understand these habitats. A predictive map of marine habitats throughout the Channel Islands was made as part of study undertaken by the Blue Marine Trust in Jersey. This map is apparently in need of a degree of updating to reflect different the tidal conditions in Guernsey and Sark to those in Jersey, and also to test its predictions against actual underwater observations. La Société hopes to carry out this work with Julia Henney’s help.

La Société Guernesiaise has set up Guernsey Seasearch, a citizen science project developed by the Marine Conservation Society (MCS) in the UK, that could potentially provide a useful model for marine research on Sark.

There is already a degree of marine protection in Sark. The 1996 Fishing Ordinance includes minimum catch sizes and closed seasons for certain species including restrictions on use of pots, and controls of trawling, explosives, etc. However, these restrictions are largely related to edible species and while they may have the additional effect of helping to conserve larger habitats, this is not their primary purpose.

As is the case on land, it is likely to be the case that the best preserved and most significant habitats will also be those that have been little used by humans thus allowing sensitive species to flourish.

Dark Skies

The very dark skies on Sark are one of its unique aspects, and it is also important for nature, as the lack of light pollution is beneficial for many animals and insects both nocturnal and those whose natural rhythms are disrupted by excessive light at night.

However, while the designation is celebrated by the island, there are no provisions in the laws or ordinances for ensuring that the skies remain dark.

30 x 30

As part of the work looking at whether, and how, it might be possible to protect additional parts of the island for nature conservation, La Société is considering whether Sark might participate in the “30 x 30” global nature conservation initiative, which looks to protect at least 30% land and sea for nature by 2030.

At the November 2023 UK Overseas Territories and Crown Dependencies Environment Ministers' meeting, which La Société Sercquaise attends on behalf of the Agriculture and Environment Committee, the team implementing the UK's 30 x 30 strategy offered free support to Sark to look at whether we could also participate in the initiative.

An initial visit with Catherine Wensink of the UK Overseas Territories Conservation Forum in May 2024 was very useful, and included meetings with some landowners, conseillers and other interested parties.

As well as the habitat survey, La Société has sourced a map showing that 11% of Sark's landmass lies below 25m, and 20% is at or below 50m (see Appendix 2 of this report). This is also where many of the most sensitive habitats are located, and with a few notable exceptions such as the harbour, these areas are also generally outside of the developed – or indeed developable – parts of the island because the gradients are too steep.

This suggests that it would be possible to reach or exceed the 30% target simply by looking at the most sensitive habitats around the cliffs and coasts. There may also be other key habitats that we would wish to protect, such as certain woodlands and/or some key grasslands.

La Société is now proposing to undertake further study and consultation to understand the key areas that might be suitable for nature protection.

Potential Formal Designations for Nature Conservation

The Development Control Law 1991 allows for the creation by ordinance of “Conservation Areas”, where development is more strictly controlled, although this is not stated to be for nature protection as such.

The 1992 Ordinance (as amended) allows the DCC to consider (among other things):

- Natural beauty and keeping island in its natural state;
- Keeping cliffs and foreshores in their natural state;
- Effects on character and amenity of the locality;
- Effects on water and other services;
- Effect of the development on historical or archaeological significance; and
- The environmental effect of the development or other work on the locality concerned or to the Island.

Neither the 1991 Law nor the 1992 Ordinance control actions such as digging, ploughing, planting or tree felling specifically in relation to their impacts on wildlife or sensitive plant species. There is also nothing relating to elements of a building that might cause light pollution. The Development Control Law is also reactive – relating only to incoming applications – and does not provide any guidance on how sensitive habitats might be managed.

Nonetheless, taken together, the Law and the Ordinance provide an initial framework for protecting specific areas especially on land. Importantly, Conservation Area designations can be made by Ordinance without the need for additional primary legislation. There may also be some scope to make minor amendments to the law, as was done in 2011 with regard to heritage and archaeology, to include specific habitat related considerations. At the same time, any nature protection would need to be balanced with the needs of the community including current land uses and any desired future development.

The model used on Guernsey provides a useful precedent for a suite of land based protections, with areas designated in two main categories: Areas of Biodiversity Importance (ABIs), which have particularly rich natural habitats and a wide variety of species living there; and Sites of Special Significance (SSSs), which are recognised as being important for their *“archaeological, botanical, geological, scientific, cultural, zoological or other special interest and which it is desirable to preserve, enhance or manage”*.

The States have created guidance of the designation of both ABIs and SSSs, the methodology of which could be on Sark. The areas are identified on a map and are accompanied by a description of their individual importance.

Potential additional marine protection may be more complex and might require additional legislation, but there are precedents elsewhere for such protections. Jersey, for instance, has recently designated a Marine Park, and it also has Marine Protected Areas comprising several No Mobile Gear Zones and one No-Take Zone.

It may also be possible to seek additional international designations such as Ramsar, Special Protected Areas, Special Conservation Areas, etc.

Next Steps

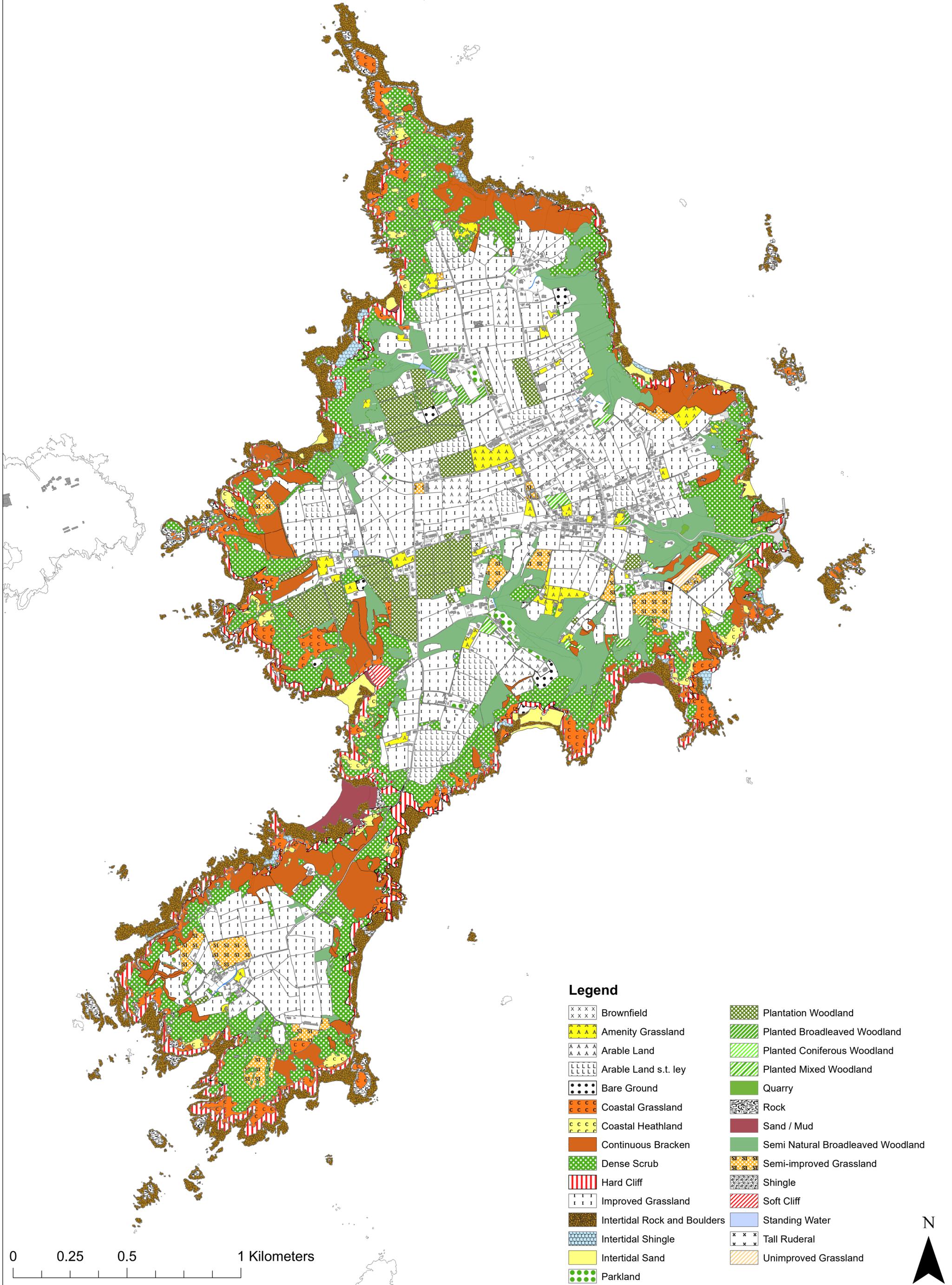
The next stages of the process are:

- Finalising the revisions to the habitat survey to ensure that we have a current baseline for the land and foreshore using the recognised UK Habitats Classification system;
- Exploring options for understanding the key marine habitats;
- Consulting with key stakeholders including landowners and members of Chief Pleas;
- Looking at options for potential nature protection designations within Sark's current legislative framework; and
- Considering whether there are additional ways that nature might be protected, either by amending the current Laws and Ordinances, or through new legislation.

As more information emerges, La Société will report back to Chief Pleas through the Agriculture and Environment Committee.

Dr Carol Cragoe
Environment Section Lead, La Société Sercquaise

2013 Phase 1 Habitat Survey



Legend

- | | | | |
|--|------------------------------|--|-----------------------------------|
| | Brownfield | | Plantation Woodland |
| | Amenity Grassland | | Planted Broadleaved Woodland |
| | Arable Land | | Planted Coniferous Woodland |
| | Arable Land s.t. ley | | Planted Mixed Woodland |
| | Bare Ground | | Quarry |
| | Coastal Grassland | | Rock |
| | Coastal Heathland | | Sand / Mud |
| | Continuous Bracken | | Semi Natural Broadleaved Woodland |
| | Dense Scrub | | Semi-improved Grassland |
| | Hard Cliff | | Shingle |
| | Improved Grassland | | Soft Cliff |
| | Intertidal Rock and Boulders | | Standing Water |
| | Intertidal Shingle | | Tall Ruderal |
| | Intertidal Sand | | Unimproved Grassland |
| | Parkland | | |

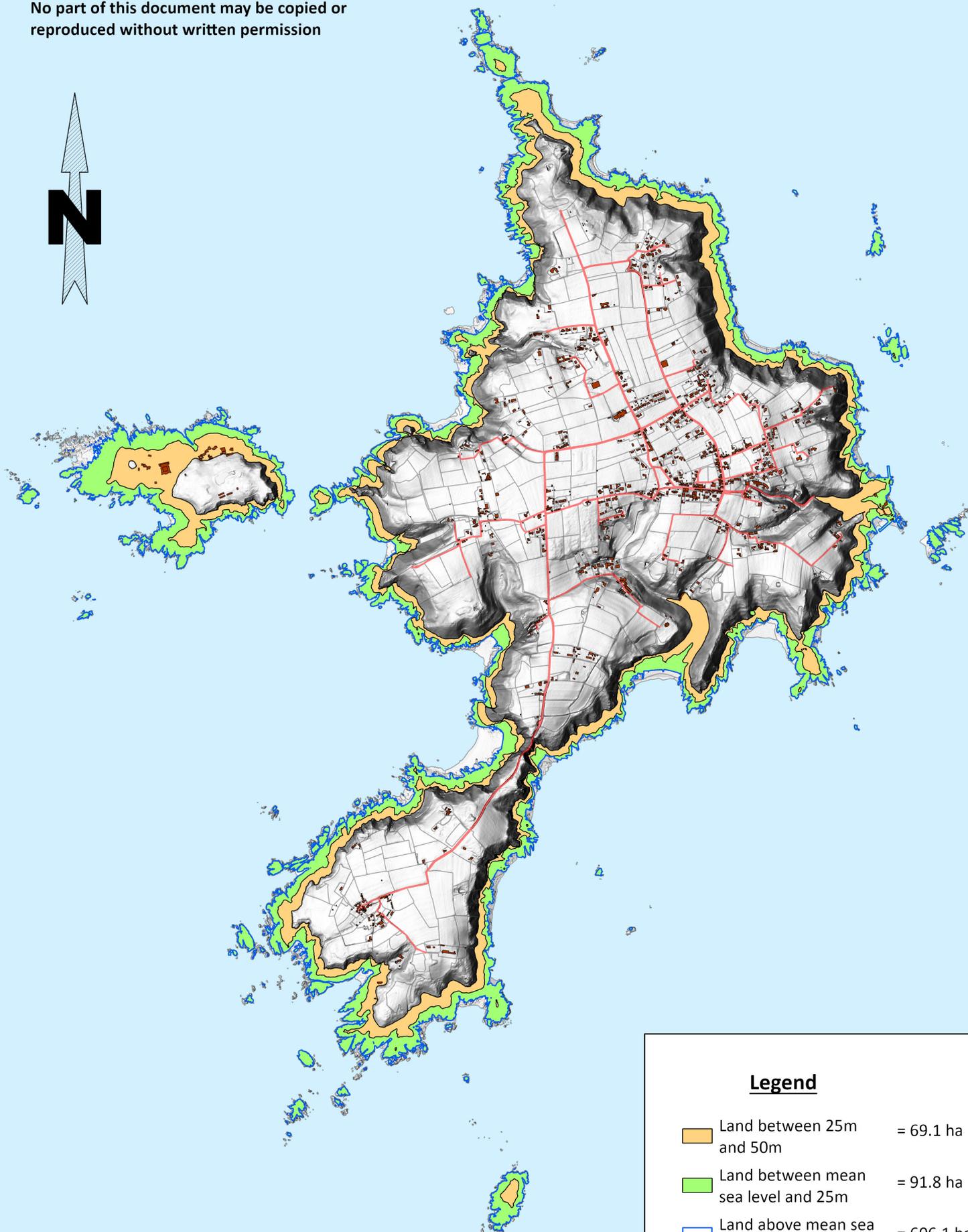
0 0.25 0.5 1 Kilometers

N

SARK - Areas of land above mean sea level

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Legend	
	Land between 25m and 50m = 69.1 ha
	Land between mean sea level and 25m = 91.8 ha
	Land above mean sea level = 606.1 ha

ITEM 17

HARBOURS, SHIPPING & PILOTAGE COMMITTEE

Information Report to Midsummer Chief Pleas, 3rd July 2024

COMMITTEE UPDATE

At its recent meetings, the Harbours, Shipping & Pilotage Committee has been discussing the sheds located on Creux Harbour. It is aware that some of the sheds are not in the best condition and some are in an area which is prone to rockfall from the overhead cliff. The Committee is currently waiting for a report from a civil engineer regarding this issue so that it can consider how to make the area safer for the shed users and the public in general. One option it is looking at is removing the sheds in this area and replacing them with concrete sheds with a reinforced concrete roof. It hopes to be able bring a detailed proposal to the Michaelmas Chief Pleas and would welcome anyone who may be interested in doing this project to get in touch with the Committee for more information and to give it an idea of the costs involved. If approved, the Committee will proceed with a full tender process in due course.

The Committee is also looking into placing discreet stainless steel eyelets into the granite base of the cliff at Dixcart Bay for boatowners to tie their tenders to. It is hoped that this will prevent tenders being scattered across the beach, detracting from the beauty of those enjoying it and will also be more secure for the tenders.

Conseiller Sandra Williams

Chairman, Harbours, Shipping & Pilotage Committee