OGUK

Liaison with the Fishing Industry on the UKCS

Guidelines

Revision 07
August 2019

Acknowledgments

In preparing and publishing this document, OGUK gratefully acknowledges the contribution of members of the work group, namely:

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ISBN: 978-1-913078-06-5

PUBLISHED BY OGUK

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Revision History and Changes

Rev	DD	MM	YYYY	Review by
Issue 6	05	April	2015	OGUK and Interested Parties
Issue 7	11	May	2019	OGUK and Interested Parties

Rev	Location of changes	Brief description of change
Issue 7	Throughout document	Review of document format and layout A new detailed and expanded section for assessing fishing claims

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List of Abbreviations

Abbreviations	Definitions
BEIS	Business Enterprise and Industrial Strategy
CDA	Common Data Access Limited, a subsidiary of OGUK
CEFAS	Centre for Environment, Fisheries & Aquaculture Science
DARD	Department of Agriculture and Rural Development Northern Ireland
Defra	Department for Environment Food, and Rural Affairs
ED50 DATUM	European Datum 1950
EIA	Environmental Impact Assessment
ERRV	Emergency Response and Rescue Vessel
FishSAFE	Information- Formerly Kingfisher Information Services – UK Continental Shelf (KIS- UKCS)
FHIF	Federation of Highlands and Islands Fishermen
FLG	Fisheries Liaison Group
FLO	Fisheries Liaison Officer
FLR	Fishing Liaison Representative
FLTC	Fisheries Legacy Trust Fund Company
GPS	Global Positioning Systems
HAZID	Hazard Identification (risk analysis)
HMSO	Her Majesty's Stationery Office
HSE	Health and Safety Executive
KFB	Kingfisher Bulletin
KIS-ORCA	Kingfisher Information Service – Offshore Renewables and Cable Awareness
ICES	International Council for the Exploration of the Sea
IFCA	Inshore Fisheries and Conservation Authorities
ISC	Information and Samples Coordinator – single point of contact within each operator/licensee company appointed as a requirement of the Energy Act 2016 as the focal point for data reporting to the OGA
FishSAFE	Information- Formerly Kingfisher Information Services – UK Continental Shelf (KIS- UKCS)
MCA	Maritime and Coastguard Agency
MFA	Marine Fishery Agency
MMO	Marine Mammal Observer
MODU	Mobile Offshore Drilling Unit

Abbreviations	Definitions
MS	Marine Scotland
NFFO	National Federation of Fishermen's Organisation
NDR	National Data Repository – (formerly UKOilandGasData) operated by CDA on behalf of the OGA. All Infrastructure and Pipeline Summary Information reported to the OGA through the twice-yearly Calls for Data is stored in the NDR for Disclosure to the public and export to the fishing industry through the FishSafe Project
NIFF	Northern Ireland Fishermen' Federation
OGA	Oil & Gas Authority
OIM	Offshore Installation Manager
OPRED	The Offshore Petroleum Regulator for Environment and Decommissioning
PETS	Portal Environmental Tracking System
PON	Petroleum Operations Notice
ROV	Remotely Operated
SFF	Scottish Fishermen Federation
SFI	Sea Fisheries Inspectorate
SFPA	Sea Fisheries Protection Authority
SIS	Schlumberger Information Solutions
UKCS	United Kingdom Continental Shelf
UKHO	United Kingdom Hydrographic Office
VAT	Value Added Tax
WGS84 datum	World Geodetic System 1984 datum
WONS	Well Operations Notification System. The well consenting portal managed by OGA

List of Definitions

Abbreviations	Definitions
Diminishing Window	A system of notifications where the predicted start date becomes more accurate as it gets closer,
Heritable Rights	The right to fish for salmon in UK territorial waters adjacent to Scotland has been regarded historically as vested in the Crown (except in Orkney and Shetland where remnants of the Norse Udal law persist and rights to fish belong to the landowner), but may be granted to private individual companies, local authorities and others.
Rolling Programme	A system of project implementation where static gear is removed in advance of the project vessels and replaced after completion of the section; appropriate to pipe or cable lay when there is sufficient lead time to remover gear and also in the case of slow-moving route surveys.
Static Gear	Any net, pot, trap or line fixed or anchored to the seabed and used for the capture of finfish or shellfish.

Introduction

There is a long history of collaboration between the oil & gas and fishing industries in the UKCS and many systems and processes have been put in place to ensure the safe and optimal practices of both users of the marine environment.

Since the early 1980s, it has been a condition of oil and gas licensing awards that operators must appoint a Fisheries Liaison Officer (FLO) to liaise with relevant government departments and fishing organisations on issues relating to their exploration, production and decommissioning activities. This document provides a set of guidelines outlining the current arrangement and procedures for fisheries liaison.

This document is an update to the previous issue No. 6, which was published in April 2015 and contains a new detailed and expanded section for assessing fishing claims. All amendments were made in consultation with relevant government departments and fishing organisations to reflect the changes that have taken place over the past five years.

1 Liaison with the Fishing Industry

All oil and gas licences have detailed regulatory provisions which require the licensee to appoint Fisheries Liaison Officer (FLO) when undertaking survey activities and vessel operations for the purposes of oil and gas exploration and production to ensure the location and removal of any debris resulting from Licensed activities.

In addition, there are also provisions which require the licensee to only carry out operations authorised by the licence in or about the licensed area in such manner as to not unjustifiably interfere with other marine activities in the area or with the conservation of the living resources of the sea. There are areas of seabed considered particularly sensitive that require close liaison with relevant government departments and fishing organisations. Where no specific timescale is laid down in the licence conditions, it is recommended that contact should first be established with regulators and fishing organisations at least three months prior to any intended activity. A longer communication plan lead-in time may be required for significant projects to allow plenty of time, particularly relevant to inshore and coastal projects involving fixed gear fisheries. Direct liaison with and, when appropriate, presentations to the relevant fishing organisations and government departments may be required.

Oil and gas activities that may require liaison with fishing organisations include, but are not limited to the following:

- Activities which require a marine licence;
- Surveys (seismic, site, pipeline route, etc.);
- Debris clearance;
- Positioning of a drilling rig (for drilling, workover operations, etc.);
- Field developments (including the positioning of surface and subsurface infrastructure);
- Pipe-laying/ cable-laying (including associated protection material e.g. rock dumping);
- Decommissioning programmes; and
- New/ emerging technologies.

All of the activities described above are subject to consents (under the Petroleum Act 1998 (as amended) and the Energy Act 2016) and various environmental and navigational approvals, where a number of statutory bodies are consulted. For survey operations, the relevant fisheries organisations are notified by the Offshore Petroleum Regulator for Environment and Decommissioning (OPRED), a function of the Department of Business, Energy and Industrial Strategy (BEIS).

In every case it is recommended to establish early liaison with the relevant organisations, and such contact should be made by the FLO. The FLO is then responsible for keeping the organisations regularly updated on the specific activities. The principal government departments and fishing organisations are listed in Appendix A.

For information, the major organisation representing the Scottish fishermen is the Scottish Fishermen's Federation (SFF) whilst in England and Wales it is the National Federation of Fishermen's Organisations (NFFO). The SFF is a major consultee for Marine Scotland (MS) and likewise the NFFO for the Department for Environment Food, and Rural Affairs (Defra).

In more sensitive areas, such as the Inner Moray Firth, it may also be necessary to consult directly with local fishing organisations or, in some cases, individual local fishermen, particularly those who are not members of the major federations. In particularly sensitive areas, an operator and local fishing

organisations may wish to formulate site specific agreements to enable the operator and fishermen to conduct their respective activities simultaneously with minimum disruption to either party.

A brief overview of the present commercial fishing methods has been prepared by the NFFO and provides an excellent insight into the different types of fishing gear used on the UKCS. More information is available in the SEAFISH Basic Fishing Methods guide.

1.1 Fishing Liaison Officer (FLO)

The role of the FLO is described in the operator's offshore licence. Whilst licences in the early licensing rounds did not necessarily require the appointment of a FLO, it is recommended that the FLO duties should be extended to all areas of the operator's activities. A FLO should have a good working knowledge of fishing vessels, fishing techniques or the workings of the fishing industry and, more importantly access to key individuals or departments within the fishing industry, government and FLOs within other operators.

Oil and Gas UK provide support via a Fisheries Liaison Support officer who is available to provide advice and guidance to FLOs in their work

An online training course is available to assist FLOs in the development of their skills in the role which can be accessed by contacting OGUK. Annual workshops and fishing boat visits are also arranged and available for industry attendance via OGUK.

The FLO is responsible for:

- Establishing links with the relevant government departments and fishing organisations in support of the operator's offshore operations and ensure those bodies are kept reasonably informed of the operator's activities in the licensed area;
- Progressing any matters referred by relevant government departments and/ or fishing organisations and ensure, where necessary, a coordinated operator response;
- Providing advice on fishing techniques and fishing activity in the operator's area of operation;
- Maintaining good contact with and advising any contractors commencing operations on behalf of the operator of any sensitive fisheries issues in the proposed area of operations;
- Providing advice and/ or arranging for fishing studies to be conducted to enable relevant departments to assess design and/ or operational criteria;
- Arranging for fishing industry representatives and perhaps arranging vessels to support the operator's offshore operations should such support be required;
- Investigation and close out of fishing claims on the operator's behalf;
- Advising the appropriate internal department(s) on notifications required to be provided to fishing organisations and/ or government departments;
- Coaching, raising awareness and developing expertise amongst other relevant groups within the operator (e.g. project managers, representatives etc.) on fishing issues;
- Networking with other operators' FLOs on matters of mutual interest;
- Identifying and liaising with the Information and Samples Coordinator (ISC) and the persons within the company reporting digitised Infrastructure and Pipeline Summary Information to the Oil and Gas Authority (OGA) as a requirement of the Energy Act 2016 (see Section 4.1.8.1), which is then used in support of the FishSAFE information project; and

- Maintaining a relationship with the OGUK Fisheries Liaison Claims Coordinator.

Relevant departments, offshore projects and support teams of the operator can actively support the FLO by advising the FLO of any proposed offshore developments and updating the FLO frequently on any offshore operations or incidents that could impact fishermen, for example:

- Operations or proposed operations involving the laying or installation of any infrastructure on the seabed, or any other project or proposed activity that may impinge on fishing operations - particularly in any inshore, nearshore or landward licence area;
- Surveys (seismic, site, route or any other type) that may impinge on fishing operations;
- Emerging technologies being considered by the operator that may impact fishing operations;
- Any activity within a field development, but out with the statutory Safety Zone, that may impinge on fishing operations;
- Any other operations by the operator or other operator(s) in the area that could have a cumulative effect on fishing activity in that area;
- Loss of equipment on the seabed that could prove a snagging hazard prior to recovery;
- Suspension or decommissioning of a well head in open water;
- Incidents involving fishermen or assistance provided to a fisherman by an offshore operation; and
- Emergency situation that could impact fishermen e.g. oil spill.

The FLO can advise on any potential fisheries impact resulting from the above and, where applicable, take such action to make the necessary liaison arrangements.

1.2 Services Provided by the Fishing Industry

The fishing industry can provide a number of services to operators in support of their offshore operations including, but not limited to:

- Provision of fishing vessels, to act as guard/fisheries liaison Vessels, to protect newly laid pipelines, subsea installations, project operations, collision risk management observations;
- to act as escort vessels during seismic and Remotely Operated Vehicles (ROV/side scan survey);
- to remove/replace static fishing gear during subsea surveys and/ or offshore projects;
- to undertake site specific trawl sweeps; and
- undertake site remediation/seabed debris clearance in final stage of decom.

Provision of local representative of the approved Fishing Liaison Representatives (FLRs) by the area specific National Fishermen's Federation during surveys and offshore projects including:

- Provision of site-specific fishing advice for dedicated offshore/near shore areas; and
- Provision of advice on fishing techniques, vessels, and gear employed by the UK and foreign fishing industries.

1.2.1 Procurement of Services from the Fishing Industry

From a technical perspective, operators wishing to procure any of the services mentioned in Section 1.2 may wish to consider the following:

- The services to be provided are fit for purpose for the task, area and environmental conditions in which the services are to be performed;
- The organisation to provide the services has the in-house technical and personnel infrastructure and expertise to support the services; and
- The organisation to provide the services comply with the necessary health and safety, state and international legislation.

It should be noted that the Maritime and Coastguard Agency (MCA) has specific standards that are applied to fishing vessels engaged as guard/ fisheries liaison vessels.

1.3 Fishing Liaison Representative (FLR)

There will be times when an operator's offshore operations are conducted in areas that are also frequented by fishermen. To reduce the risk of any operational conflicts between the parties, operators are strongly advised to utilise the services of the FLR on their offshore vessel. The relevant national fishing federation can provide advice as to whether a FLR is necessary for any particular activity.

1.3.1 Responsibilities

The company contracting the FLR is responsible for ensuring that the FLR is suitably qualified and is capable of undertaking the duties required. As a minimum, the FLR will be fully conversant with all methods of fishing employed in the area of operations and have experience of fishing in the area. Wherever possible, the FLR should be local to the area of operations. In addition, the FLR will need to present up-to-date certification in respect of emergency safety training and medical examination carried out in accordance with the current MCA guidelines.

The FLR is responsible to the company representative (where applicable) on board for liaison with fishing vessel skippers in the area of operation.

The FLR is expected to discuss ongoing operations on a frequent basis with the key personnel on board the vessel undertaking the offshore operation to minimise disruption between operations of the operator or contractor and any fishermen working in the area of operation. Therefore, it is expected that the FLR will be accommodated on board the Fisheries Liaison Vessel undertaking the primary role of the operation. In cases where there is a premium on bed spaces, operators may wish to utilise the services of the FLR to act as a Marine Mammal Observer (MMO) providing the FLR is suitably qualified and the use of an FLR in this role does not contradict any government requirements for MMOs.

1.3.2 Use of Escort Vessel When No FLR is Onboard

There may be occasions when, with the agreement of the relevant fishing federation, it is decided that a FLR need not be utilised for a particular survey. For example, the survey is to be conducted in an area of:

- very little, if any, fishing effort; or
- minimal fishing effort for a short duration; and
- minimal fishing effort for a short duration and it is impracticable for the FLR to join the vessel for the survey e.g. the survey vessel moves from one prospect area to the area to be surveyed with little lead time to mobilise a FLR.

It is anticipated that the primary role of the escort vessel will be to support the operational aspects of the survey.

Should there be a requirement to liaise with fishing vessels in the vicinity, this will be as agreed between the Master of the survey vessel and the Master of the escort vessel. In all cases, the operator's representative should be informed of any problems encountered.

Operators may wish to utilise the services of the Fishing industry in the provision of local fisheries liaison vessels.

2 Fisheries Liaison Support in Offshore Operations

Several operations associated with exploration, production and decommissioning have the potential to interact with fishing activities and will require effective liaison to minimise the potential for disruption. This can be in the form of interaction with mobile fishing or from the deployment of static gear.

The activities described within this section require compliance with the pertinent legislation. This section is intended as guidance only and is not a definitive description of compliance requirements for FLOs or operators. FLOs are advised to consult with their internal procedures to ensure compliance with the latest laws and guidance issued by the relevant bodies. For guidance on static gear, this section should be read in conjunction with the Section 3 of this guideline.

It is important in the lead up to major activity that the operator assesses the potential impact on fishing activity, and where necessary commences an appropriate period of consultation with fisheries interests in advance. The FLO plays a prime role in liaising with the fishing industry prior to and during offshore operations and experience has shown that early notification by the FLO is fundamental to establishing a good rapport with fishing industry representatives.

When planning and carrying out operations, it is recommended that operators consider:

- Making an assessment of the potential impact on fishermen;
- Establish the level of fishing activity in the area;
- Determine the seasonal nature of the local fishing activities and assess whether the proposed timing of operations conflicts with heavy fishing activity;
- Determine if there is other industry related activity planned or ongoing for the same period that could have a cumulative effect;
- Opening a dialogue with the relevant fishing federations/ associations at the planning stage and maintaining this during operations, through the FLO, so as to minimise disruption to fishermen; and
- Provide a copy of the OPRED application and approval to undertake the activity from the Portal Environmental Tracking System (PETS) to the relevant fishing federation.

In areas with a high density of deployed static gear, the FLO should be aware of the following:

- Surface marker buoys cannot always be seen from the rig or support vessels especially in darkness or during strong tides;
- A string of static gear may comprise up to one hundred pots attached to each pair of surface marker buoys;
- Fishermen experience considerable problems recovering their strings of pots if the surface markers are sunk and the strings have been dragged from their known location – despite Global Positioning System (GPS) or other position reference, the pots may be unrecoverable; and
- Fishermen whose static gear is towed away and not recovered, lose not only the value of the equipment but also the earning power derived from it.

In certain areas, anchor mounds can create major difficulties for smaller fishing vessels. In areas where such problems are anticipated or reported, consideration should be given to levelling such anchor

mounds wherever practical, and provided that this will not cause any detrimental effect to the local environment.

In addition to these general considerations, different activities will require specific considerations as detailed in the following sub-sections.

2.1 Seismic Survey

The following considerations apply to seismic survey activities:

- Consider alternative seismic techniques that could minimise disruption to fishermen e.g. bottom cables;
- Utilise a FLR on the seismic vessel and/ or utilise a local fishing vessel to act as an escort vessel; and
- there are times when fishing vessels are engaged in fishing operations that either require them to remain stationary e.g. hauling the net and taking fish on board or are “anchored” to the seabed e.g. attempting to free from a seabed fastener and as such cannot readily move out of the way of an approaching vessel. Ensure survey vessels remain within the prospect area previously advised to fishermen, as far as possible, to avoid any confusion.

If the proposed survey overlaps a static fishing area, or the survey vessel unknowingly enters an area where static fishing gear has been deployed, either inshore or offshore the following should be considered:

- Fishermen will need a suitable period of fine weather prior to and after the survey operation to move and redeploy their static gear. Fishermen essentially have two options when faced with a survey operation – lift the gear and redeploy in an adjacent area outside the survey area or lift the gear and return it to shore. Both options present practical difficulties i.e. adjacent locations might not be available due to the density of static gear deployed by other fishermen and in such cases, gear may have to be redeployed in less viable fishing areas;
- As a result, there is the potential for fishermen to suffer a loss of earnings during the period immediately prior to and after the survey period;
- Whilst there is no legislative requirement for the operator of a seismic survey to make any payment to fishermen, local conditions may warrant the consideration of "inconvenience payments", particularly in areas where the operator may require fishermen to move their gear to another location, or to cease fishing in the area during the whole or part of the seismic period. Where such payments are considered, operators may wish to take into account the actual earnings of the individual fishermen affected by requesting substantiation of the monthly earnings received in the previous tax year, or for a period as mutually agreed between fishermen and operator. Preferably this would be in the form of audited accounts together with a signed statement of confirmation from their auditor; and
- Should the cost of the survey become prohibitively high as a result of claims from fishermen, operators may uphold their commercial right to cancel or re-schedule the survey, at their convenience.

2.2 Pipeline Operations

2.2.1 Pipeline Survey

Static fishing gear is laid in abundance over the pipelines in the Southern North Sea and can extend up to 50 nautical miles from the shore. To enable a survey vessel to have unrestricted access to a pipeline it is necessary for the static gear to be temporarily relocated away from the pipeline.

In addition to those mentioned for seismic surveys, the additional points below are offered for consideration by the FLO and/ or operator project team:

- Provide notice as soon as reasonably practicable prior to the commencement of the operation to allow time to make the necessary liaison arrangements;
- Utilise survey vessels that are sufficiently manoeuvrable to traverse easily between static fishing gear;
- Advise promptly of any schedule changes;
- Be apprised of any meetings pertaining to the proposed operation, e.g. hazard identification (HAZID); and
- Seek guidance and discuss lessons learnt from FLOs on how other operations were best managed.

2.2.2 Laying a Pipeline

It is recommended that the FLO becomes involved with a pipe lay project, preferably at the conceptual stage, to offer fisheries advice. Where it is proposed to lay a pipeline that traverses fishing grounds, it is recommended that the FLO and/ or project team establish early engagement with relevant government departments and fishing organisations to allow concerns to be raised and discussed.

Throughout the planning stage for a pipeline installation, it is recommended that operators consider:

- The potential impact on fishermen;
- The level of fishing activity in the area to be traversed by the pipeline;
- Proposed burial status of the pipeline;
- Rock dumping or mattress placement outside the 500m safety zone;
- Should the pipeline be laid proud of the seabed, quantifying the risk of trawlers snagging and potential damage to/ from trawl gear;
- Requirement for protection structures on valves outside the 500m safety zone;
- Alternative routes to avoid fishing grounds;
- Guard/ fisheries liaison vessels in areas vulnerable to fishing activity during pipeline installation;
- Rectifying any anchor mounds from the laybarge;
- Spoil from a trenched or buried pipeline;
- Utilisation of a FLR on the laybarge and/ or support vessels;
- Provision of pipeline route data and subsequent provision of span data to the OGA for promulgation to fishermen through the FishSAFE information system. It should be noted that

all pipeline protection material applications have conditions requiring as laid information to be sent to the United Kingdom Hydrographic Office (UKHO) and all information is promulgated to FishSAFE;

- For multiple parallel pipelines, consider distance between adjacent pipelines to allow trawling between pipelines; and
- Discussing over-trawl ability with relevant organisations.

2.2.3 Post-lay Spoil and Berms

Excess spoil or high berms can pose a serious snagging threat and/or contamination risk to fishermen trawling along or over the pipeline. It is recommended that operators:

- Ensure that the post-lay survey provides adequate information on any spoil or berms resulting from burial or trenching to enable an assessment of potential hazard;
- Promulgate any abnormalities to fishermen through the FishSAFE information system at the earliest opportunity;
- Have effective reporting routes between pipelay contractor and operator and within the operator's own organisation; and
- Consider the provision of swept gates through berms to enable safe transit of trawl gear and the subsequent inclusion of their locations in FishSAFE.

2.2.4 Pipeline Remedial Work

Pipeline remedial work, such as rock dumping and mattress laying, has a similar potential for disrupting fishing activities in static gear fishing areas. Therefore, the relevant points offered for consideration in respect of seismic and pipeline surveys should also be considered for pipeline remedial work.

2.3 Well Operations

2.3.1 Drilling a Well From a Mobile Offshore Drilling unit

The following considerations apply to pre-drill survey activities:

- The plan for the rig move on location must be assessed to see if it interferes with mobile or fixed fishing. This is assessed through applying for a Consent to Locate via OPRED. FishSAFE are also notified of operations prior to commencement;
- The positions of the anchors and pennants must be published in the Kingfisher Bulletin (KFB), and be available to the Mobile Offshore Drilling Unit (MODU) support vessel/Emergency Response and Rescue Vessel (ERRV) and the Offshore Installation Manager (OIM) so it can be shared with fishermen; and
- There must be a methodology in place so that the support vessel/ERRV/OIM has the responsibility to alert and warn fishermen in close proximity or posing a hazard of getting snagged. This is a condition of an operators Consent to Locate.

2.3.2 Well Suspension

Operators must notify the OGA through the Well Consenting process (WONS) of a suspended well and a suspended wellhead that may pose a snagging threat to fishermen trawling in the area thereby jeopardising the safety of the vessel, crew and integrity of the suspension. All wells require a Consent to Locate and WONS consent for spud, suspension and abandonment. WONS also requires Notification of any of these consented activities on completion of the work. WONS will then notify the relevant bodies (HSE, OPRED, HO, Kingfisher and the NDR) to ensure records are accurate and up to date. As soon as the well is suspended, FLOs are also urged to notify the Kingfisher Information Service (email: kingfisher@seafish.co.uk) with details of the suspended well (well number, operator, geographical co-ordinates stating whether European Datum 1950 (ED50) or World Geodetic System (WGS84) datum), (preferably in WGS84 datum). Kingfisher will then arrange for these details to be promulgated to fishermen.

2.3.3 Well Decommissioning

Following successful decommissioning of a subsea well, it is recommended that operators:

- Carry out any debris inspection required under prevailing legislation or approved decommissioning programme to ensure that the seabed area around the well is left free of debris that could result in a hazard to fishing; and
- Consider commissioning a trawl sweep of the well site using a fishing vessel and fishing gear appropriate to the area, to ensure that there are no snagging hazards at the site that presents a threat to fishermen.

2.4 Fixed Installations

2.4.1 Establishing a Fixed Installation

For the establishment of a fixed installation, be it surface or subsea it is recommended that fishing organisations are consulted at the early planning stage. All applications that require an Environmental Impact Assessment (EIA) should include a fishing effort study which indicates the level of fishing in the proposed area. The placement of a subsea installation outside a platform's 500m Safety Zone has the potential to pose a snagging risk for fishing gear. Where an operator has not been granted a 500m Safety Zone through the Health and Safety Executive (HSE) for a subsea structure, the FLO may wish to consider discussing preference protection of the structure to safeguard the integrity of the structure and enable release of nets with the relevant Fishing Organisations.

It is recommended that the following design and construction criteria for a subsea installation are considered in relation to fishing activity:

- The level of fishing activity in the area where the subsea installation is to be placed;
- The distance of the subsea installation from a platform and/or ERRV;
- The hazard it may pose to the safety of fishermen trawling in the area;
- The vulnerability of the subsea installation if snagged; and

- The cost effectiveness of the construction and installation of a protection structure against the repair of a damaged subsea installation and the associated loss of production if snagged.

2.4.2 Reducing the Risk of Having Vessel Snagging a Subsea Installation

Subsea installations pose a snagging risk to fishermen which may jeopardise the safety of the vessel and crew and the integrity of the subsea installation. The FLO may wish to highlight this issue within their organisation, making colleagues aware of the potential snagging hazard. Operators are also reminded that fishermen, and in particular non-UK fishermen, may not always be aware of the presence of certain subsea installations.

If fishing activity is deemed to be high, or there have been previous incidents or near misses, and the subsea installation is considered to be vulnerable to snagging, the operator may wish to further consider the number of safeguards in place to reduce any such risk to a minimum:

- Dedicated ERRV;
- Guard/fisheries liaison vessel support;
- Radar warning system;
- Site specific procedures;
- Surface marker; and
- Method of communication between fishing vessel and ERRV/guard/fisheries liaison vessel/offshore installation.

2.5 Decommissioning

The decommissioning of installations is covered by UK legislation and decommissioning options should be discussed with OPRED and the OGA. It is recommended that at an early stage of a decommissioning programme, stakeholder dialogue should be opened with the relevant fishing federations/ associations. Refer to Guidelines on Stakeholder Engagement during Decommissioning Activities.

During decommissioning it is recommended that items of debris resulting from operational or decommissioning activities are identified and removed from the site where practicable. A trawl sweep in and around the location of the decommissioned subsea installation to assure fishermen that it is clear and suitable for bottom trawling may be considered. In the event of a trawl sweep being conducted, the operator would expect a certificate to be issued by the relevant fishing organisation certifying that the seabed is clean and clear for commercial fishing.

2.6 Intention to Adopt New/ Emerging Technologies

It is recommended that the FLO is aware of new/emerging technologies, preferably at the conceptual stage, to offer fisheries advice, where it is proposed to use/adopt new technologies that may affect fishing grounds. It is recommended that the FLO and/or project team establish early engagement with relevant governmental departments and fishing organisations to allow concerns to raised and discussed.

It is recommended that the following design and construction criteria for new/emerging technologies are considered in relation to fishing activity.

- Level of fishing activity in the area where the new/ emerging technologies will be used;
- Hazard to fishermen;
- Impact on fishing grounds; and
- Alternatives routes.

3 Good Practice for Inshore Fishing

3.1 Basic Principles

In handling the interaction between the project and static gear fishermen, some principles need to be kept in mind:

- The operator and some fishermen may hold licences to work in a particular area; often fishermen traditionally fish a particular area, and some may hold a special permit to do so;
- Merchant Shipping (Prevention of Collisions at Sea) Regulations govern interaction between surface vessels but there is no legislation requiring a fisherman to move his static gear for the benefit of another activity;
- The intentional and malicious destruction of, or damage to the property of another is a criminal offence;
- Disturbance/displacement affects the fishermen's livelihood;
- The fishermen's knowledge of local fishing activities will be better than that of the operator; and
- The National Fishing Federations and Associations promote good liaison and relations with the other industries exploiting marine resources; offshore operators and their contractors may wish to utilise their expertise and good offices.

3.2 Scope and Boundaries

Fisheries affected are those in which gear is attached to or laid on the seabed and hence cannot readily be moved or at least require adequate notice to be moved, from the path of a project vessel. They may include:

- All forms of shell fishing with static gear;
- Fixed nets, and other catching methods involving nets and traps; and
- Salmon netting as pursued in a number of areas of the UK.

The areas in which static gear will be found are limited only by the availability of target species and the ability of the fishermen to recover his gear. Large areas off eastern England and the English Channel are fished intensively using pots to catch shellfish. Generally, the pots are in moderate depths, but are common 50 nautical miles offshore in some areas. Shell fishery is also pursued on relatively deep banks off the North West Coast of Scotland. Netting for finfish is common along the coastline and for considerable distances offshore, on relatively shallow banks and around wrecks in certain UK waters.

Salmon netting is carried out off river mouths, principally in Scotland, and to a lesser degree in parts of England, Wales and Northern Ireland. There is a considerable and complex body of law on the subject and there are significant differences between English and Scottish law on the ownership and operation of salmon fisheries. It should be understood that individuals hold the rights to fish for salmon, not the right to the salmon (at least until they are caught).

3.3 Project Preparation

3.3.1 Planning

Whenever a project is planned in UK waters, fishing activity in the area and the potential impact on those fisheries must be assessed. The operator's FLO and project team should consult with the appropriate federations and associations at the earliest possible stage. Their guidance is often invaluable and will include likely fishing activities in the area of the project, the local fishing groups involved and the season(s) to be avoided, if possible. Note that certain licences, consents and authorisations for projects may contain restrictions on timing. This early consultation is essential in areas where static gear may be deployed. Consultation with fishing interests and the subsequent notifications and activities discussed here should be shown in the project plan.

3.3.2 Identifying Fishing Activities and Critical Seasons

It is advantageous to determine the type, intensity and season of fishing activity in the proposed project area at an early planning stage. Disruption by a project at high season will meet with the most opposition regardless of offers of compensation. In contrast, a project at low season may pass with little comment.

There is a variety of sources of information on fishing activity in an area, they include:

- International Council for the Exploration of the Sea (ICES) surveys, although the fishing intensity data may not reflect current practice and covers a relatively broad area;
- the CEFAS Review of Coastal Fisheries which is updated every five years;
- SeaFish who can provide details and demonstrations on specific fishing techniques;
- Statistical Bulletin, Scottish Salmon and Sea Trout Catches, issued annually by MS and each District Salmon Fishery Board Clerk;
- Consultation with the local Inshore Fisheries and Conservation Authorities (IFCA) Committee in England, Wales, Channel Islands or Isle of Man;
- Marine Fisheries Agency (MFA-Defra) fisheries inspectorate in England and Wales, MS in Scotland, DARD in Northern Ireland; and
- The National Federations or representative associations who can identify affected local groups or associations.

3.3.3 Consultations with Local Fishing Groups/ Organisations

Sea fisheries committees and/or the national federations will identify groups or local associations, active in the area and likely to be affected. The Salmon Net Fishing and Shellfish Associations should be able to provide contacts for these fisheries (see Appendix A for contacts). Representative local groups should be contacted for a realistic assessment of fishing activities and the likely effects of the proposed project. It is recommended that operators should aim to identify all those fishermen likely to be affected significantly. When in doubt or when concerned over the bona fides of individuals or groups, operators can seek advice from the IFCAs, MFA, Federations and/ or Associations.

These consultations should address the questions of whether guard/ fisheries liaison or scout vessels will be required. When there is an agreed requirement, it can be worthwhile employing a local boat,

suitably certificated and fit for purpose for the required work. Local knowledge of the area and of those who fish the area will be highly advantageous. The consultations should also address any need for a FLR, either on board a project vessel, or in certain cases onshore.

Often, local fishermen can provide good advice not just on the best seasons, but also on currents, seabed conditions, the best routes and the avoidance of likely seabed obstructions.

The consultation process should include:

- A list of fishermen likely to be affected;
- The likely impact of the project on local fishing activity;
- Indications of the most and least favourable season in which to carry out the project in terms of fishing interactions;
- Advice on the best route/ location based upon fishermen's local knowledge; and
- Agreement on whether a guard/ fisheries liaison/ scout boat and/or FLR are required for the project.

3.4 Timescales

Static gear fisheries tend to follow an annual pattern of fishing effort and major projects in a static gear area may require consultation up to a year in advance. It is good practice to initiate the consultation as early as possible and as soon as the project is in the public domain and applications e.g. Pipeline Works Authorisation and the relevant approvals and consents have been made to the OGA and OPRED respectively. Timescales of the consultation are affected by the timing of the project. e.g. whether it coincides with the high catch season, and the quantity of pots or the length of nets placed by the fishermen. The time taken and feasibility of removing or relocating the gear is also dependent on a number of factors such as weather conditions and the availability of relocation. All these factors make good local advice and consultation essential.

3.5 Notifications & Communications

It is recommended that the notifications required before project commencement and during its implementation are agreed in local consultations. These will include:

- When and how affected fishermen will be notified of the start date and anticipated duration of the project and how the accuracy of the predicted start should improve as that date approached;
- How far in advance, final notification of start date will be given, so as to allow sufficient time for any relocation/ removal of gear with due allowance for weather;
- Procedures for notifying short term delays or deferment to the project, before or during implementation;
- Clear understanding of the boundaries of the project area and the area to be cleared, in coordinates understood by the fishermen (See Section 3.6.5 concerning route marking);
- Procedures for advising of long-term delays and of when the project is complete, to allow reinstatement of gear; and

- Key contacts and how to communicate with them promptly.

The notification schedule should appear in the project plan.

3.6 Project Implementation

3.6.1 Timing

Where there is a significant static gear fishery, ideally, projects should be timed to avoid high seasons. When this is not possible the following actions are recommended:

- Early and ongoing consultation with representative local fishing groups to keep the fishermen adequately informed of activities that will affect their livelihood. Give sufficient notice to carry out any gear removal/displacement safely and in time;
- Avoid calls for gear removal/displacement whilst there is still uncertainty over the start date; setting realistic start dates which are as accurate as possible;
- Procedures which minimise the duration of any disruption to normal fishing;
- Increasingly accurate notification of commencement so that any relocation or removal of gear can be carried out efficiently and safely;
- Establishing a finite date for relocating/removing gear prior to project commencement from which date any payments for loss/reduction of fishing will apply; with clear understanding of the date for gear relocation/removal and from which any payments will apply; and
- Prompt advice of any changes to the schedule and of any significant delays and project completion.

3.6.2 Local Contacts and Communications

The operator's FLO should establish local contacts, via whom affected fishermen will be advised of project commencement, progress, changes and completion. This should also provide a route for the fishermen to advise of any difficulties or scheduling problems on their part.

3.6.3 Removal of Gear

3.6.3.1 Introduction

Significant effort is required of fishermen to remove gear from an area. Whether it is necessary to remove gear from the route or area of the project depends upon a number of factors including:

- The type of project and equipment being used e.g. construction, pipe/cable lays; towed or hull mounted survey equipment etc.;
- Where in the water column and the depth of water where the project will take place and hence the potential clearance above gear attached to the seabed;
- Intensity of fishing effort and whether surface markers for the gear are used;
- Whether impact can be minimised by subdividing the project area, or using a rolling programme; and

- Timing of the project vs seasonal peaks of the fishery.

These questions should have been resolved in local consultations. However, any movement of gear into another fishing area will inevitably affect other fishermen. The intensity of static gear in adjacent areas may preclude any relocation of gear to those areas. This again needs to be addressed at the consultation stage. Where the gear is moved to and the effort involved will be relevant to any compensation claims (See Section 5). If gear has to be removed completely, it probably means that at least some will have to be landed to safe storage areas. This may need a longer notification period to allow safe removal and also be relevant to any compensation. A final consideration is the difficulties involved in removing/relocating gear as a result of various weather states, tidal or other currents and the size of craft employed.

3.6.4 Fishermen Affected

Theoretically, those fishermen affected are those with gear in the path of the project at the time of commencement. Practically it is far more complex. Hence at the consultation stage, those fishermen who would normally have gear in the area at the time of the project must be identified so that:

- They can be kept advised of progress and remove/replace gear at the appropriate time; and
- The basis of any compensation is clear and can be administered fairly.

3.6.5 Marking of Routes

If a clear corridor or area is required for the project, it should be agreed in advance. Any such corridor or area should be of sufficient dimensions to allow project vessels to operate safely without damaging themselves or their gear. This needs careful consideration in the case of geophysical, hydrographic, site or route surveys using towed gear where the footprint is large and depends upon manoeuvring, weather and tidal factors. Agreed areas to be cleared should include turning areas and locations where project vessels can shelter, with their gear deployed, without disrupting the gear.

An effective method should be agreed at the consultation stage for marking the route or area from which gear is to be removed. Depending on the circumstances it may be one of the following:

- Lines of dhan buoys with effective anchors;
- Clearly identifiable sight lines; and
- Electronic means provided that the fishermen affected have the necessary GPS or similar navigation receivers.

3.6.6 Notice Period

During consultations, a realistic timetable should be set for advising affected fishermen of project commencement. This could be in the form of a “diminishing window” where the estimated start date becomes more precise as the project gets closer. An example is detailed in Table 1:

Table 1: Example Timetable for advising fishermen of project commencement

Period to Commencement	Accuracy of Predicted Start Date
One year	+/- 3 months
Three months	+/- 1 month
One month	+/- 1 week
Two weeks	+/- 3 days
One week	Confirmed date

The final, confirmed notice period will be dependent upon the circumstances of the project plus the extent and complexity of any gear removal/ relocation, with due allowance for likely weather effects. As a general rule at least five-days' notice is needed for fishermen to remove/ relocate their gear. In many cases a longer period will be needed.

The Project Manager and FLO should be careful to avoid giving unrealistic or over-optimistic estimates of start dates. To foster good relations, avoid having fishermen remove gear unreasonably early or giving notice that is too short.

3.6.7 Responsibilities

The responsibilities of the project team are detailed in Table 2.

Table 2: Project Team Responsibilities

Role	Responsibilities
Project Manager	Overall responsibility for safe management and coordination of the project and for keeping the designated FLO advised of project progress, including changes, in a timely manner.
FLO	Responsible for advising the project manager on fishing issues relevant to the project; passing on timely notifications to affected fishermen, via local representative(s) where involved.
FLR	Liaison between project vessel and local fishermen. Responsible for coordination of gear removal and reinstatement, particularly in a rolling programme.
Local Representation	Communicating notifications and advice to affected fishermen, keeping FLO advised of issues as they develop and providing the link.
Affected Fishermen	Removal/ adjustment of gear as agreed to meet properly notified start dates. Reinstatement on confirmation of project completion or suspension

3.6.8 Re-instatement of Fishing Gear

Communication between the projects and affected fishermen should be effective and timely, so as to keep them advised of progress, delays and project completion. The FLO, FLR and Local Representative(s) should be involved. The purpose is to allow reinstatement as soon as it is practical to do so.

3.6.9 Project Delays and Notification

If, prior to project commencement, significant delays occur that will take the start date outside the window previously advised, this should be communicated promptly as outlined in Section 3.3. The FLO should consult with local representatives on whether the anticipated delay justifies a temporary reinstatement of gear. If agreed that these delays are long enough to resume fishing in the area, reinstatement can take place, provided that it is a worthwhile course of action and not merely disruptive.

4 Communication to Fishermen

This section describes the individual organisations involved with communicating to fishermen on the oil and gas industry issues and the main tools used in communication. This section also describes how data on the location of oil and gas infrastructure is collected twice per year from operators and shared with fishermen; this is called the FishSAFE project.

4.1 The Kingfisher Information Service

The Kingfisher Information Service, formerly known as Kingfisher Charts, is a department within the Seafish Industry Authority which is a UK Statutory Body charged with serving the fishing industry, from catcher to consumer. The primary aim of the Kingfisher Information Service is to improve safety throughout the catching sector and to prevent gear losses and potential snagging incidents through the dissemination of accurate positional seabed information. Kingfisher's website can be accessed here: https://www.seafish.org/article/kingfisher-information-services

In fulfilling this role, the Kingfisher Information Service works closely with the oil & gas industry by producing and distributing information directly to the fishermen through a variety of projects. All these products and services are free of charge to fishermen and are detailed within this section

Details of the services offered by Kingfisher can be obtained by email: kingfisher@seafish.co.uk or Tel: 01472 252307

4.1.1 The Yellow Card

This is a free card published every six months showing a listing of the positions of all suspended wellheads located out with 500 metre Safety Zones. The geographical co-ordinates published in the card are in WGS84 datum. This information is available by email, downloaded from the Seafish website or in hard copy and supplied to UK fishermen. www.kingfishercharts.org (service funded by Fisheries Legacy Trust Fund Company (FLTC)).

4.1.2 Kingfisher Bulletin

This is a free newsletter that contains details of all oil & gas related offshore activity, including objects potentially hazardous to fishing, seismic surveys, project activity, rig locations, tow-outs and updates on suspended wells. The Bulletin sometimes includes other information that Marine Scotland and Defra wish to communicate to the fishermen such as the location of oceanographic buoys. The Bulletin format is set out between six main fishing areas to allow fishermen to access readily the relevant information for their fishing area. Historically, the bulletin has been issued every two weeks however, in recent years the Bulletin has made use of social media and dedicated websites to ensure information is delivered to users more frequently. A new app and website is due to release in the summer of 2019, allowing users to personalise content and set alerts relating their geographical area and notices of interest. The most recent issues of the bulletin can be viewed at Kingfisher's website. Information for promulgation via the Bulletin should be sent by e-mail to: kingfisher@seafish.co.uk (service funded by FLTC, with support from Marine Scotland).

4.1.3 Twitter

Kingfisher also utilise social media to promote hazards, activities and news. This is currently on Twitter via @Kingfisherinfo although a new Kingfisher Bulletin Twitter and Facebook account are in the planning. Kingfisher will push items of interest out to industry via these accounts and will assist if you feel this may be an option for a notice you have.

4.1.4 Companion App

This is a platform for the fishermen to provide images and information about oil and gas related hazards.

4.1.5 FishSAFE Website

The FishSAFE website[1] is updated frequently to provide urgent notices to fishermen about oil and gas infrastructure and details of new snagging hazards.

4.1.6 Awareness Flyers

These offer the fishermen with detailed information on offshore developments taking place in UK waters, including cable lays, pipeline installation and windfarm developments.

4.1.7 KIS-ORCA

(Formally, KIS–CA) (Kingfisher information Service – Offshore Renewables and Cable Awareness) - This project runs on the same framework as FishSAFE, although relates to submarine telecommunications and power cables and renewable energy structures. This project is part funded by Subsea Cables UK and Renewable UK.

4.1.8 FishSAFE Information Project

The FishSAFE project is funded by FLTC Services Ltd and grants from the European Fisheries Fund, the Scottish Ministers have also recently assisted the project. FLTC Services Ltd contract Kingfisher to manage the supply of FishSAFE information to fishermen. The FishSAFE Information Project is the primary means by which information about oil industry infrastructure is collected, quality-controlled and then passed to fishermen. The project delivers to the fishermen free and accurate positional information on all seabed and surface oil/gas installations throughout the UK Continental Shelf area. This is delivered both in digital (electronic) to UK and Non-UK Fishermen and paper (charts) formats.

The FishSAFE Alarm Unit is an additional piece of equipment that allows the FishSAFE Information to be viewed on the bridge of a vessel and delivers an alarm when vessels are approaching subsea installations that are recorded in the database. General information on the FishSAFE system and, in particular those vessels fitted with FishSAFE units can be obtained from the Scottish Fishermen's Federation. The FishSAFE alarm unit has been supplied to the UK fleet and is not currently available to non-UK Fishermen.

[1] http://www.fishsafe.eu/en/home.aspx

4.1.8.1 Collection and Processing of Infrastructure Data for the FishSAFE Project

The provision of data relating to UKCS surface and subsea infrastructure to fishermen is now recognised as a major safety aid in support of fishing vessels engaged in trawling.

From April 2019, the process of getting this information to the fishermen is enabled by the Call for Data in April and October each year issued directly by the OGA under a Section 34 Notice (the statutory reporting notice for oil & gas industry related information and samples under the Energy Act 2016), a statutory obligation. This process replaces the voluntary Call for Data previously issued by Common Data Access (CDA), the wholly-owned subsidiary of OGUK established by industry in 1995. As the process is now regulatory rather than voluntary, all infrastructure and pipeline operators have a legal duty to comply with the call. In all other respects the Call for Data process remains the same as previous years. Submissions of changes to infrastructure data from UKCS operating companies to include new infrastructure, decommissioning of existing infrastructure and pipeline free-spans continue to be submitted to CDA, now acting on behalf of the OGA as operator of the new National Data Repository (NDR) for technical oilfield information[2]. Further information is extracted from the 'Bulletin' (suspended wells), and Her Majesty's Stationery office (HMSO) Statutory Instruments (Safety Zones). All changes to the data are rigorously checked for consistency and accuracy before addition to the database. Anomalies are referred back to the operator for checking and re-submission.

Once published by the OGA, the infrastructure data is then extracted from the NDR by CDA and passedto Kingfisher. Kingfisher converts this data into a number of different formats compatible with the most common on-board fishing plotter systems used by fishermen and also the FishSAFE Alarm Unit. This enables the fishermen to overlay their own charts with accurate data on all surface and subsea infrastructures that in turn should improve vessel/ crew safety and help reduce the risk of damage to subsea installations. This information is then distributed via the SFF and NFFO to all UK fishermen. Kingfisher covers all European distribution.

4.1.8.2 The Role of Operators in the FishSAFE Project

The FLO, and in particular those persons within the operator responsible for the timely provision of the data to the OGA, should be aware that failure to provide updated data by the specified deadline will result in a breach of its legal requirements under the Section 34 Notice (Energy Act 2016) and out of date data being issued to fishermen. The resultant effect is that fishermen may be unaware of any new infrastructure, particularly on the seabed. Such omissions may lead to a serious snagging incident that could jeopardise the safety of the fishing vessel and those on board. OGUK and CDA may contact the FLO for assistance in obtaining infrastructure data required for FishSAFE which has not been provided by the operator.

The OGA will issue the Call for Data section 34 notice to the company's Information and Samples Coordinator (ISC) and not generally directly to the FLO. Each Licensee and owner of relevant oilfield infrastructure must appoint an ISC as a single point of contact with the OGA. This is a requirement of

[2] See: https://ndr.ogauthority.co.uk/

the Energy Act 2016. If you do not know who your ISC is or there is no ISC yet appointed then please contact the OGA at ISC@OGAuthority.co.uk

FLOs may wish to review their internal processes for the collation and dissemination of data twice a year to the FishSAFE information project. This could be achieved through risk assessment of the process. Refer to your organisation's internal risk assessment procedure.

5 Compensation

5.1 Introduction

Compensation for disruption/ displacement is probably the most contentious question when projects take place in heavily fished inshore waters. Possession of a development licence "to search and bore for and get petroleum" is not necessarily a carte blanche to proceed, regardless of fishing activity. The licence will almost certainly include a condition about consultation with affected fishermen – generally small independent businesses whose livelihood could be affected. The general principle should be that fishermen are not disadvantaged by a project passing through the area in which they normally fish. The preferred method is to avoid the most productive seasons of the fishery affected. When this is not possible, a fisherman may expect to receive financial aid to replaces earnings lost during the project.

In deciding whether compensation will be appropriate, the following need to be considered:

- Who is eligible;
- How to establish who are bona fide fishermen;
- What is the basis for compensation;
- How to deal with disputes and spurious claims; and
- In resolving these issues, good advice will contribute to a satisfactory outcome. Impartial advice may not be easy to obtain, but some possible sources are:
    - IFCA Committees in England and Wales;
    - Local Fisheries Officers (MFA in England & Wales, MS in Scotland, DARD in Northern Ireland);
    - The National Federations and Associations; and
    - Other Operators with experience of the area and the particular fisheries.

5.2 Justification for Compensation

Operators may wish to think through the following when considering compensation:

- Will those static gear Fishermen who normally and traditionally fish in the project area be prevented from carrying out their normal, income generating activities, at a similar level during the project;
- Is it a heavily fished or lightly fished area;
- Is it high season, "normal" season or low season for the main fishery affected;
- Can the project be moved to low season;
- Is there room for the fishermen to relocate their gear easily and carry on fishing or do they need to remove all or part ashore;
- Will relocation of gear affect other fishermen;
- Is there a better route/area for the proposed oil and gas activities;
- Will fishermen incur additional costs in clearing the project area; and

- What is the total period during which fishing is likely to be interrupted, including time to remove and replace gear, making due allowance for weather.

5.3 Establishing Eligibility

A number of basic principles are detailed below to consider when establishing eligibility for a compensation claim:

- A fisherman must be able to demonstrate, by reliable means such as a logbook, or alternative but detailed catch records, that is normally and traditionally fishes the area for commercial purposes, at the time of year when the project is taking place and that he suffered actual loss of earnings;
- The fisherman must hold a current licence, permit or heritable right to fish the area for the species likely to be lost;
- He uses a properly registered and certified fishing vessel suitable for the particular fishing in the area of the project (boats used for salmon fishery may not necessarily be registered);
- The vessel or a previous similar vessel registered to the same fisherman (see qualification above), has been operational for a reasonable qualifying period; the period will vary with the fishery and it is essential to reach agreement on the topic;
- The fisherman would normally have income earning gear deployed in the area at the time of the project; and
- The effort and time required to relocate to remove gear should be taken into consideration.

The FLO should take good local advice if this is available. The associations will have nominated fisheries specialists who can either advise or suggest suitable contacts.

5.4 Basis and Validity of Any Claim

Assessing the appropriate level of compensation is critical. The following could form the starting point for any compensation claim:

- As far as practicable, demonstrated loss of earnings from gear deployed in the project area;
- Whether or not the fisherman was able to replace those earnings nearby;
- The amount of effort and non-earning time involved in moving and replacing gear;
- Whether individuals incurred additional costs in complying with the requirements of the project; and
- That any compensation paid is appropriate to the effort involved, reflects actual level of earnings and is not based upon “loss of right to fish the area”.

Care should be taken that the total payment is distributed fairly and equitably to reflect the efforts and loss of individual fishermen.

5.5 Claims for Damage to the Fishery

Good baseline data obtained in advance of the project, agreed with the fishing community and the regulators will assist in establishing if there has been any change to the catches which can be attributed to the project. Any EIA prepared in connection with the project should detail this baseline data which should be as comprehensive as possible in its coverage. In lengthy projects the effects on fishing should be monitored regularly. This may identify trends at an early stage and allow for remedial action and/or for issues to be resolved. In certain fisheries, for example salmon netting, there may be claims that underwater noise or disturbance of bottom sediment will discourage fish from passing through the area. Even the laying of moorings is believed to affect the behaviour of salmon. If such effects are potentially a factor, they should be addressed at the planning/EIA stage as this may affect timing of the project.

In practical terms any alleged long-term damage to the fishery may not be noticeable until an apparent reduction in catch at the end of a complete season. This apparent reduction may be caused by a number of factors, not necessarily connected to the project. Therefore, fishermen claiming compensation for reduced catches may have to demonstrate conclusively that the reduction was as a result of the project.

6 Oil and Gas Industry Related Debris

There are international conventions and domestic legislation governing dumping at sea, with the deliberate release of wastes and debris prohibited from installations and vessels. However, incidents may occur which result in the loss of items overboard, and this debris on the seafloor can pose a threat to fishermen.

To facilitate recovery of any oil and gas industry related debris, it is recommended that operators:

- Record the position of any item lost overboard to enable future recovery; and
- When applicable submit a Petroleum Operations Notice (PON) 2 notification to OPRED no later than six hours after the event has taken place. Upon submission of a PON2 it is automatically issued to Kingfisher and distributed to the fishermen.

In all cases, where practicable the operator will make every effort to recover the object. Where it is not possible to recover the items lost immediately, operators inform the FLO and the appropriate navigational and fisheries organisations and ensure that the nature and location of the lost item(s) is published in the Kingfisher Bulletin. Operators can consider developing plan of action to retrieve the lost objects at a later date.

6.1 Discarded Paint Cans

Fish catches are contaminated by paint cans which rupture when the catch is retrieved on board. The part of the catch contaminated by paint has to be dumped which may be the complete haul from that tow.

There is no doubt that some paint cans recovered have been discarded by vessels that have not been employed in the offshore oil and gas industry. Nevertheless, paint cans recovered marked with the name of the offshore support vessels may provide proof that some paint cans have been discarded by those vessels.

The FLO may wish to consider the following:

- Are vessel owners on hire aware of the practice of discarding paint cans overboard (in contravention of MARPOL legislation);
- Is there a means to bring this practice to the attention of vessel owners e.g. contractual conditions and/or contained within a company/vessel audit document and/or safety briefs at on hire surveys or similar; and
- Are the master and crew of vessels on hire aware of the problems being experienced by fishermen as a result of discarded paint cans.

7 Snagging of Fishing Gear

Occasionally a fishing vessel may become snagged on a seabed fastener (natural or man-made e.g. berm or clay), or on the operator's pipeline or subsea structure or a piece of oil and gas industry related debris, (collectively referred to as a seabed fastener in this section) whilst trawling.

It is the responsibility of the vessel's skipper to contact the coastguard immediately with details of the incident and the position of his vessel. The coastguard will confirm the position of the vessel and will advise the skipper on the best steps to ensure its safety.

Any action taken to attempt to free trawl gear snagged on a seabed fastener is the responsibility of the vessel's skipper.

In all instances where an operator is advised that a fishing vessel has become snagged on a seabed fastener within that operator's licensed area, the operator's personnel should follow the operator's procedures for dealing with such incidents. Operators should consider the inclusion of such a scenario in their emergency plans and develop appropriate internal procedures and inform the FLO. The operator may wish to consider exercising and training staff in the response to a vessel snagging on a seabed fastener within their licence area.

When a vessel is snagged (or suspected to be snagged) close to an oil installation or oil and gas related operation where it is possible to liaise with the OIM/Master, the vessel skipper and/or coastguard may wish to talk to the facility to gain information relating to the incident.

A dialogue should be established between the parties involved to discuss

- The situation in play; and
- The best course of action that will minimise harm to personnel, potential for pollution or damage to assets, in that order.

All communications must be logged and recorded by both parties to assist in subsequent claims or investigations.

7.1 Suspected Snagging Incident on a Pipeline

Safety notices and warnings have been issued to fishermen containing advice on actions to be taken should their gear become snagged on what they believe to be a pipeline. These advise where the weight is excessive the safety of the vessel and its crew might be jeopardised if continued efforts are made to free the gear.

It is the responsibility of the vessel's skipper to contact the coastguard immediately with details of the incident and the position of his vessel. If the coastguard believes that the gear is snagged on a pipeline, he will advise the operator of that pipeline or subsea structure as soon as possible thereafter.

Notwithstanding the Annual Notice to Mariners No. 24, guidance notes on Admiralty charts and other maritime publications advising fishermen not to trawl in the vicinity of pipelines, there is no law that forbids fishermen to trawl along, over or across a pipeline providing:

- The fishing vessel does not enter a statutory 500m Safety Zone through which a pipeline traverses (except for certain provisions);
- The fishing vessel does not enter a statutory 500m Safety Zone around a subsea installation connected to the pipeline (except for certain provisions);
- The fishing vessel does not come or remain within one nautical mile of vessels engaged in laying or repairing a pipeline; and
- The fishing vessel does not approach within one nautical mile of buoys marking a pipeline

The very fact that such pipelines and structures are above the seabed, and irrespective of the fact that such pipelines may have been designed and constructed to be over-trawlable, each poses a possible snagging hazard to trawl gear. Any action taken to attempt to free trawl gear snagged on a pipeline is the responsibility of the vessel's skipper.

8 The OGUK Fishing Claims Framework

The OGUK fishing claims framework was established to review claims from fishermen who suffered loss or damage to gear and/or sustained damage to the vessel and/or incur a loss of fishing time as a result of snagging on a seabed fastener provided this seabed fastener is oil and gas industry related infrastructure or debris.

In such cases, the fisherman may seek compensation from the operator of the licence block in which the snagging incident occurred or when the operator cannot be established from the OGUK Fisheries Compensation Fund (Section 11).

Under the framework a fisherman who loses or damages his gear on a seabed fastener is not considered for compensation if:

- The seabed fastener was not oil and gas industry related;
- The fisherman is unable to offer some element of proof that the seabed fastener was oil or gas related;
- The fisherman snags a suspended or production wellhead, the details of which were contained in the list of such wellheads issued to the fishermen by Kingfisher Information Service, FishSAFE Information, FishSAFE alarm unit, Yellow Card or Kingfisher Fortnightly Bulletin;
- The fisherman snags a fastener within the statutory Safety Zone of an offshore installation or subsea wellhead; or
- The position of the oil and gas industry related fastener/debris has been promulgated to the fisherman at a reasonable time prior to the incident.

Note this section in The International Convention for the Protection of Submarine Cables 1884, as extended by the Convention on the High Seas,1958:

'Owners of ships who can prove they have sacrificed an anchor, net or other fishing gear, to avoid damaging a submarine cable or pipeline, shall receive compensation from the owner of the cable or pipeline'

The OGUK fishing claims framework acts as a vehicle for the submission of such claims relating to snagging incidents on pipelines or subsea structures and provides a fishing claim form to process and assess claims. Details on how the form is completed are found in Section 10.

It is the responsibility of the FLO to investigate and close out, on the operator's behalf, fishing claims submitted through the OGUK fishing claim framework.

8.1 Non-attributable Oil Related Debris

It is not uncommon for a fisherman to snag and recover an item of oil and gas industry related debris from:

- Within an offshore exploration licence block that has not been allocated to an operator;
- An offshore exploration licence block in which the incumbent operator or any previous operator, has conducted no operations in that particular area; or

- An exploration licence block that has been relinquished by an operator.

In these cases, the OGUK Fishermen's Compensation Fund may consider a claim.

8.2 Claims for Foreign Fishermen Operating in the UKCS

The Oil & Gas UK Fishermen's Compensation Fund cannot deal with claims from foreign fishermen.

A foreign registered fishing vessel may submit a claim using a standard UK claim form, following a snagging incident in the UKCS. It is left to the discretion of the operator as to whether an offer of settlement should be made for a claim made by foreign fisherman snagging oil and gas industry related fastener or debris that could be attributed to that operator

8.3 Claims from UK Fishermen Operating outside the UKCS

The OGUK Fishermen's Compensation Fund cannot deal with claims from UK vessels which occur outside the UKCS.

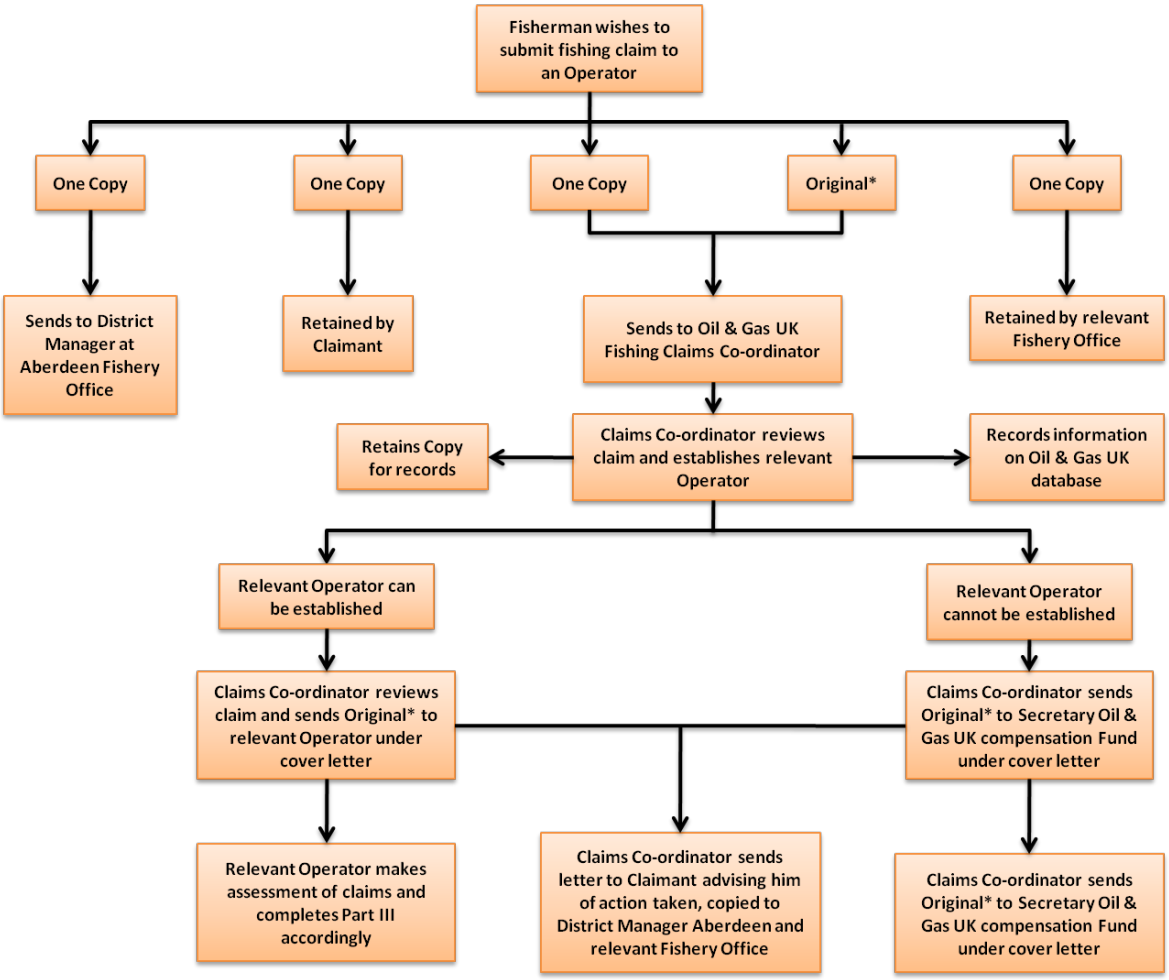
If a UK registered fishing vessel snags an oil related fastener or debris outside the UKCS and completes a claim form, the Fishing Claims Co-ordinator will endeavour to identify the operator of the licence block in which the incident occurred or the owner of the pipeline and advise the fisherman accordingly. The fisherman, or his agent, can then submit the claim directly to the operator concerned on an independent basis.

9 Assessment of a Fishing Claim

Following a snagging incident, as a first step the fisherman should report the incident to their local Sea Fisheries Inspectorate (SFI), Marine Scotland Fishery Office or DARD in Northern Ireland Fisheries Officer. They will supply the necessary claim forms on which a claim to the OGUK fishing claim framework should be submitted. The procedure to be followed is outlined in this section and a copy of the forms to be used is contained in Appendix B. The fisherman, his agent or the vessel owner (the claimant) is responsible for completing and submitting the claim to the OGUK Fishing Claims Co-ordinator together with any relevant supporting information or documentation such as invoices.

The assessment of fishing claims is summarised in the flowchart below and described in detail within this section.

Figure 1: The Assessment of Fishing Claims



9.1 Initial Assessment by the OGUK Fishing Claims Co-ordinator

On receipt of a claim the OGUK Fishing Claims Co-ordinator will:

- Obtain further information or clarification from the claimant if considered necessary;
- Ascertain the licence block in which the incident occurred and the operator of that licence block;
- Plot any drilling operations and/or suspended wellheads and/or any other subsea installations in close proximity to the incident that could have been responsible for the snagging;
- Ascertain whether any other previous fishing incidents occurred in close proximity to the claim;
- Check the supporting invoices for accuracy and validity for example, that they are signed and dated;
- Plot the position of the incident on a digitised Admiralty chart;
- Send the claim and supporting information to the FLO of the licenced operator of the block in which the incident occurred;
- Offer guidance to the FLO for dealing with the claim;
- Log the details of the claim in the OGUK fishing claims database;
- Maintain an overview of the claim until it is finally accepted/rejected;
- Maintain contact with the claimant to ensure receipt of any delayed documentation;
- Write to claimant and relevant fishery offices advising them of the name of the operator to whom the claim has been sent and the number of the licence block in which the incident occurred; and
- Send the claim documentation to the OGUK Fishermen's Compensation Fund if the incident occurred in an unallocated or relinquished licence block (as outlined in Section 8).

9.2 Assessment by the Operator

9.2.1 Claims Resulting from Incidents Outside Safety Zones

If an operator receives a claim resulting from an alleged snagging incident outside safety zones, the following points may be considered in assessing the claim:

- Was the incident in close proximity to any of the operator's operations (drilling/ construction) or asset (pipeline);
- Was any debris sighted, and if so what was its nature;
- Were there photos of any debris and/ or damaged gear and/ or vessel damage submitted;
- If debris was landed it may require inspection to ascertain ownership;
- Was the fisherman given any warning or advice by offshore personnel or a vessel chartered by the operator - if so, obtain a report; and
- If appropriate, did the fisherman contact the coastguard.

By ascertaining the above information, a general assessment can be made. This assessment may be carried out by the FLO or other operator personnel. It is the responsibility of the FLO to ensure that the claims are considered, and the assessment is carried out.

9.2.2 Claims Resulting From Incident Involving a Pipeline or Subsea Structure

If an operator receives a claim for an alleged snagging incident involving a pipeline or subsea structure, the following points may be considered in assessing the claim:

- Did the fisherman report the incident to the coastguard and/ or operator;
- If the incident occurred over, or in close proximity to a pipeline or subsea structure, was the fisherman advised by the operator to slip/cut/release his gear;
- Was the pipeline buried at the location of the snagging incident or protected by a statutory Safety Zone at the location of the snagging incident;
- Was any fishing gear found during a subsequent subsea inspection of the pipeline or in previous surveys;
- Did the incident occur in close proximity to any subsea installation or pipeline obstruction/ freespan that had been promulgated to the fishermen via FishSAFE Information, FishSAFE alarm unit, Kingfisher Yellow Card or Fortnightly Bulletin; and
- Was there any debris or other snagging hazard at the location of the snagging incident noted during previous surveys.
- Was there any spoil resulting from pipeline burial/ trenching at the location of the snagging.

An operator may wish to wait until the pipeline or subsea structure has been surveyed in order to determine whether or not any lost gear has snagged the pipeline or subsea structure as reported in the claim. If this is the case, the FLO should write to the claimant advising of the potential delay in dealing with the claim and copy the letter to the OGUK Fishing Claims Co-ordinator.

9.2.3 Claims Resulting from Snagging Previous Operator's Debris

Snagging incidents may occur that relate to the activities of the previous operator(s) of a particular licence block. The OGUK Fishing Claims Co-ordinator will submit the claims received to the current operator of the licence block in which the alleged snagging incident occurred. It is the responsibility of the current operator to review the merits of the claim.

The OGUK Fishermen's Compensation Fund considers claims for incidents where the previous operator of the licence block is no longer operating in the UKCS or has merged with another operator.

9.2.4 Claims Resulting from Snagging Anchor Mooring Systems

Claims submitted by fishermen as a result of snagging an anchor or cable from a mobile drilling unit or flotel are not usually accepted. This is based on the fact that, after many years of offshore operations in the UKCS, fishermen are aware of the general deployment of moorings from these units and the fact that the anchors are normally marked by buoys. However, such claims may be considered on a case by case basis by the operator or the Fisheries Compensation Fund.

9.3 Acceptance and Rejection of Claims

Each claim is treated on its merits and based on accuracy of information and supporting evidence provided by the claimant together with the findings of any investigations conducted by the FLO.

9.3.1 Claims Resulting from Incidents in Open Water

The following is offered as guidance to the operator.

A claim may be considered for approval (in full or part) at the operator's discretion whereas much information as possible has been provided:

- There is clearly identifiable liability for recovered debris that can be associated with the operator or its contractor;
- There is clearly identifiable liability for recovered debris that can be associated with a previous operator or its contractor;
- There is no clearly identifiable liability for recovered debris where an element of doubt exists that such debris could have come from the operator's activities in the area – or that of its contractors;
- There is no clearly identifiable liability for recovered debris where an element of doubt exists that such debris could have come from the activities of a previous operator in the area – or that of its contractors; or
- No debris has been recovered, but an element of doubt exists as to the cause of the incident. In assessing such a claim, consideration is given to the fact that should a fisherman lose gear it is not possible to identify the cause of the incident.

A claim may be rejected where:

- It is not attributable to an operator's operation – or that of its contractors;
- It is not attributable to a previous operator's operation – or that of its contractors;
- It arises from an incident within a statutory Safety Zone;
- It arises from an incident involving a suspended wellhead, the position of which has been promulgated to the fishermen at a reasonable time before the incident; or
- It arises from an incident involving a piece of oil related equipment on the seabed, the position of which has been promulgated to the fishermen at a reasonable time before the incident.

9.3.2 Claims Resulting from Incidents Involving a Pipeline or Subsea Structure

The following is offered as guidance to the operator for claims resulting from snagging incidents involving a pipeline or subsea structure outside a statutory 500m Safety Zone:

An offer of settlement may be made in respect of any subsequent claim where a fisherman decides to slip, cut or buoy off his gear, or loses part of his gear, in order to protect the integrity of a pipeline or subsea structure

- Following advice from the operator or when advised to do so by the coastguard; or

- At a location that has not been promulgated to the fishermen as a potential snagging hazard at a reasonable time before the incident.

A claim may be rejected where a fisherman decides to release, cut or buoy off his gear, or loses part of his gear in order to protect the integrity of a pipeline or subsea structure when:

- A subsequent survey reveals no evidence of gear at the reported site on the pipeline/ subsea structure or in close proximity to the pipeline or subsea structure based on the geographical co-ordinates provided by the fisherman at the time of the incident;
- The location of a snagging incident or the subsea structure has been promulgated to the fishermen at a reasonable time before the incident as a potential snagging point; or
- A subsequent survey confirms that the gear is snagged on suspected oil related debris in close proximity to the pipeline that was not as a result of the pipeline operator's operations.

9.4 Assessing Level of Compensation

Claims for lost or damaged gear, supported by original invoices for costs (exclusive of VAT) for replacement or repairs are detailed on the claim form. Payment for any damage to vessel and/or gear does not normally exceed the insurance excesses shown on the claim form.

The claim form also contains details of any loss of fishing time resulting from the snagging incident. An estimated value is provided by the claimant and is supported by the narrative section of the claim form. An independent assessment of the average earnings of similar vessels working in the area at the time of the incident is provided by the local Fishery Officer. In most cases, it is recommended that any compensation for loss of fishing time be based on the Fishery Officer's figures. To assess an offer of payment for loss of fishing time the following calculation may be used to provide an estimate. Any such offer should be based on the merits of each individual claim. Vessels engaged in trawling normally do so over a twenty-four-hour period. Each trawl lasts about six hours. Therefore, if a vessel has lost six hours fishing time (one trawl/haul), the average earnings of similar vessels per day as stated by the Fishery Officer should be divided by four to obtain the six hours claimed by the fisherman. The resultant figure will provide a loss of fishing estimate.

If there is a large discrepancy between the claimant's figure and the value calculated from the average earnings, consideration may be given to increasing the calculated figure - based on the merits of the claim. Payment for loss of fishing for vessels engaged in pair trawling is normally calculated at one and half times the value for loss of fishing.

The level of payment in respect of a claim is at the discretion of the operator. However, if the claim is considered genuine but there is little or no supporting evidence, operators are encouraged to give the benefit of doubt to the claimant.

10 Completing the Claim Form

10.1 Introduction

The claim form and supporting documentation are the means by which an operator and/ or the O GUK Fishermen's Compensation Fund can assess a claim within the OGUK Fishing Claim framework. A well-documented set of claim forms together with accurate supporting documents can save the operator and Compensation Fund committee considerable time in assessing the claim.

FLOs are reminded that it is a Licence condition that claims should be dealt with promptly (See the Petroleum Licensing (Production) (Seaward Areas) Regulation 2008 (2008/225) 45 (3)).

It is recognised that operational workloads will take priority. Nevertheless, efforts should be made to process a claim within three months of receipt of all relevant parts of the claim form from the Fishing Claims Co-ordinator. FLOs with claims outstanding are notified by the Fishing Claims Co-ordinator in good time prior to a Fishermen's Compensation Fund meeting to enable them to close out a claim if they are in a position to do so.

This section provides those completing the claim form with guidance on completing each section and what supporting documentation may be required. Electronic claim forms are held by each fishery office in the UK and can be completed in electronic form on a computer or completed by hand or a combination of both.

The claim form is in three parts. Part I and Part II must be signed by the relevant Fishery/ Fisheries Officer. Part I and Appendix B can be forwarded to the Fishing Claims Co-ordinator prior to the Part II and supporting invoices should the Fishery/Fisheries Officer so wish, though the preference is for all parts of the claim form to be sent together. This information is shown at the top of the Part I of the claim form. In total one original claim form and four copies are required, as detailed in the table 3.

Table 3: Distribution of Claim Form

Copy	Distribution	
Original + One Copy (with all original supporting documentation and photographs)	OGUK Fishing Claims Co-ordinator 3rd Floor The Exchange 2 62 Market Street Aberdeen AB11 5PJ	Oil & Gas UK
One Copy	District Manager Marine Scotland Compliance Scottish Government Fishery Office Room A119 PO Box 101 375 Victoria Road Aberdeen AB11 9DB	
One Copy	Local Fishery Officer (at Fishery Office where the claim was registered).	
One Copy	Retained by claimant/ Agent	

10.2 Processing of the Claim by OGUK Fishing Claims Co-ordinator

On receipt of a claim, the OGUK Fishing Claims Coordinator will carry out an initial assessment as outlined in Section 9.1. It is not unusual for the Fishing Claims Co-ordinator to receive initially Part I and Appendix A of a claim prior to receiving the Part II and other supporting documentation – particularly the invoices. In such cases the Fishing Claims Co-ordinator will maintain contact with the claimant and fishery/fisheries office to ensure receipt of all the documents.

The Fishing Claims Co-ordinator will send the claim documents to the operator in question under covering letter and write to the claimant the Fishery/ Fisheries Office from where the claim originated and the Aberdeen fishery office, advising them of the name of the operator to whom the claim has been sent and the block number in which the incident occurred.

10.3 Claim Form Part I

The claim form is attached in Appendix B. An electronic version of the form can be obtained from the Fisheries Claim Coordinator.

The Fishery/ Fisheries Officer should complete the "F.O. Ref. No." in the top right-hand box if applicable.

The Fishing Claims Co-ordinator will complete the "Operator" and "Block Number" details when he has plotted the claim.

10.3.1 Part I – Section 1

Part 1 Section 1 should be completed by the Claimant. It is important that the details requested in the two boxes in subsection 1 are provided as requested and if handwritten it should be done so clearly.

The start of tow position is important to allow the Fishing Claims Co-ordinator to identify the operator to whom the claim is to be sent, as it is possible that the vessel towed through more than one concession block. The longitudinal co-ordinates must be annotated east or west. The box relating to the positioning for the start of the tow in Item 3 is completed in addition to the position where the debris was snagged in Item 4.

It is important that any debris recovered, photographed and stored ashore (Item 6 and 7) is retained for as long as practicable. It is appreciated that large items may have to be removed from a harbour quayside, but such items should be stored at another location if possible pending possible inspection.

In Section 8 of the claim form the claimant should sign the Declaration and print his name clearly.

10.3.2 Part I - Photographic Evidence

Supporting photographic evidence of debris will help processing a claim. Photographs are particularly important when debris, such as a wire hawser, has been recovered to deck then cut and released for safety reasons.

When providing photographic evidence, the following is considered:

- Photographs of debris are secondary to the safety of vessel and crew;
- Try to ensure that the size of the debris can be ascertained from the photo e.g. a wire hawser should be shown against something of a recognisable size; and
- Photos of contaminated catch along with photographs of paint can(s)

10.3.3 Part I – Section 2

This section is to be completed by the Fishery/Fisheries Officer at the port where the claim is initiated.

The Fishery/Fisheries Officer to insert any observations regarding the sighting of the damaged gear and/or debris. It is important that the Fishery/Fisheries Officer witnesses any damaged gear and/or debris to provide an independent third-party verification of the damage and/or debris if possible.

A claim will not be accepted unless Section 2 has been completed.

10.3.4 Part I F.O. Ref. No box in Claim Form, Part 1

The Fishery/Fisheries Officer should complete the “F.O. Ref. No.” box if applicable.

Claimants should to provide the position where any debris has been subsequently lost/dumped following the snagging incident in the relevant box in the top section of the form and are urged to provide a Sea Fisheries Protection Authority (SFPA)/ Defra Satellite Track Report as mentioned at the top of the narrative section. The provision of this data provides evidence to the operator and/or Compensation Fund that the vessel was in the vicinity of the incident on the day and at the time of the incident.

10.3.5 Part I [Appendix A – Narrative Section of the Claim Form]

The narrative section to be completed by the Claimant with as much detail as possible about events leading up to the incident, the incident itself, the recovery, or attempted recovery, of the gear and debris and of the debris itself.

It is accepted that incidents can occur at night and in poor weather conditions. The safety of the vessel and its crew is paramount. Nevertheless, and in keeping with good seamanship and safe practices, if there is a possibility that debris cannot be retrieved on board, effort should be made to sight the debris if it is at the surface or hanging over the side in order that a good description can be provided.

Supporting photographs of debris or contaminated catch can support the narrative.

Regarding the narrative section, the claimant to provide the following information as it pertains to the incident, including (but not limited to) the following:

- Details of tow leading up to the incident;
- Details of any contact and conversations made with the coastguard, rig/ platform or operator;
- Detailed description of the debris for example diameter of recovered wires or serial numbers;
- Any serial numbers and/or label(s) on recovered paint cans;
- Explain in detail what gear was lost and what was recovered; and
- Details of any damage to the vessel or gear sustained.

10.4 Claim Form – Part II

10.4.1 Part II – Section 4

Part III Section 4 is completed by the Claimant. In Item 3, the main elements of the gear lost or damaged are itemised. If there is insufficient space the Claimant may use a separate sheet. It is important that the itemised list of gear lost or damaged agrees with the statement contained in the narrative in the Part I Appendix A.

In Item 4, the values for lost/damaged gear and/or damage to vessel must be supported by original invoices (containing the invoice number) for the replacement gear and/ or repair to any damage. Invoices must be signed and dated by the vendor acknowledging that payment has been received. Quotations will not be accepted.

In Item 5, the Claimant indicates the number of hours of lost fishing time as a result of the incident. The box for quantities of fish lost/discarded (an estimated value) is only completed if fish has been discarded due to contamination e.g. from paint.

10.4.2 Part II – Section 5

Part II Section 5 is completed and signed by the Fishery/Fisheries Officer giving details of average earnings for similar vessels in the area.

10.5 Completing Part III of the Claim Form

10.5.1 Completion of Part III by the Operator

Sections 6 and 7 in Part III of the claim form are completed by the operator to either reject a claim or make an offer of settlement. In all cases the operator completes the boxes in items 1 and 2 at the top of Section 6 with the same information that appears in Part I of the claim form.

The operator details its response in Section 6 item 3, following its assessment of the claim. If the claim is rejected, reasons for the rejection are given in as much detail as possible here. Section 7 of Part III is then filled out as appropriate by the operator.

If the claim is rejected, item 4 in Section 7 is deleted and the document signed by the operator.

Two signed copies of Part III of the form should be returned to the Claimant with all original supporting documentation. It is normal practice for the claim to be returned under a covering letter. Copies of the completed Part III are forwarded by the operator to the Fishing Claims Coordinator and to Marine Scotland.

If the claim is rejected by the operator and the claimant them submits the claim to the Compensation Fund, the Compensation Fund committee may request the operator to reconsider the rejection – perhaps offering new evidence or guidance. The operator decides whether or not to withdraw the rejection and make an offer of payment.

If the claim is accepted by the operator and an offer of settlement is made, Item 5 in Section 7 is deleted by the operator and the Part III signed. One signed original Part III together with one copy is returned to the Claimant, again under a covering letter. Copies of the completed Part III are forwarded by the operator to the Fishing Claims Coordinator and Marine Scotland.

It is the responsibility of the FLO to ensure that Part III of the claim form is completed, any payments are made, and the relevant copies of the form and letters are returned.

10.5.2 Completion of Part III by the Claimant

Upon receipt of the completed Part III, the claimant has a number of courses of action:

- Accept the offer and sign and return the Part III to the operator;
- Reject the offer and attempt to open negotiations with the operator;
- Accept the rejection and proceed no further;
- Accept the rejection and submit the claim to the Oil & Gas UK Compensation Fund; or
- Query the rejection and attempt to open negotiations with the operator

If the claimant decides to reject the offer it will be necessary for the operator to enter into negotiations, either with the claimant or his fish selling agent. It is preferable to avoid protracted negotiations. If an alternative offer is then made by the operator, this is undertaken in writing to the claimant and if subsequently accepted, another Part III of the claims form is completed and sent to the relevant recipients to note that a revised offer has been accepted.

Once a reasonable offer is made and refused, the Claimant has no recourse to the Fishermen's Compensation Fund.

10.5.3 Distribution of Claim Form Part III

Part III of the Claim form is distributed by the Operator to the following recipients as detailed in Table 4.

Table 4: Distribution of Claim Form by Operator

Copy	Distribution
Original	Sent to Agent as shown on form
One Copy	Sent to Agent as copy for claimant
One Copy	OGUK Fishing Claims Co-Ordinator as above
One Copy	District Manager, Aberdeen Fishery Office as above
One Copy	Fishery Office where claim was registered as above
One Copy	Retained by Operator

10.6 Sending a Claim to the Compensation Fund

The Fishing Claims Co-ordinator will forward a claim to the Compensation Fund if:

- The incident has occurred in an unallocated concession block; and
- The incident has occurred in a block that has been relinquished

A Claimant may forward a claim to the Compensation Fund if it has been rejected by an operator. It is the responsibility of the Claimant to submit a claim to the Compensation Fund. The Claimant should send all the original claim documentation together with a copy of the Part III rejection to:

The Secretary
OGUK Fishermen's Compensation Fund
c/o Scottish Fishermen's Federation
24 Rubislaw Terrace
Aberdeen
AB10 1XE

A note or covering letter should accompany the documentation requesting that the claim be included on the agenda for the next meeting of the Compensation Fund

10.7 Recording Fishing Claims

For future reference it is recommended that all claims received by the operator (or copies of those rejected) should be filed together with the internal and external supporting documentation.

11 OGUK Fisheries Legacy Trust Fund Company (FLTC)

11.1 Introduction

FLTC has been established to facilitate interactions between the offshore oil and gas and fishing industries and specifically to manage an endowment fund set up to offset legacy issues, in particular concerning the safety of fishermen. The company collects and manages funds provided by the oil & gas industry at the time of decommissioning to finance the provision of information about operational oil and gas assets and any structures or pipelines left on the seabed after decommissioning.

11.2 Structure of the Company

FLTC is a charitable not-for-profit company limited by guarantee. The Founding Members are the fishing and oil and gas industry associations (SFF, NFFO and OGUK).

Each founding member is entitled to appoint a Director (two for OGUK). The agreement of all Founding Members is required for any changes to the Memorandum and Articles of Association. Should the company be wound up, its property/ business must be transferred to a similar charitable body and if that is not possible then to The Royal National Mission to Deep Sea Fishermen and/or Royal National Lifeboat Institution and their successors, failing which then to a body dedicated to the reduction of the risk of loss or damage from marine related incidents in UK waters.

FLTC has formed FLTC Services Limited (FLTCS), a wholly owned subsidiary, to carry out trading activities.

11.2.1 FLTC Board

The FLTC Board controls the operations of the company. Each founding member may bring an observer from their organisation to attend and, on invitation, to be heard at Board meetings, but not to participate in voting. This is intended to promote wider exposure of company decision making within member organisations.

An independent Chairman of the Board has been appointed (and may be removed) by the Directors. The Chairman has a vote but only when the Directors' votes are equal.

OPRED provides an observer of Board proceedings by invitation from the Board. The role of the OPRED observer is to provide advice when appropriate. The observer does not have any decision-making role. The observer also assists in:

- Decision making associated with regulatory compliance;
- Transparency of process, funding and expenditure; and
- Linkage with other regulatory organisations.

Company officers are also employed to manage the ongoing requirement of FLTC as determined by its Directors.

11.3 Structure of OGUK Fishermen Compensation Fund

The Fund is managed by fishermen from those organisations that represent fishermen on the Fisheries and Offshore Oil Consultative Group (FLG) and funded by OGUK. Table 5 outlines the members.

Table 5: Members of the Fisherman Compensation Fund

Name	Provided by
Chairman	SFF
Vice Chairman	NFFO
Secretary	SFF
Fishing Advisor	NFFO
Assessor	Oil & Gas Fishing Claims Co-ordinator
Assessor	Senior Fishery Officer (Aberdeen)

Refer to the FishSAFE website (http://www.fishsafe.eu/en/home.aspx) for Fishermen's Compensation Fund Terms of Reference and Constitution.

The Fund supports a dedicated Fishing Claims Coordinator to assess and process claims from fishermen. This role is explained in Section 9.

11.3.1 Committees

Two standalone committees have been formed to take over, maintain and develop existing schemes previously managed by OGUK.

- The Technical Committee – to manage seabed information collection and dissemination systems and to develop technological innovations when appropriate, this is known as the Fisheries Liaison Technical Committee; and
- An Investment Committee – to advise the Board on endowment fund investments to generate revenue for Company activities

11.4 FLTC Activities

11.4.1 Overview

The FLTC's activities include:

- Provision of information to fishermen about oil and gas assets in UK waters. The Company FLTC finances services for collection and dissemination of information about oil and gas hazards in UK waters. Until 2012 this information was provided through the KIS-UKCS programme. That programme has been enhanced and renamed Fish SAFE Information;
- Inter-industry issues management: engagement in inter-industry issues involving the oil and gas and fishing industries, concerned with health and safety or environmental aspects of marine operations;

- Financing the development, production and supply of the FishSAFE unit, an audible and visual warning device for fishermen of oil and gas related hazards and sponsoring the FishSAFE web site www.fishsafe.eu; and
- Management of the fisheries Fund.

Appendices

A Principal Government Department and Fishing Organisations

Company	Address	Contact
	Government Departments	
Offshore Petroleum Regulator for Environment and Decommissioning (BEIS-OPRED)	AB1 Building Crimon Place Aberdeen AB10 1BJ	Tel: 01224 254000 Email: EMT@beis.gsi.gov.uk
Health and Safety Executive (HSE) Offshore Safety Division (OSD)	Lord Cullen House Fraser Place Aberdeen	Telephone 01224 252500 Email: advice @hse.gsi.gov.uk
Scottish Office Marine Scotland (MS)	Scottish Government – Marine Directorate Marine Management Division – Marine Strategy Branch Area G-H93 Victoria Quay Edinburgh EH6 6QQ	Telephone 0131 556 8400 (main switchboard) Email: marinescotland@scotland.gsi.gov.uk
Department for Environment Food and Rural Affairs (Defra) – Marine Management Organisation	Lancaster House Hampshire Court Newcastle upon Tyne NE4 7YH	Telephone 0300 123 1032 Email:info@marinemanagement.org.uk
Marine Science Scotland	PO Box 101 Victoria Road Aberdeen AB11 9DB	Telephone 01224 876544
The Centre for Environment, Fisheries & Aquaculture Science (Cefas) Lowestoft	Lowestoft Laboratory Pakefield Road Lowestoft Suffolk NR33 0HT	Telephone 01502 562244
The Centre for Environment, Fisheries & Aquaculture Science (Cefas) Weymouth	The Nothe Barrack Road Weymouth Dorset DT4 8UB	Telephone 01305 206600
Maritime and Coastguard Agency (MCA) Aberdeen	HM Coastguard 4th Floor Marine House Blaikie's Quay Aberdeen AB11 5PB	Telephone 01224 592334

Company	Address	Contact
Department of Agriculture and Rural Development Northern Ireland (DARD)	Fisheries Division 4th Floor North Dundonald House Upper Newtownards Road Belfast BT4 3SB	Telephone 0300 200 7852 Email - dardhelpline@dardni.gov.uk
UK Hydrographic Office (UKHO)	Admiralty Way Taunton Somerset TA1 2DN	Telephone 01823 337900
	Fishery Offices and Inshore Fisheries	
Fishery Offices - Scotland	http://www.scotland.gov.uk/Topics/marine/Compliance/resources/fisheriesoffices	
Fishery Offices - England and Wales	http://www.marinemanagement.org.uk/contacts/local.htm	
Fishery Offices – Northern Ireland	http://www.dardni.gov.uk/index/contact-us/a-z-of-contributors/fisheries- division/fisheries-contacts/port-offices-contacts.htm	
Inshore Fisheries and Conservation Authorities – England and Wales	http://www.defra.gov.uk/environment/marine/wwo/ifca/	
	Fishing Organisations	
Scottish Fishermen's Federation (SFF)	24 Rubislaw Terrace Aberdeen AB10 1XE	Telephone 01224 646944
National Federation of Fishermen's Organisations (NFFO)	30 Monkgate York YO31 7PF	Telephone 01904 635430
Federation of Highlands and Islands Fishermen (FHIF)	"Craigard" New Valley Stornoway Isle of Lewis HS2 0DW	Telephone 01851 702385
Northern Ireland Fishermen's Federation (NIFF)	1 Coastguard Cottages Portavogie Co. Down N. Ireland BT22 1EA	Telephone 028 427 71946/7
Shellfish Association of Great Britain	Fishmongers Hall London Bridge London EC4R 9EL	Telephone 020 7283 8305 Website: http://www.shellfish.org.uk/index.php
Salmon Net Fishing Association of Scotland	Mr. G. Keith Allan 6 Albyn Place Aberdeen AB10 1PS	Telephone 01224 564636 Email: keith.allan@raeburns.co.uk Website: http://scottishsalmonassoc.net/index.htm

B OGUK Fishermen's Compensation Fund Claims Form

CLAIM FOR COMPENSATION FOR DAMAGE OR LOSS OF FISHING GEAR, LOSS OF FISHING TIME OR DAMAGE TO VESSEL BY OIL RELATED DEBRIS PART I 2 Copies to be sent to; Fishing Claims Co-ordinator, OGUK Ltd, 3rd Floor, The Exchange 2, 62 Market Street, Aberdeen AB115PJ 1 Copy to be sent to Marine Scotland Compliance, Scottish Government, Fishery Office, Room A119 PO Box 101, 375 Victoria Road, Aberdeen, AB11 9DB 1 Copy to be retained by the relevant Fishery Office 1 Copy to be retained by the Claimant	FOR F.O./OGUK USE ONLY F.O. Ref. No: Operator* Block Number

Section 1 (To be completed by the Skipper and submitted as soon as possible after return to port following incident)

1.	Name of Vessel			Registration No.	
	Name and Address of Skipper Postcode			Name and Address of Owner/Agent Postcode	
2.	Date of Incident		Time of Incident		Type of Fishing in which Engaged
3.	GPS Position at Start of Tow (in Degrees, Minutes and point of a Minute)	Latitude	Longitude	Direction of Tow in Degrees Speed of Tow	 Knots
4.	GPS Position at End of Tow – **Position Snagged** (in Degrees, Minutes and point of a Minute.	Latitude	Longitude	Wind	Force Direction
5.	Nature of Debris/ Obstruction				
6.	Debris Recovered Ashore	No		Photographs Attached	No
	Where can debris be inspected?				
7.	Supporting evidence of vessels witnessing the incident – if none write "NONE"				Statement(s) are
	Name of Vessel(s)				To Follow
8.	Declaration:				

I hereby certify that the details provided by me in these claim forms are, to the best of my knowledge, true and accurate

Signed…… Print Name…… Date ……

Section 2 To be completed by Inspector of Fisheries/Fishery Officer

9. The above statement was given to me at Fishery Office, and I have been shown evidence (including, but not limited to, damage to gear, vessel, debris etc) which appears to be consistent with the statement in Section 1, subject to the following observations:-

Signed …… Print Name …… Date ……

Section 3.

10. To be forwarded by owner, agent or Fishery Officer as appropriate to:

Fishing Claims Co-ordinator
OGUK Limited
3rd Floor, The Exchange 2
62 Market Street
Aberdeen AB11 5PJ

***The Fishing Claims Co-ordinator will complete the "OPERATOR" and "BLOCK NUMBER" boxes and send the claim to the Operator of that Block. If the Block is unallocated or relinquished, the Fishing Claims Co-ordinator will send the claim to the Oil & Gas UK Compensation Fund Secretariat. He will notify relevant parties accordingly.**

CLAIM FOR COMPENSATION FOR DAMAGE OR LOSS OF FISHING GEAR, **LOSS OF FISHING TIME OR DAMAGE TO VESSEL BY OIL RELATED DEBRIS** ***PART I APPENDIX "A"***	FOR F.O. USE ONLY **F.O.** **Ref. No:**

Name of Vessel		Registration Number	
Date of Incident		Time of Incident	
If Pair Trawling give Name and Reg. No. of partner vessel			

If any debris is subsequently lost in a position other than that given in Part 1 (4), please give position where debris was lost

GPS Position (in Degrees, Minutes and point of a Minute)	Latitude	Longitude

1

2 Note: Enclosing an SFPA/Defra Satellite Track Report could provide substantiation of your vessel's position(s) prior to and during the incident. This information will allow the Company/Compensation Fund to make a more accurate assessment of your claim.

NARRATIVE SECTION: Please provide as much information relating to the incident and snagged debris as possible. Length (if possible) and diameter of wire. Length (if possible) and diameter of chain. Were there any markings on the debris e.g. serial number, maker/supplier name? What was the debris made of e.g. if a buoy was it made of steel or one of the "soft" types?

3

Photographs of any debris – especially during recovery or attempted recovery- cannot be emphasised enough. They could help have your claim accepted and may increase any subsequent offer of settlement

Use another sheet if required or make a separate report

Signed Skipper ---------- Print Name ---------- Date ----------

CLAIM FOR COMPENSATION FOR DAMAGE OR LOSS OF FISHING GEAR, LOSS OF FISHING TIME OR DAMAGE TO VESSEL BY OIL RELATED DEBRIS PART II	FOR F.O. USE ONLY F.O. Ref. No:

Section 4 (To be completed by the Skipper and submitted as soon as possible after return to port following incident)

1	Name of Vessel Name and Address of Skipper Postcode		Registration No. Name and Address of Owner/Agent Postcode	
2	Date of Incident		Time of Incident	

3 Full details of vessel damage or gear lost or damaged

4 Value of Replacement or Repairs **(excluding VAT)**

Fishing Gear	£
Damage to Vessel	£

5	Loss of Fishing Time and Estimated Value	Hours	Value	£
	Quantities of Fish Lost/Dumped due to any Contamination		Total	£ ____

6 The following details of vessel's Hull and Machinery Insurance are required if part of this claim relates to damage to vessel

Insurers		Policy No.	

Amount of Excesses

Hull	£	*Machinery*	£

7 **Declaration of the Skipper**

I declare that the amounts entered above reflect the true value of my loss as a result of the incident described in Part 1 of this claim and accept that the claim will be dealt with in accordance with the procedure outlined in Part I.

Signed..... Print Name..... Date.....

Section 5 To be completed by Inspector of Fisheries/Fishery Officer

8 The above statement was given to me at Fishery Office and to the best of my knowledge the damage and/or loss described above would appear to be consistent with the circumstances outlined in Part I

9 I certify that the average earnings for one vessel for one day based on an average of (No.) vessels of a similar class and which were working in the same general vicinity of the above incident on (Date)

£

Signed..... Print Name..... Date.....

CLAIM FOR COMPENSATION FOR DAMAGE OR LOSS OF FISHING GEAR, LOSS OF FISHING TIME OR DAMAGE TO VESSEL BY OIL RELATED DEBRIS PART III	FOR OFFICIAL USE ONLY Claim No Date of Incident DAFS Ref

SECTION 6 - TO BE COMPLETED BY *COMPANY/COMPENSATION FUND

1. Name of Vessel		Registration No	
Name and address of Skipper		Name and address of Owner/Agent	

2. Date of incident _____ Time of incident _____

3. Having duly considered this Claim, the response of * COMPANY is as follows:-

SECTION 7 - DELETE (4) OR (5) AS APPROPRIATE

4. Without prejudice or any admission of liability, an ex gratia payment of £_____ is hereby offered in full and final settlement of any and all claims arising now or hereafter against *COMPANY/COMPENSATION FUND or their Servants or Agents as a result of the incident described in Parts I & II of this claim. A cheque will be forwarded upon return of the white copy of this form with the Form of Release below duly signed by the Master, Owners of their Agents.

5. It is regretted that this claim has been rejected on the grounds stated in Section 6 (3) above

Name_____ Signature_____ Date_____

On behalf on company (print address)

SECTION 8 - TO BE COMPLETED AND RETURNED TO *COMPANY/COMPENSATION FUNDIF SETTLEMENT IS OFFERED

*I/WE as * MASTER/AGENTS for the above vessel hereby agree to accept the sum mentioned above in full and final settlement of all claims arising now or hereafter against *COMPANY or their Servants or Agents as a result of the incident described in Parts I & II of this Claim.

Signed _____ Date _____
*MASTER/OWNERS/AGENTS

Fishing Gear £ Lost Fishing Time £ Vessel Damage £

C An overview of Commercial Fishing Methods

1. Twin – Beam Trawling

Nationality of Beam Trawlers	UK, Dutch and Belgian
Main Target species	Plaice Sole
Vessel Range	20m to 40m
Horsepower Range	500hp – 3500hp
Typical Fishing speed	3.5 – 8 knots

Typical Fishing Gear

Typical fishing gear consists of twin beams, each with a max length of 12m. When fully rigged, each beam could weigh less than 10 tonnes on the largest vessels. Each beam is towed by a chain bridle from towing points attached at each end and at a central point on the beam. Each trawl consists of a heavy tubular steel beam with support above the seabed by the "beam heads". The heads are attached to each end of the beam and have wide shoes or skids which slide over the seabed. This forms the rigid framework and keeps the net open during the fishing process. There are two common types of beam trawl, 'Open Gear' and 'Chain Mat Gear'. 'Open Gear' is the lighter version of the two, using a series of tickler chains which are attached to the beam heads and then towed on the seabed. The open mat gear is used on relatively soft and clean seabed to disturb the fish from the sand and into the net. 'Chain Mat Gear' is used for fishing over harder rockier areas of the seabed. In this rig, there is a lattice frame of chain mat attached along the length of the beam and down to the footrope on the leading edge of the lower section of the trawl. The lattice chain mat guides the net over boulders and rough ground and minimises damage. Some beam trawls also have 'flip-up ropes' which prevent stones from entering the net and thereby causing damage to the cod-end. The flip-up rope forms a mesh fence ahead of the footrope which effectively lifts the footrope over obstacles such as stones.

General Information

The main target species, Plaice and Sole are not regarded as shoaling species therefore fishing effort by beam trawlers is spread over a huge area in the Southern North Sea and all areas of the Irish sea as well as the English Channel. The number of beam trawlers that might be expected operating within the close proximity to a specific location at any one time would normally be limited to single figures or low numbers but increased presence should be expected from time to time throughout the year, particularly if catches in an area are particularly good.

Operational limits

All fishing activity imposes a degree of manoeuvrability restrictions on the fishing vessels.

During fishing operations beam trawlers are quite manoeuvrable. However, when seeking cooperation from beam trawlers consideration must be given towards the skippers need to avoid wrecks, cables and oil and gas infrastructures. Consequently, an immediate deviation in course may not be possible at a given time. As a result of the weight of gear and towing speed impacts with any vulnerable subsea items could cause major damage or place the vessel and crew in danger. Exposed installations require protection from the activities of beam trawlers.

Weather limitations

Beam trawlers are highly stable when their gear is deployed; consequently, combined with their high engine power, the larger vessels are able to continue fishing through all but the most extreme weather conditions.

2. Demersal Trawling

Nationality of Beam Trawlers	UK, Danish, Belgian French & Dutch
Main Target species	Cod, Haddock, Whiting and Nephrops
Vessel Range	12m – 35m
Horsepower Range	200hp – 850hp
Typical Fishing speed	3.0 – 5.0 knots

Typical Fishing Gear

A basic demersal trawl design is tapered bag shaped net which is towed along the seabed by the vessel. The captured fish are gathered in the cod-end. The net is held open by a variety of means.

Horizontally by heavy trawl doors or otter boards. Trawl doors may weigh in the region of one tonne. Chain or wire bridals and sweeps extend from the doors to the net. The lower part of the net is held down on the seabed but protected by an assortment of bobbins, or wheels which form the footrope. The footrope varies in design as a result of the main target species.

General Information

While having main target species, demersal trawling is very much a mixed fishery based upon a catch component made up of a number of different species. Demersal trawlers tend to tow in directions which are in line with natural seabed contours and/or the tidal currents. Vessel numbers in any one area may vary depending upon the grounds and the species being pursued. The level of presence is somewhat dependent upon catch rates and comparisons with other catches elsewhere.

Operational limits

All fishing activity imposes some form of manoeuvrability restrictions on the vessels. Demersal trawlers are somewhat restricted in their ability to manoeuvre once the gear is deployed.

Twin or multi-rig trawlers are more restricted than a vessel towing a single net. Due to the drag of the net(s) and limited horsepower, significant increases in speed while towing are not possible. Deviation in course is limited if entanglement of the trawl is to be avoided. When changing course the skipper needs to appreciate the possibility of wrecks, obstructions or hard ground which could effectively destroy the trawl.

Weather limitations

Due to the fact that the majority of demersal trawlers in the Southern North Sea are in the 15 to 24m range their activities are therefore affected by weather. Vessels that are less than 15m generally run to port for shelter in rough conditions. However, modern vessels that are greater than 15m with fully enclosed shelter-decks can and frequently fish in rough sea conditions. The largest of the demersal trawlers can and often fish in conditions up to force 8 in terms of wind speed.

3. Industrial Trawling

Nationality of Beam Trawlers:	Predominantly Danish but some UK vessels
Main Target species:	Sandeel
Vessel Range:	30m – 50m
Horsepower Range:	500hp – 1500hp
Typical Fishing speed:	2- 5 knots
Typical Fishing Gear	
The typical fishing gear used for industrial trawling is usually of demersal type net but with small mesh. The net is held open by two trawl doors with approximate weight of 1.25 tonnes. The ground gear tends to be light and low profile.	
General Information	
The target species is used for fishmeal. This species is not caught for human consumption. The peak of the fishery is generally around May or June, but the activity can be conducted for a prolonged period in early or mid-summer. Catches are generally taken in tons and frequently exceed 100 tons in a single haul. There are a number of areas in the Southern North Sea which are recognised as prolific sandeel areas. The most prolific sandeel fishing is conducted on and around the edges of the Dogger Bank, However, as the fishery on the Bank decreases, vessels open up searches for new shoals and engage in fishing wherever they appear, sometimes these vessels fish as far south as latitude 52◦ in the North Sea. Industrial trawlers tend to tow in directions which are in line with natural contours.	
Operational limits	
All fishing activity imposes some form of manoeuvrability restrictions on the vessels. Due to the size of net, industrial trawlers are somewhat restricted in their ability to manoeuvre once the gear is deployed. Due to the drag of the large net, significant increases in speed are not possible. Deviation in course must be limited if entanglement of the trawl is to be avoided. As a consequence, the vessel can be highly restricted and unable to manoeuvre during the period when the catch is being taken on board.	
Weather limitations	
The need to sometimes handle large volumes of fish restricts the effort of these vessels in poor weather. Activity by industrial trawlers is limited by rough and unsettled weather. Skippers prefer to wait for moderate conditions. In bad weather, industrial trawlers may be observed scouting areas investigating shoals of fish on their electronic fish finders while they wait for a moderation in conditions.	

4. Seine Net

Nationality of Beam Trawlers:	UK & Danish
Main Target species:	Plaice and Cod
Vessel Range:	17m to 21m
Horsepower Range:	200hp to 400hp
Typical Fishing speed:	The vessels are anchored when fishing but operates at 6 knots when running out seine ropes in the process of setting out gear

Typical Fishing Gear:

The net is similar in shape to a standard trawl with light, low profile ground gear. The anchor seine net is only used on grounds that are clear of obstruction. The net is not towed in the same manner as a trawl. Effectively, the net and seine ropes are set out in a somewhat extended triangular pattern as pictured above, the vessel then picks up a mooring buoy attached to the anchor and uses the winches to haul the net back to the vessel. The method of anchor seine netting diminished in the southern North Sea the late 1980's and 1990's as the fleet reduced and the industry moved towards more modern fishing methods. However, the activity is still conducted by a small number of boats based from Grimsby in the UK and a number of Danish ports such as Esbjerg and Thyborøn. Due to the slow rate of recovery of the anchor seine net, this mode of fishing is economical on fuel and finds favour with fishermen who prefer a traditional fishing method. Anchor seining is carried out in a manner where the anchor forms a central position from which the skipper will make a number of shots per day. The net and ropes are set out in a series of different directions from the anchor to take account of tidal direction etc. A circle surrounding the anchor would generally form the days fishing area. Once the net and ropes have been set out and the vessel has picked up the anchor buoy, the vessel is from that point is effectively anchored and displays appropriate lights and shapes. The status of the vessel needs to be recognised at an early stage by other mariners. When hauling the net, an anchor seiner is unable to manoeuvre out of the path of any oncoming vessels without breaking off the fishing operation and taking emergency action. To be an effective means of catching fish the anchor seine requires continuous and steady hauling during which the ropes create a sand cloud on the seabed to herd the fish towards the net. If the hauling process is interrupted, the shot is effectively lost and the vessel needs to recover and reset the net.

Seine Net (Fly Shooting)

The fly-shooting method of seining is a variation of the anchor seine method which is adopted more by UK crews and more recently by some Dutch vessels that have made a swap from beam trawling to reduce fuel costs. Some key differences in the two methods:

- A fly-shooting seine net vessel uses engine power to tow the net at the same time as hauling the net with winches. No anchors are used.
- In fly-shooting, the net is hauled at a much faster rate, allowing the skipper to undertake more fishing shots per day.
- Fly-shooting seine nets are similar in design to the anchor seine method but tend to be slightly smaller mesh which increases the catch of smaller fish.
- Fly shooting tends to be more of a mixed fishery with a wider range of size and species including cod, haddock and whiting.
- Due to more reliance upon engine power, operational costs are higher in fly-shooting.
- Both modes impose very high restrictions on vessel manoeuvrability during the fishing process

5. Gillet/Trammel Nets

Nationality of Beam Trawlers	UK & Denmark
Main Target species	Gill Nets, Cod, Turbot, Trammel nets and all demersal species including Sole
Vessel Range	10 to 25m
Horsepower Range	100hp to 500hp
Typical Fishing speed	Zero but approximately three knots when setting nets
Typical Fishing Gear	

Gill nets: a single sheet of light netting in which fish are caught by their gills. Such nets are highly selective in the size of fish captured. Gill nets tend to be worked more in the offshore parts by the largest vessels. The nets are generally set out in strings across wrecks and seabed features on which fish gather.

Trammel nets: are made up of three sheets of netting, the outer two sheets having large mesh but less height than the smaller mesh inner sheet. Fish becomes entangled in pockets of net created when the much slacker inner sheet passes through the large mesh outer sheets. Trammel nets are used predominantly by smaller inshore boats, generally within 12 miles of the coast. They are perhaps regarded as less selective but highly effective for smaller vessels. They catch a wider range sizes and species of fish.

The likely presence of either type of nets can be identified by surface marker buoys but may be confused with crab pots close to shore. It is highly possible that nets may appear unattended when the vessel is hauling or recovering nets from other areas. When targeting Turbot, the nets may be set in long strings or fleets over a much wider area.

6. Pair – Trawling

Nationality of Beam Trawlers	UK, Belgian, Danish, Dutch, Norwegian
Main Target species	Demersal, Cod, Haddock, Plaice, Whiting, Pelagic, Herring and Sprat
Vessel Range	12 to 25m for demersal species 25 to 50m for pelagic species
Horsepower Range	250hp to 700hp in demersal pair trawling 1000hp to 3000hp in pelagic pair trawling
Typical Fishing speed	Three to eight knots
Typical Fishing Gear	
Large demersal bottom trawl and large mid water trawl for Herring and Sprat. The need for trawl doors is removed as the nets are held open by the two vessels. Demersal pair trawls have heavy ground gear attached to the net while pelagic pair trawl nets have a basic heavy rope which does not generally make contact with the seabed. The gradual reduction in catching capacity of the international fleets has seen a significant reduction in pair trawling in the southern North Sea. However, the method continues to be carried out by some fishermen.	

7. Potting

Nationality of Beam Trawlers:	UK & French,
Main Target species:	Crab, Lobster, Whelk and Nephrops
Vessel Range:	8m to 20m
Horsepower Range:	100hp to 500hp
Typical Fishing speed:	Zero to two knots but approx. four to six knots when setting pots
Typical Fishing Gear:	

Pots /Creels: a trap in which bait is placed in to attract target species. This gear is worked from very close inshore up to 90 miles from the coast depending on the capability of the vessel deploying the gear. The pots are generally set out in fleets/ strings ranging from 10 to 30 in a fleet for smaller vessels but larger vessels can work up to 100 pots/creels in each string. Each vessel can have many fleets deployed at any one time and it is common for large potting vessels to have 30 to 50 fleets deployed on shellfish grounds left unattended whilst the vessel is in port or fishing a different area.

Creels/Pots: Are constructed either of a Steel frame or by the older method of a wooden bottom and Ash or cane framework bent in such a manner to form the framework for sheet netting to be stretched over them with entrances formed in the sheet netting in strategic places.

Pots & Creels: were used predominantly by smaller inshore boats, generally within 12 miles of the coast however due to the lack of quota and management restrictions placed by EU regulations on the catching of demersal white fish some trawl vessels have now diversified into this method of fishing working large amounts of gear due to there being no restriction on amounts landed at present.

The likely presence of pots/creels can be identified by surface marker buoys.

8. Scallop Dredging

Nationality of Beam Trawlers	UK
Main Target species	King Scallops, Queen Scallops
Vessel Range	15m to 40m
Horsepower Range	500hp to 2000hp
Typical Fishing speed	3.5 to 5.5 knots

Typical Fishing Gear

- High Impact
- Twin beam, each beam has a max length 20m
- Each beam weighing less than 10 tonnes
- Chain matting attached to underside of each dredge

General Information

Scallop dredge vessels are very nomadic and tend to utilise all areas of UK waters. Predominantly they carry out their operations between 6 to 45 nautical miles from the coastline. Fishing effort by the scallop vessels tend to concentrate on small areas where scallops are known to be in abundance. The number of vessels that might be found operating nearby at any one time could range from one to six depending on the size of the scallop bed. In recent years, there have been many restrictions placed on this form of fishing due to concerns raised by the non- governmental organisations, over what potential damage they cause to the marine benthic habitat.

oilandgasuk.co.uk/guidelines

OGUK Guidelines
Member companies dedicate specialist resources and technical expertise in developing these guidelines with Oil & Gas UK with a commitment to work together, continually reviewing and improving the performance of all offshore operations.

Guidelines are free for our members and can be purchased by non-members.

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