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## **Select Committee Review**

### **Fishing and Fisheries**

### **Supplement Pack One**

Wednesday 22 August 2018

2pm

National Marine Aquarium, Rope Walk, Coxside, Plymouth PL4 0LF

**Members:**

Councillors Mrs Aspinall, Buchan, Carson, Churchill, Corvid, Fletcher and Morris.

Please find attached additional information, for your consideration, under agenda item 5d.

**Tracey Lee**

Chief Executive

## **Select Committee Review**

### **Agenda**

**5d.    Written Evidence**

**(Pages 1 - 12)**

## **Plymouth City Council - Select Committee: Fishing and Fisheries - 22 August 2018**

I have been asked to provide a submission to the Select Committee on behalf of Devon and Severn Inshore Fisheries and Conservation Authority (DSIFCA). I am the acting Chief Officer for DSIFCA however this submission has not been approved by the Members of DSIFCA and should be treated as my personal opinions.

### **Overview**

It is widely recognised that leaving the European Union presents a rare opportunity to fully review the UK's approach to the management of marine fisheries and conservation. The reality is that any meaningful change to the current Common Fisheries Policy (CFP) based approach will take many years to achieve and will not meet the expectation of many people including members of the commercial catching sector that foreign access to fisheries in UK waters would immediately end and this would result in greater fishing opportunities for the domestic fleets.

The White Paper recognises that fish stocks are a public asset but concentrates on the commercial catching interests and considerably less focus on other important sectors such as recreational sea angling or the commercial charter vessel sector.

The main commitments and themes set out in the white paper are;

- Maintain the current allocation system for existing quota (FQAs)
- Explore opportunities to obtain additional quota for UK registered vessels
- Support the inshore fishing fleets, recognising their importance to coastal communities
- Support a thriving marine environment including fish stocks
- Manage all quota stocks through the principle of Maximum Sustainable Yield
- Maintain, if not further enhance the UK's commitment to marine conservation

DSIFCA is one of 10 Inshore Fisheries and Conservation Authorities created under the Marine and Coastal Access Act 2009. The duties of the organisations are clearly set out in section 153 and 154 of the Act. The organisations' area of regulatory authority extends to six nautical miles from the shore. DSIFCA is well placed to undertake much of the work envisaged in the White Paper, if appropriate funding is in place, and already operates in a similar way to future national expectations. DSIFCA key metrics are set out in Annex 1 and Annex 2 to this report.

In order to give structure to this report, the following information is provided in the form of a response to the questions set out in the White Paper.

### **Q1: Do you agree with the proposed powers in the Fisheries Bill?**

I would broadly support the powers as proposed in section 1.2.

It is clear that having the power to take back control of the access to UK waters does not mean that foreign vessel will have their current access rights withdrawn. This consideration will be through a different legislative mechanism. Currently no foreign vessel have access within six nautical miles

DSIFCA through the Marine and Coast Access Act 2009 already has the necessary powers and uses them to protect the Marine Protected Areas set out in Annex 1 including the Start Point to Plymouth Sound and Eddystone Site of Community Interest from fishing activity. Protecting the environment from other marine activities is the responsibility of the Marine Management Organisation (MMO).

It is proposed to improve the MMO's cost recover powers in recognition that the delivery of the ambitions set out in the White Paper will cost money. Annex 2 sets out the funding of DSIFCA and shows that if the organisation is expected to be a significant delivery partner for the Government then further funding needs to be secured whilst also recognising that relying on Local Authority funding is particularly challenging at this time.

The power to tender and auction additional English quota needs to be carefully considered. Whilst there is recognition that that fish stocks are a public asset, through licensing and quota allocation this asset has, in the most part, been privatised and why there is a proposal to maintain the quota allocation system after exit because of the investment that has been made in quota and the extensive business of quota trading that exists similar to any other commodity.

### **Q2: What are your priorities for UK negotiations with the EU on fisheries?**

To create opportunities within fisheries reforms for the reallocation of fisheries resources, maximising the economic and socio-economic benefits as well as the viability of the English inshore fishing fleet through improved diversification and access options within territorial waters and beyond. The implementation of the CFP has negatively impacted the inshore fleet; limiting access options, reducing diversification opportunities and has concentrated catching effort on non-quota species such as shellfish.

Plymouth's inshore commercial vessels and the fleets in DSIFCA generally do not reflect as strongly the reliance on non quota species as other areas in England do. Nevertheless, in order to remain within national quotas many of the smaller inshore vessels that used to diversify and fish seasonally for different stocks have had their fishing licences capped with the effect of restricting access to quota species to 300kg per year meaning that their income must be derived from non quota species in the main. A recent analysis of the fleet estimated that 77% of the UK fishing fleet had access to only 1.5 % of the quota. These figures can be argued but access to quota for the inshore fleets was a small amount of the overall quota allocation to the UK. Vessels outside of the quota allocations can lease quota but can pay a significant percentage of the projected value of fish when leasing the quota.

All vessels will take advantage of non quota species so those inshore vessels that rely on such stocks are also vulnerable to greater exploitation by the larger vessels, either in the areas they fish or when the fish migrate and are caught further offshore. A good example is cuttlefish where both the inshore and offshore fleets target the species and where it represents a relatively significant part of both fleets income. Further developments in the fishery last year by the larger trawling vessels has put more pressure on the stock and many inshore fishermen are already reporting lower catches. Bass is another example of how fishing pressure will increase significantly on a non quota stock particularly if highly valued. Scientific data clearly shows a strong relationship between increase in fishing effort and reduction in stock. For all non quota species there is an opportunity to explore how the stock could be managed to promote the interests of the inshore catching sector and where relevant recreational catching interests.

Because of the reliance on shellfish, maintaining trading opportunities to enable efficient and effective movement of fisheries products (notably live shellfish) into mainland European market is vitally important. Ensuring inshore fisheries and the communities are adequately protected in respect to future trading arrangements. Shellfish mollusc and crustacean species makes up a large proportion of inshore landings that are commonly exported to the EU.

The potential impact of future negative trading arrangements in live and processed fishery products could have an extremely detrimental effect on the economics of inshore fisheries and associated coastal communities.

In supporting relevant future changes in trading arrangements there needs to be legal mechanisms to enable investment in administrative infrastructure to enable the effective and efficient certification of fisheries related exports both live and processed.

### **Q3. What are your priorities for controlling our waters after exit?**

In respect to territorial waters I would consider there to be strong justification to establish exclusive access for UK registered vessels only. Those waters which lie between 6 to 12 mile limits off the Devon coast are extensively trawled by non UK vessel from member states with historic rights (France and Belgium). In so doing this would create new fishing opportunities for inshore fishing fleets and strengthen economic viability of inshore fishing businesses and associated communities.

The implementation of the CFP has negatively impacted the inshore fleet; limiting access options, reducing diversification opportunities and has concentrated effort on non-TAC species such as shellfish.

Access rights are a key fisheries management tool and are currently not just used to restrict access to certain nationality of vessel but also distinguish between different catching sectors. A large part of the south Devon coast (inshore Potting Agreement area) is managed by Regulators and the two fishing sectors in such a way that it positively discriminates in favour of the static gear (netting and potting) fisheries. The White Paper provides an opportunity to recognise the wider interests and one way would be to promote angling areas or hook and line areas. DSIFCA has three such angling zones created through codes of conducts but the Fisheries Bill provides the opportunity to support this initiative and recognising the importance of the commercial charter vessel businesses and recreational angling sectors and the low impact, selective commercial rod and line and longlining fisheries. All of these sectors are well represented in the Plymouth area but the number of commercial charter businesses is in decline due partly to lack of fishing opportunities. Angling 2012 was the latest Cefas commissioned report that recognised the economic and health benefits that are derived from participation in these rod and line sectors. Annex 1 shows the number of recreational potting and diving interests in DSIFCA's district. Angling 2012 identifies that there is a much greater number of shore and boat recreational anglers.

### **Q4: What are your priorities for the UK's international role in fisheries (beyond the EU)?**

Continuing to support our international commitments identified in section 1.4 is difficult to argue against.

Through the UK's full engagement within international negotiation I would hope that the interest of inshore fisheries would be fully recognised in relevant agreements and collaborative actions. Internationally, the IFCA management model is recognised by many as the most cost effective and inclusive way to conduct inshore, regional fisheries management.

There should be a continued principle to work collectively with other states through EU structures and ICES to understand the conditions of stocks and management recommendations and objectives. Existing stock sustainability objectives and targets should not be compromised, basic principles on the best use of shared evidence and suitably medium to long term strategies for the management of biological resources. Much of fisheries and environmental management is a multinational endeavour given the movement of marine life and our common seas.

**Q5: What are the fisheries policy areas where a common legislative or non-legislative approach (framework) across the UK is necessary?**

There is presently no explicit policy position in the UK for inshore fisheries (within territorial waters). To achieve the best outcomes a common framework of objectives is required. Inshore fisheries management systems do vary between devolved administrations, however common management objectives can be identified and supported through a common UK framework policy. This would be the opportunity to explicitly recognise and positively integrate other interests such as recreational sea angling into that overarching policy. There is the proposal in the White Paper to consider identifying low impact inshore fisheries. This is an opportunity to identify low impact activities across the fleet and incentivise the use of such methods by allocating greater quota to these activities. Vessel length has been shown in many cases not to reflect fishing capacity well as hull design and technologies have vastly increased the catching potential of smaller vessels. Engine power is used currently and is proposed as a future way of identifying vessel which have less impact. However, enforcing restrictions on engine power have so far proven difficult to undertake.

**Q6: Do you have any further comments relating to the issues addressed in this section?**

The extent and detail of marine fisheries and environmental legislation developed during the UK's membership of the EU is comprehensive, complex and interwoven with domestic legislation. In terms of practical application of regulations in the 0-6 nautical mile zone, the IFCA's are closely involved in both fisheries and environmental management. It is essential to identify and protect existing EU and other non-domestic legislation that provide existing security for inshore fisheries and protection for the marine environment.

**Q7: Do you agree with the measures proposed to ensure fishing at sustainable levels?**

The guiding principles of sustainable stocks, reference points, MSY targets and protection of vulnerable habitats and species from damaging activities are recognised, valued and embedded in current management. However, the use of MSY on many of the current quota stocks would not lead to the white paper's aspiration of thriving stocks it would just ensure that the level of fishing mortality would not reduce the overall stock year on year. If thriving means stocks levels that my generation and certainly my father's generation experienced, then adopting MSY will not achieve this. When stocks such as bass and cod have declined so far, bans have had to be introduced or fishing below MSY have had to be adopted to support increases in stocks.

If, through the other proposals set out in the White Paper further fishing opportunities are identified, there should be a consideration of how not fishing this additional stock might bring greater benefits to future generations and the principle of applying MSY should be the minimum that the Government intends to do.

The New Economics Foundation identified that the various methods of fishing brought different economic benefits to the local communities and those less effective catching methods (in terms of volumes caught) provided the greater source of potential employment and direct economic value to the local communities. Article 17 of the reformed CFP emphasises transparency and environmental, social and economic criteria in the allocation of fishing opportunities. These principles need to be embedded in the future measures for ensuring fishing is undertaken at sustainable levels whilst maximising the benefit to the inshore sector that has lost out through the current quota allocation.

Sound evidence should remain at the heart of management decisions and be scaled according to needs such that mobile and transboundary stocks remain well managed and localised stocks are afforded

detailed management. Opportunities exist to improve legislation requiring assessment and management of non-TAC stocks (many of which are exploited in inshore fisheries). Supported in law there needs to be underpinning investment in infrastructure to support the effective monitoring, assessment and management of all stocks in UK waters.

The new legislation needs to recognise that Natural Capital and the principles of ecosystem management should underpin and be central to the future direction of regional fisheries and marine environmental management. Where possible, this should ensure that the long term maximum socio-economic benefits are realised from the marine environment and the fisheries it supports.

**Q8: Do you agree that existing quota should continue to be allocated on an FQA basis?**

It is recognised that there are reasons why the government wish to retain an FQA system to maintain continuity and economic stability for elements of the fleet to which the system applies.

However, the system does not appear to serve elements of the inshore fisheries well in many respects. Resulting in small businesses unable to gain access to sufficient resources at key times and additional business costs accessing quota from non-government sources.

Opportunities exist within this period of fisheries reform for the reallocation of fisheries resources, maximising the economic and socio-economic benefits as well as the viability of the English inshore fishing fleet through improved diversification and access within territorial waters and beyond. The implementation of the CFP has negatively impacted the inshore fleet; limiting access options, reducing diversification opportunities and has concentrated effort on non-TAC species such as shellfish. The figures show that only a small percentage of reallocation of quota of some of the key inshore quota species such as ray and sole would produce a significant uplift in the fortunes of many inshore vessel

**Q10: Do you agree that Defra should run a targeted scientific trial of an effort system in English inshore waters?**

Such trials need to be designed so that the risk that behavioral change from those participating in the trial skewing the results can be reduced. On larger vessel gear trials this has been achieved by installing camera on board. Exploring different ways through such trials to control access to fisheries should be encouraged.

**Q11: Do you agree with our proposals to explore alternative management systems for certain shellfisheries in England?**

It is recognised that there are issues associated with the current western waters effort management regime for specific shellfish stocks. These require attention to ensure sustainable exploitation. Local management of shellfish stocks is achieved by the various activity based permit byelaws that DSIFCA has introduced. Additionally, the permit byelaws allow for a more flexible and responsive approach to fisheries management. Such an approach is identified in the White Paper. Consistent again with the considerations set out in the White Paper the permit approach to management encourages those that have a direct or indirect interest in either the local fisheries and or conservation to participate and get involved in shaping future management. The Commercial catching sector or any other sector can request that changes are made to the management approach established under the permits at any time. Although there is still a robust decision making process it means that necessary changes to management can happen far quicker and cost less money to achieve.

**Q12: Do you agree that there is a case for further integrating recreational angling into fisheries management?**

The current integration of recreational fishing into national and EU fisheries management has had a significant and negative impact upon some businesses associated with bass fishing and the species management.

The recreational sector is significant and by promoting the sector will at least go some way towards recognising that fish should remain a public asset and we all have a right to benefit directly from the stocks. Recreational Sea Angling and the tourism economy in other countries such as Ireland, New Zealand, Australia USA have all benefited by providing better access to fishing opportunities to the recreational sea angling sector.

Section 153 of the Marine and Coastal Access Act 2009 was the most positive step towards recognising the importance of the recreational fishing sector. However, I can't think of any examples of positive integration at a national level in the subsequent nine years.

Locally we have introduced appropriate management restrictions on both the commercial and recreational fishing sectors that reflect their catching needs. However rather than looking at measures such as creating recreational only species or allocation of quota, I believe that access to areas on the shore and at sea should be pushed to the fore. Plymouth is well placed to promote and benefit from improving access to shore locations, particularly around safe areas such as piers and harbours. The level of younger anglers participating the sport has dropped significantly and one of the reasons I believe is the lack of safe access to such places as harbours and piers. DSIFCA is alone at the moment in establishing areas that favour access to angling above other conflicting commercial activities such as trawling and netting. I would welcome further support nationally for this type of initiative.

The Fisheries Bill gives the only opportunity for the UK to finally recognise the recreational sector and to fully integrate the sector into future management. If this resulted in the creation of a sea fishing license similar to the current freshwater licence I think this would be widely accepted particularly if the revenue was shown to be reinvested in the management of the fisheries.

**Q13: Do you agree with the proposed package of measures and initiatives to reduce wasteful discards?**

Discarding in mixed fisheries which we have in the Southwest is inherently difficult to resolve. It was hoped that by phasing in the discard ban it would give enough time for Regulators and fishers to come up with solutions. The key issue is 'choke' species. Such a term refers to when a quota for a particular species is exhausted but continues to be caught in mixed catches of other species where quota is still available. The lack of quota for the choke species should technically stop the fishing activity altogether. Demersal trawling, of which a large proportion of the remaining English fleet operates from the Southwest including Plymouth, would be most greatly affected by this issue.

**Q14: Do you agree with the proposed approach to protecting our marine environment in relation to fisheries including the powers proposed in the Fisheries Bill (see section 1.2)?**

Yes. I am in full agreement that protecting the environment and the habitats and therefore the ecosystem processes has to be the building block for all fisheries related management

**Q15: What opportunities are there for the sector to become more involved in both the provision and direction of science and evidence development needed for fisheries management?**

There are considerable opportunities that can be developed toward greater involvement of all interested parties including the commercial catching sector in gathering evidence to be used in management. For example, DSIFCA are asking for the commercial catching sector and divers to report

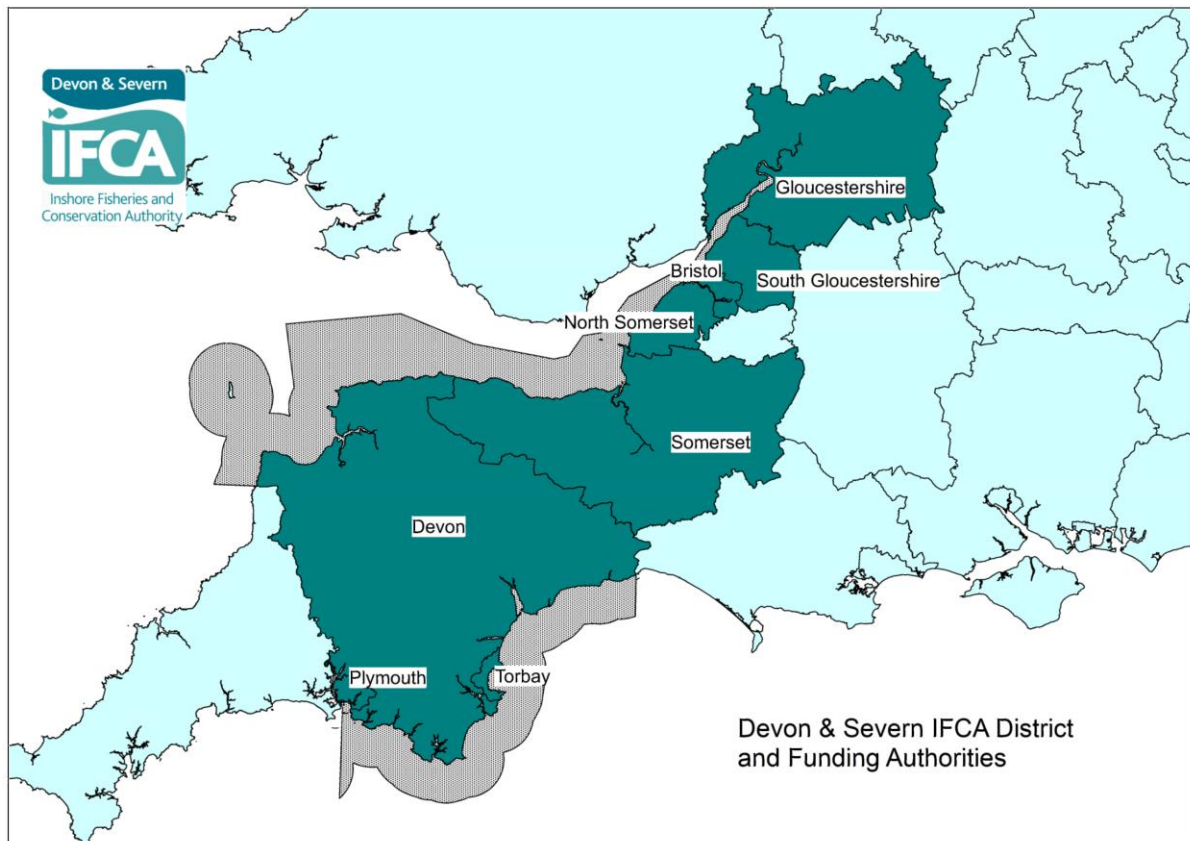
catches of Spiny lobster. The spiny lobster fishery is potentially a significantly valuable fishery to the inshore sector but is widely recognised that previous overfishing saw numbers drop drastically in the waters around Devon. Fishers are reporting increasing numbers of mainly small spiny lobster across a large geographic area. The fishers' data shows that a potential fishery could emerge again soon and DSIFCA will look to involve all those concerned in developing future management measures to support what seems to be a positive recovery of the stock.

**Q16: Do you have any further comments relating to the issues addressed in this section?**

There needs to be a much greater use of technology in fisheries management in the future. The technology should be introduced across the whole fleet where possible. Huge technological advances have been made enabling the commercial catching sector to become much more efficient at catching fish but use of technology to monitor fisheries is far less well developed in the UK. DSIFCA is about to introduce the first fully monitored towed gear sector in the country by requiring all vessel using trawls or dredges to have a vessel monitoring unit on board that reports its positional data every ten minutes whilst at sea. However, I am aware that in other marine activities such as aggregate dredging the use of technology is much smarter and we need to have a firm commitment through the Fisheries Bill to introduce further technologies.

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## Annex 1 Devon & Severn IFCA Metrics



### **Size of the District**

4,522 km<sup>2</sup> of sea

1,314 km<sup>2</sup> of coastline

9,141 km<sup>2</sup> of land

The largest IFCA district, with the added complication of two coasts.

In addition, D&S IFCA has cross-boundary co-operation and joint management responsibilities with 2 adjacent IFCAs (Cornwall and Southern), Welsh Government and the MMO. Lundy Island is 12 miles off the coast and was the first MCZ in the country and has a No Take Zone.

### **Costs**

The annual budget divided by area of sea is £162.23 per km<sup>2</sup> for 2018.  
One FTE for every 377 km<sup>2</sup> of coastal waters to protect and manage

### **Fishing Activity within the District**

On 1<sup>st</sup> June 2018 the number of D&S IFCA permits issued were 991 under its permitting byelaw scheme. Each permit lasts for a period of 24 months

Towed Gear Permits	164 Commercial	(84 between 7-12m)
Potting Permits	200 Commercial	331 Recreational
Diving Permits	23 Commercial	199 Recreational
Netting Permits	66 Commercial	8 Recreational

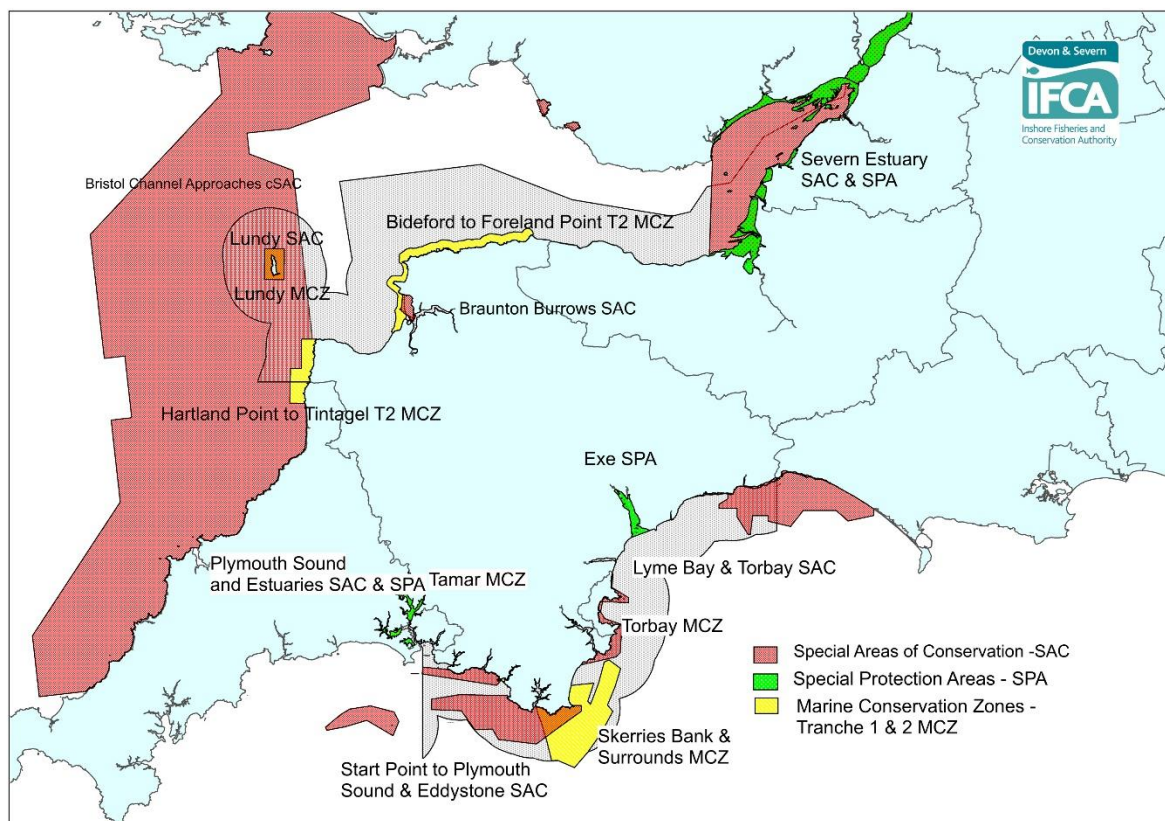
There are 24 ports and harbours ranging in size from the River Parrott to Brixham and Plymouth Harbours, two of the largest fishing ports in England in terms of landings and value of landings.

### **Enforcement Activity**

In the period from April 2017 to March 2018 there were 30 cases where evidence was found by IFCA Enforcement Officers and other agencies. These were the outcomes:

- No further action was taken on 2 of the cases and 1 is still on going.
- 11 Official written warnings were given.
- 9 Financial Administrative Penalties were given.
- 5 court cases were successfully prosecuted.
- 1 case was jointly investigated with the MMO who have taken the lead in the prosecution as it relates to Bass.

### **Marine Protected Areas**



- Ten European Marine Sites including the Bristol Channel Approaches cSAC for Harbour Porpoises are located in the D&S IFCA District.
- Four Tranche 1 Marine Conservation Zones (MCZs).
- Two Tranche 2 MCZs.
- Six new Tranche 3 MCZs within the District are proposed and will be consulted on in Summer 2018.
- 1,881 km<sup>2</sup> of MPAs (excluding co-location of EMS & MCZ) lie within the D&S IFCA District.
- 42% of D&S IFCA District lies within an MPA before Tranche 3 designations.

## Annex 2 D&amp;S IFCA Budget Summary

	<b>2017/18 Base Budget</b>	<b>Base Budget Adjustments</b>	<b>Inflation</b>	<b>2018/19 Budget</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Employees	524,800	14,500	5,100	544,400
Premises	36,400	(1,100)	0	35,300
Transport	33,100	(1,400)	800	32,500
Supplies & Services	91,900	8,200	1,000	101,100
Boat Costs	37,500	(8,700)	900	29,700
Environmental Research	13,500	300	0	13,800
Support	29,400	0	0	29,400
Fees & Charges	(27,700)	6,500	0	(21,200)
	<b>738,900</b>	<b>18,300</b>	<b>7,800</b>	<b>765,000</b>
DEFRA MPA Grant	0	0	0	0
Transfer from General Fund	(22,000)	(9,400)	0	(31,400)
<b>Total</b>	<b>716,900</b>	<b>8,900</b>	<b>7,800</b>	<b>733,600</b>

	<b>2017/18 Indicative Levy</b>	<b>Increase in Levy</b>	<b>2018/19 Indicative Levy</b>	<b>2018/19 New Burdens Funding</b>	<b>Variance</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Bristol City Council	40,505	944	41,449	50,851	(9,402)
Gloucestershire County Council	103,735	2,416	106,151	122,428	(16,277)
North Somerset Council	33,192	773	33,965	42,574	(8,609)
Somerset County Council	113,915	2,654	116,569	133,952	(17,383)
South Gloucestershire Council	29,250	681	29,931	38,110	(8,179)
<b>Total New Authorities</b>	<b>320,597</b>	<b>7,468</b>	<b>328,065</b>	<b>387,915</b>	<b>(59,850)</b>
Devon County Council	337,589	7,864	345,453	21,382	324,071
Plymouth City Council	33,694	785	34,479	0	34,479
Torbay Council	25,020	583	25,603	0	25,603
<b>Total All Authorities</b>	<b>716,900</b>	<b>16,700</b>	<b>733,600</b>	<b>409,297</b>	<b>384,153</b>

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