



**Oversight and Governance**

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## **Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee Supplement Pack**

Friday 12 February 2021

9.00 am

Virtual Meeting via MS Teams

**Members:**

Councillor Winter, Chair

Councillor Drear, Vice Chair

Councillors Allen, Buchan, Sam Davey, Mrs Pengelly, Riley, Stevens and Wheeler.

Please find attached additional information relating to agenda items 4a and 5, for your consideration.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

**Tracey Lee**

Chief Executive

## **Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee**

- 4a.** Exports of fishery produce from Great Britain to the EU and NI **(Pages 1 - 16)**
- 5. Written Evidence** **(Pages 17 - 28)**

**THE EXPORT OF FISHERY PRODUCE AFTER 31.12.20 FROM GREAT BRITAIN  
TO NORTHERN IRELAND & THE EUROPEAN UNION**

Sarah Holmes MA (Oxon) MA MCIWM CEnv Legal Director, Womble Bond Dickinson (UK) LLP

1. Significant new barriers to trade now faced by exporters of fishery produce from Great Britain (GB) to Northern Ireland (NI) and the European Union (EU) are primarily a consequence of:
  - (a) the terms of the EU–UK Withdrawal Agreement on which the Johnson Conservative Government was elected in December 2019;
  - (b) the terms of the Trade and Co-operation Agreement of 24 December 2020 that is currently provisionally applied between the EU and the UK; and
  - (c) the failure of UK Governments to understand, explain and adequately prepare for the consequences of their political choices, which has deprived many stakeholders of the opportunity to adapt and prepare for change and has left the UK lagging in delivering necessary infrastructure, bureaucracy, IT systems, business support and more.
  
2. Prior to 31 December 2020 consignments of fishery and shellfish produce sent from the UK to the EU needed to be accompanied by shipping/transportation documentation and commercial documentation e.g. an invoice. The marketplace within which South West based fishery producers had the right to sell their produce without crossing customs or regulatory borders comprised the territories of all member states of the EU. This has significantly changed as a consequence of leaving the EU Customs Union and Single Market. The marketplace that is now accessible without crossing customs and regulatory borders now comprises England, Scotland and Wales. General gov.uk guidance on exporting: <https://www.gov.uk/export-goods>. Seafish guidance on exporting seafood from GB to the <https://www.seafish.org/trade-and-regulation/uk-exit-from-the-eu/i-export-seafood-from-great-britain/EU>
  
3. It will not be possible to identify opportunities to improve trade processes for fishery produce in the short to medium term without distinguishing between:
  - (a) measures that cannot be changed, because they are the unavoidable consequence of political choices made by UK Governments that are now implemented in legal agreements; and
  - (b) measures over which the UK Government and other domestic entities, including local authorities, have control or influence.
  
4. The EU export processes now applied to exports of fishery produce from GB to EU are those that the UK applied to imports of fishery produce from third countries whilst a member of the EU. The processes did not need to cater for – and so were not designed to - facilitate next-day delivery of fresh fish and shellfish produce from geographically near neighbours. The processes fall into two primary categories: those that arise as a consequence of the decision to leave the EU Customs Union and those that arise as a consequence of the decision to leave the Single Market. Although there is an understandable focus on border crossing points, this detracts from the reality that for goods, including fishery produce, GB exporters to and importers from the EU & NI start to face new barriers to trade before products/produce leave their point of production
  
5. **Customs Union:** The purpose of a customs union is to remove tariffs and quota tariffs between members and establish a common external tariff to non-members. Goods traded within a customs union do not require customs declarations and related checks and measures. Therefore, the consequence of leaving a customs union is to erect customs barriers between the

departing member and the members of the customs union. A free trade agreement (FTA) is not an agreement to have no customs border: it is an agreement to reduce tariffs and tariff quotas from the levels that they would otherwise have been (i.e. World Trade Organisation tariffs). FTAs impose greater bureaucracy on those seeking to benefit from tariff and/or quotas free/preferences than on those who don't claim them. This is because all consignments of goods seeking to benefit from preferential tariff and tariff quota rates under an FTA must evidence entitlement to the trade preferences claimed by demonstrating that a sufficient proportion of each good has been produced/manufactured in the country that is party to the FTA. These are known as Rules of Origin (RoR). The unavoidable consequences of the UK leaving the EU Customs Union include:

- (a) The need for adequate customs infrastructure in all ports through which goods move from the UK to the EU and vice versa
  - (b) The need for a significant increase in customs officials to check compliance with customs requirements for imported goods
  - (c) The need for a significant increase in qualified customs clearing agents, freight forwarders, hauliers and customs advisers to assist exporters with export processes, including VAT
  - (d) The need for exporters of goods from the UK to the EU & NI to have EORI number(s)
  - (e) The need to complete and submit an export declaration <https://www.gov.uk/guidance/making-a-full-export-declaration>, before fishery produce leaves the approved establishment. The declaration must contain specified information: <https://www.gov.uk/government/publications/uk-trade-tariff-exports/uk-trade-tariff-exports#export-completion-rules-sad-c88ess-boxes>, including the commodity codes (for fishery produce: <https://www.trade-tariff.service.gov.uk/chapters/03>) duty and VAT rates
  - (f) Tariffs to be paid on entry to the EU for goods that cannot evidence their entitlement to preferential tariffs and tariff quota rates agreed between the UK and the EU (i.e. the Trade and Cooperation Agreement)
  - (g) The need for exporters to evidence their entitlement to preferential tariff treatment.
  - (h) Registering for VAT in each EU country to which goods are exported for sale: [https://ec.europa.eu/taxation\\_customs/business/vat/eu-country-specific-information-vat\\_en](https://ec.europa.eu/taxation_customs/business/vat/eu-country-specific-information-vat_en)
  - (i) Safety and Security Declaration (submitted by the haulier): to enable EU border authorities to assess potential risks <https://www.gov.uk/guidance/find-out-when-to-make-an-exit-summary-declaration>
  - (j) Prior notifications by the GB exporter to the EU importer and by the EU importer to the EU customs post
6. **Single Market:** the free movement of goods, persons, capital and the freedom to establish and provide services within the Single Market (EU & EFTA) is facilitated by common regulatory frameworks and a level playing field in terms of environmental, employment, state aid, product and other standards. The EU is not a sovereign state: it is not a nation and it has no territory itself. It is a legal entity through which 27 independent, sovereign member states share particular competencies, including in respect of trade, for mutual benefit. The EU institutions can only act in accordance with the powers that are conferred on them by the member states through the EU Treaties. The Commission is responsible for ensuring that the EU Treaties are upheld by member states and for promoting the general interests of the EU. The unavoidable consequences of the UK leaving the Single Market include:

- (a) The UK securing approval as a third country exporter to the EU by demonstrating to the EU that it has the regulatory and governance arrangements in place to ensure that EU standards are met at all stages of the production process: [https://ec.europa.eu/food/sites/food/files/safety/docs/ia\\_trade\\_import-cond-fish\\_en.pdf](https://ec.europa.eu/food/sites/food/files/safety/docs/ia_trade_import-cond-fish_en.pdf). The EU does not stipulate how its standards are achieved - that is a matter for the third country (UK) to regulate
  - (b) If the UK wishes to undertake SPS checks on imports from the EU, the need for Sanitary and Phytosanitary (SPS) infrastructure in all ports through which POAO and live animals enter the UK
  - (c) The need for Sanitary and Phytosanitary (SPS) infrastructure and suitably qualified officials in all EU channel ports through which GB POAO and live animals will enter the EU
  - (d) The need in GB for vets and EHOs to inspect each consignment of fishery or shellfish produce and then certify compliance with EU laws through signing and sealing the Export Health Certificate. EHOs may seal a lorry containing groupage consignments.
  - (e) The need for UK-flagged vessels wishing to export POAO or live bivalve molluscs to be approved and registered as a food business and for all exports of fishery produce to be despatched from an approved food establishment that is listed on the European Commission list of approved premises
  - (f) The need for all fishery and shellfish produce landed by GB boats in GB to be inspected by an EHO, satisfy the EU requirements, be sealed by the EHO and then accompanied by an Export Health Certificate.
  - (g) The need for all exports of fishery produce to enter the EU through a designated Border Control Post that is approved to apply EU veterinary border control processes for the exported produce.
  - (h) Obtain a catch certificate when exporting fishery produce (not required for bivalve molluscs) via the Fish Export Service <https://www.gov.uk/guidance/create-a-uk-catch-certificate>
  - (i) Prior notifications by the GB exporter to the EU importer and by the EU importer to the EU Border Control Post
7. The impacts on individual fishery and shellfish exporters and fishermen will vary depending on e.g. the species caught, whether it is farmed or wild, where it is caught, whether the export is a single consignment or multiple consignments in a single lorry (called groupage), whether EU customers will continue to be willing buyers, market prices and whether the exporter uses an Approved Economic Operator, customs agent, freight forwarder, export service (e.g. Chambers of Commerce). For individual businesses the impacts will range from additional but manageable bureaucracy and cost, through viable by adapting business models to insurmountable. The EU bans imports of European eels because of its assessment that such trade is detrimental to the survival of the species, which are listed in annex B of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The EU permits the import of farmed molluscs, wild harvested molluscs from class A waters and molluscs that have been depurated before reaching the EU. Currently, wild harvested molluscs from class B waters that were previously sent to EU depuration facilities cannot be exported to the EU. For this trade to resume the EU will need to legislate for the import of such molluscs and issue a model registration document to accompany consignments.
8. The UK Government has prioritised regulatory autonomy over GB business competitiveness. This is clear from the terms of Chapter 3: Sanitary and phytosanitary measures of the T&CA. Chapter 3 of the Trade and Cooperation Agreement of 24 December 2020 concern Sanitary and Phytosanitary measures. The chapter sets out the objectives, scope, definitions, rights and

obligations, general principles and official certifications, import conditions and procedures, lists of approved establishments, transparency and exchange of information, adaptation to regional conditions, audits and verifications, notifications and consultations, emergency measures, multi-lateral international flora and implementation and competent authorities and corporation on the animal welfare, anti-microbial resistance and sustainable food systems. The Agreement clearly preserves to the EU the right to apply the SPS checks that are applied to third country produce without preferential provision for GB exports.

9. Although the Department for International trade has managed to roll-over most of the trade agreements that the UK previously traded under by virtue of its EU membership, not all of the preferential terms have been retained and a number, including the South Korea/UK agreement, are subject to early review. The only "new" trade agreement is the Japan/UK Comprehensive Economic Partnership Agreement, which is substantially based on the Japan/EU trade agreement with some additions relating to e-commerce and financial services but some less preferential provisions than the UK had access to under the EU/Japan agreement e.g. for agricultural produce. There are no net gains for GB fishery produce in terms of access to markets in the rest of the world available to replace lost EU exports.
10. Further, MPs for South West fishing communities now have negligible ability to influence UK trade policy, the negotiating objectives in future trade negotiations or to scrutinise and approve the terms of future trade agreements. The UK Government has amassed considerable powers since the EU Referendum at the expense of Parliament, particularly since the election of the Johnson Government in December 2019. For example, MPs have already voted not to legislate to require imports of food from third countries into the UK to meet current UK (GB) animal welfare and food standards. On 9 February 2021 most Conservative MPs (including all of those serving fishing communities in Devon and Cornwall) voted against proposed amendments to the Trade Bill that would have given Parliament a greater statutory role in the scrutiny and approval of trade agreements, required Ministers to explain and enact domestic implementing legislation before a trade treaty could be ratified, required Ministers to take certain steps if a proposed trade agreement would have an impact on certain standards, such as food standards, and that sought to ensure that free trade agreements do not negatively affect market access to goods and services within the UK internal market (especially GB/NI). In combination with the Internal Markets Act 2020, once enacted the Trade Bill will severely constrain the role of MPs in trade matters.
11. The absence of mitigations for GB fishery produce from export processes applied by the EU to third countries is a political choice in the terms of the T&CA and a tangible consequence of the regulatory autonomy prized by the Johnson Government. The EU BCPs will apply standard inspection requirements to ensure that produce entering the EU has not emanated from third countries outside GB. If the UK reduces domestic food and animal welfare standards then the T&CA provides the ability for the EU to take reactive measures (e.g. tariffs and tariff quotas).
12. This transfer of power away from MPs to the Government also reduces the ability of MPs to act on behalf of their fishing industry constituents in lobbying, influencing and securing regulatory provisions that could mitigate the scale of some of the barriers to trade that have arisen as a consequence of leaving the single market. In a Defra/MMO/Seafish workshop on preparations for no deal and the fisheries sector in Penzance in September 2019, officials set out a number of measures they had identified that they hoped could alleviate the impact of the application of SPS measures by the EU. None of these are contained in the T&CA. It is possible that the Trade Specialist Committee on Sanitary and Phytosanitary Measures (Title III: Institutional Framework, Article INST.2: Committee, Paragraph 1(d)) could, in time, seek to address these but the timeframe for the establishment and work of this Committee are not known and, therefore, any timetable for any mitigation of the SPS checks cannot be predicted. Further, mitigations would almost certainly need to be balanced by regulatory action on the part of the UK for GB. A separate committee, the Specialised Committee on Fisheries, will address matters covered by Heading Five [Fisheries] of Part Two.

13. Other opportunities to facilitate the export of fishery produce to the EU include:
- (a) Direct landings of UK-flagged fishing vessels into the EU, the requirements for such landings do not include the need for EHCs:  
<https://www.gov.uk/guidance/exporting-or-moving-fish-from-the-uk#direct-landing>;
  - (b) Transshipment from UK flagged vessels of fish caught in UK waters to a larger vessel for landing in the EU: under section 4A of the Sea Fish Conservation Act 1967 it is an offence to tranship fish unless authorised by a licence. The Merchant Shipping Act 1995, section 100F confers power on the Secretary of State to prescribe by regulations the requirements to be met by ships in respect of which transshipment licences are in force. The EU accepts transshipments of fish in accordance with its requirements:  
[https://ec.europa.eu/info/sites/info/files/brexit\\_files/info\\_site/fisheries\\_and\\_aquaculture\\_en.pdf](https://ec.europa.eu/info/sites/info/files/brexit_files/info_site/fisheries_and_aquaculture_en.pdf)

The table below summaries the processes applicable to the export of fishery produce from GB to the EU. The export processes for produce that is not fishery produce (e.g. cuttle fish, squid and molluscs) are a little different.

Notes:

1. **Approval of UK as a Non-EU country for export of specific categories of food:** Exports of specific categories of food of animal origin to the EU are prohibited from 3<sup>rd</sup> countries unless the Non-EU country has been approved by the European Commission and added to the list of approved Non-EU countries for that specific category of food. Having provided the necessary guarantees regarding the efficiencies of official controls on food safety (see [https://ec.europa.eu/food/safety/international\\_affairs/trade/non-eu-countries\\_en](https://ec.europa.eu/food/safety/international_affairs/trade/non-eu-countries_en)) the UK (as GB) was approved as a third country exporter to the EU by Regulation (EU) 2020/2209 <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32020R2209&qid=1612968973072&from=EN>.
2. **Approval of UK establishments wishing to export specific categories of food to EU:** A list of the GB establishments that have been approved to export products of animal origin (POAO), animal by-products and live bivalve molluscs from approved seabed locations to the EU is here: <https://www.gov.uk/government/publications/businesses-approved-to-export-to-the-eu>. The list of approved establishments in Northern Ireland is published separately, on the Establishments must satisfy the criteria set out in in Annex III to [Regulation \(EC\) No 853/2004](#). The requirements for the official controls and other official activities performed to ensure the application of food and feed laws, rules on animal health and welfare, plant health and plant protection products are specified in <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R0625&from=EN>.
  - Once UK establishments have been added to the published list they are approved to export to the EU after ten working days. Establishments with pending applications for approval are not permitted to export POAO to the EU:
  - The requirements for each category of food products are specified. These requirements must be checked and guaranteed by the competent authorities of the non-EU country before an establishment can be listed as an EU approved establishment. The competent authorities of the non-EU country also must inform the Commission if an establishment is no longer fulfilling the above mentioned requirements
  - The non-EU country must have a residue monitoring plan (in accordance with [Council Directive 96/23/EC](#)) for the category of food of animal origin and must appear in the list of countries with an approved residue monitoring plan ([Commission Decision 2011/163/EU](#) as amended)
  - For food products concerned, the non-EU country must have a salmonella control program in animal population in accordance with [Regulation \(EC\) No 2160/2003](#)

- The competent authority is responsible to keep the lists of establishments up to date and to inform the Commission of any changes necessary

### 3. **EORI numbers**

A UK issued Economic Operator and Registration Identification (EORI) number is required by any entity moving goods from GB to the EU and an additional EORI number starting with XI is required to move goods to or from Northern Ireland. Businesses that make customs declarations or getting a customs decision in the EU will require an EORI number from the customs authority in the first EU country in which a declaration was made or a customs decision was requested.

<https://www.gov.uk/eori>

### 4. **Catch Certificate** – proves fish was legally caught

- Required for EVERY consignment of **fishery products**
- Definition of fishery products: excludes species listed in Annex I to Council Regulation (EC) No 1005/2008 (as amended): <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:057:0010:0018:EN:PDF> e.g. freshwater fish, cuttle fish, squid & molluscs
- Online form - <https://www.gov.uk/guidance/create-a-uk-catch-certificate>
- Information required: a Government Gateway user ID and password; the company name and address of the exporter; the name of the person responsible for the export; the species (or FAO code), its state and its presentation; the names or Port Letters and Numbers (PLNs) of the vessels that caught the species, the landing dates for each species; the export weights of each product; the FOA area, to specify whose waters the species were caught in; transport details for how the export will leave the UK and where it will leave from; the identification numbers of the containers used to export the product (if applicable)
- The Exporter will email the completed catch certificate via the Fish Export Service for validation.
- The Exporter will send the validated catch certificate to the EU importer to complete and present to their competent authority. The prior notification required depends on the mode of transport:
  - sea: 72 hours before landing
  - air and rail: 4 hours before arriving
  - road: 2 hours before arriving



HM Government UNITED KINGDOM

European Community Catch Certificate and Re-Export Certificate

**(3) EUROPEAN COMMUNITY CATCH CERTIFICATE**

Document number:  Validating Authority:

**1 Name**  (Name Management Organisation Catch Certificate Centre)

**Address**  (9 Millbank, c/o Nobel House, 17 Smith Square, London, SW1P 3JR)

Tel:  Fax:

**2 Fishing Vessel Name**  Flag - Home Port and Registration Number:

Call Sign:  IMO/UYV Number (if issued):

Fishing licence No.  - Valid to:

Vessel No. . Vessel No. Telephone No. E-mail address (if issued):

**3 Description of Product**

Type of processing authorised on board:

Species	Product code	Catch area(s)	Dates	Estimated live weight (kg)	Estimated weight to be landed (kg)	Verified weight Landed (kg) where appropriate

**4 References of applicable conservation and management measures**

Common Fisheries Policy (CFP)

**5 Name of master of fishing vessel - Signature - Seal**

SEE ATTACHED TABLE

**6 Declaration of Transhipment at Sea**

Name of Master of Fishing Vessel	Signature and Date	Transhipment Date/Area/Position	Estimated weight (kg)

Master of Receiving Vessel	Signature	Vessel Name	Call Sign	IMO/UYV Number (if issued)

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**7 Transhipment authorisation within a Port Area:**

Name	Authority	Signature	Address	Tel.	Port of Landing	Date of Landing	Seal (Stamp)

**8 Name and address of Exporter:** Signature:  Date:  Seal:

**9 Flag State Authority Validation:** Name/Title:  Signature:  Date:  Seal (Stamp):

**10 Transport details: See Appendix 1**

**11 Importer Declaration:**

Name and address of importer	Signature	Date	Seal	Product Ctr code

Documents under Article 147(1) of Regulation (EC) No 1831/2003:

**12 Import control Authority:** Place:  Importation authorised:  Importation suspended:  Verification requested:

Customs declaration (if issued)	Number	Date	Place

\* Tick as appropriate

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**Appendix 1**

Transport Details

Country of exportation	
Port/airport/other place of departure	
Vessel name and flag	
Flight number/airway bill number	
Truck nationality and registration number	
Railway bill number	
Other transport document	

Container number(s) list attached:

**Exporter details:** Name:  Address:  Signature:

FOR OFFICIAL USE ONLY Import Control Authority Stamp

Send by email

Please send catch certificates requiring validation by the UK Authorities to UKIUJCCC@ma.gsi.gov.uk  
For verification requests under Article 17 of the EU Regulation, please make sure you include the relevant catch certificate document number.  
The UK Catch Certificate Centre is open from 9am to 5pm Monday to Friday.

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5. **Export Health Certificate** - confirms that certain information, health standards and regulations have been met. A consignment of live animals or animal products can only enter into the EU if it has satisfactorily undergone the specific checks and a Common Health Entry Document (CHED) is issued from TRACES (TRAde Control and Expert System). TRACES is a centralised database which allows the monitoring of consignments of live animals and animal products checked at the Border Control Posts. TRACES may automatically exchange data on import controls with customs authorities, which has enabled DG TAXUD and DG SANTE to develop an EU Single Window project.

- Required for each type of fishery product being exported and, if a consignment includes a mix of products, for each product type
- The Exporter (who must be registered applies for an Export Health Certificate: <https://www.gov.uk/guidance/get-an-export-health-certificate>)
- Information required: a Government Gateway user ID and password; the company name and address of the exporter; the name of the person responsible for the export; the species (or FAO code), its state and its presentation; the EU tariff commodity code for each product; the names or PLNs of the vessels that caught the species, and the landing dates; the export weights of each product; whose waters the species were caught in; transport details for how the export will leave the UK and where it will leave from; the identification numbers of the containers used to export the product.
- For fisheries products to the EU: <https://www.gov.uk/export-health-certificates/export-fishery-products-intended-for-human-consumption-to-the-european-union-certificate-8270>
- EHC needs to be completed and signed by an Official Veterinarian appointed by the Animal Plant and Health Agency (outside the EU, mutual recognition of qualifications will not be afforded unless by express agreement).
- The EHC must travel with the consignment to the export destination. The goods must not be split up during transit.

Department for Environment, Food and Rural Affairs Scottish Government, Western Government Animal & Plant Health Agency. Application for an Export Health Certificate for Live Animals, Products of Animal Origin and Fishery Products to Member States of the European Union. Includes sections for applicant details, export type, and origin of consignment.

Details of OV/EHC and Method of Final Delivery. Includes fields for email address, name of OV/EHC holder, telephone number, and method of final certificate delivery.

Form to be filled in BLOCK LETTERS. Includes fields for name, address, phone, and email. Includes a disclaimer about information handling.

Part I: Details of Origin of Consignment. Includes fields for country of destination, name and address of border inspection post, exporter reference number, and date of EHC.

Part II: Declaration by Exporter or Agent. Includes a definition of a registered herd and a declaration of accuracy regarding the information provided.

Part III: Declaration by the Competent Authority. Includes fields for name, address, phone, and email of the competent authority.

6. Customs Declaration

The Union Customs Code sets out the legal procedures for the entry of goods into the EU:

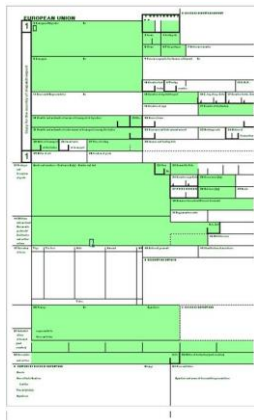
[https://ec.europa.eu/taxation\\_customs/business/customs-procedures/general-overview/customs-declaration\\_en](https://ec.europa.eu/taxation_customs/business/customs-procedures/general-overview/customs-declaration_en)

The UK Government has advised that "The process can be complicated and is only suitable for more experienced importers. Most businesses use a courier or freight forwarder to make customs declaration. AEO status is an internationally recognised quality mark that shows the AEO's role in the international supply chain is secure; and customs controls and procedures are efficient and meet EU standards. It is not mandatory to use an Authorised Economic Operator but gives quicker access to some simplified customs procedures and, in some cases, the right to 'fast-track' shipments through some customs and safety and security procedures.

A customs declaration can be made using third party software through Custom Declaration Service or using third party software through Customs Handling of Import and Export Freight.

As a customs union the EU applies a common customs duty to goods imported from outside the EU. However, in practice, trade agreements between the EU and third countries, regional trade blocs and free trade areas determine the rate of duty and customs conditions. Some goods imported from or exported to certain countries (including the UK) can qualify for preferential

treatment - for example, lower or nil customs duty, whereas others will have non-preferential status and attract full excise.



**7. Movement Certificate**

Under the EU-UK Trade and Co-Operation Agreement GB exporters seeking to benefit from zero tariff rates will use a preferential origin certificate- called a Movement Certificate - to prove the origin of the goods: <https://www.gov.uk/government/publications/notice-827-european-union-preferences-export-procedures/notice-827-european-union-preferences-export-procedures>. The T&CA sets out provisions on Rules of origin at Part 2: Trade, Transport, Fisheries and other Arrangements, Chapter 2, Section 1, Article ORIG:5 point 1 (f) products obtained by fishing, (g) products obtained from aquaculture if aquatic organisms, including fish, molluscs, crustaceans, other aquatic invertebrates and aquatic plants are born or raised from seed stock such as eggs, roes, fry, fingerlings, larvae, parr, smolts or other immature fish at a post-larval stage by intervention in the rearing or growth processes to enhance production such as regular stocking, feeding or protection from predators in GB are wholly obtained products and (h) products of sea fishing and other products taken from the sea outside any territorial sea by a vessel of a Party (Article ORIG:5). For fishery produce the catch certificate confirms the source of the produce.



**8. Border Control Post**

All consignments of animals and animal products must enter the EU through a Border Control Post that is approved to inspect the produce being traded. The table below summarises commonly used trade routes along the south coast of England to France. The following checks are undertaken at BIPs: documentary check, identify check (e.g. that the seal on the container matches the information in the paperwork) and physical check. The frequency of each type of check is set out in EU Directive (e.g. 100% of consignments will face documents inspection; 20% of consignments of fish will be subject to physical inspections) and may be lower where a third country has an agreement with the EU (the UK has not agreed any facilitations). Veterinary checks take place at BCPs. The cost is normally paid by the importer, who may be billed by the port authority or via the freight forwarder used. The cost will depend on the product, the type of

checks undertaken and whether or not samples were taken and sent to a laboratory for checks. The contract between the exporter and the importer will stipulate who will be responsible for the BCP costs.

The European Commission Decision (EU) 2019/1769 of 23 October 2019 amended Decision 2009/821/EC as regards the lists of border inspection posts and veterinary units in Traces to approve BCPs in certain EU ports, including those in France.

Note: the Plymouth – Roscoff freight route, once re-opened, is not currently authorised for the export of live bivalve molluscs.

Advice on the export of fishery produce to French ports is provided here:

<https://www.brexit.gouv.fr/files/live/sites/brexit/files/contributed/Documents/SPS%20Controls%20of%20goods%20imported%20from%20the%20UK%20to%20the%20UE%20via%20France.pdf>

Primary routes for export of South West fishery produce to France						
GB Port	Border Control Post?	French Port	Border Control Post	Live Bivalve Molluscs ?	Fishery produce ?	Comments relevant to fishery produce
Plymouth	To be constructed	Roscoff	HC(2), NHC(2)	No	Yes	Packed products only
		St Malo	HC, NHC LA : E, O, U(1)	No	Yes	
Portsmouth	To be constructed	Caen-Ouistreham	HC, NHC LA : U(1), E, O	Yes	Yes	
		Cherbourg	HC, NHC LA : E,U(1), O(1)	Yes	Yes	
Dover	To be constructed	Calais-Boulogne	Boulogne sur Mer HC(1)	Yes	Yes	Fishery products entering the EU via Calais or Coquelles must travel to the BCP at Boulogne-sur-Mer under a Common Transit Convention (CTC) declaration submitted up to 72 hours in advance of arrival. Lorries arriving in Calais or Coquelles will be directed to the green corridor to go to the Boulogne-sur-Mer BCP, where checks will be carried out.
			Port HC (1), NHC LA : U(1), E, O (1)	No	No	No fishery or bivalve molluscs permitted

Codes for BIP Products permitted:

HC = all products for human consumption

NHC = Other products

NT = No temperature reqs

T = Frozen/chilled products

T(FR) = Frozen products

T(CH) = Chilled products

Live animals

U = Ungulates: cattle, pigs, sheep, goats, wild and domestic solipeds

E = Registered equidae as defined in Council Directive 90/426/EEC

O = Other animals (including zoo animals)

Special remarks

(\*) = Suspended on the basis of Article 6 of Directive 97/78/EC until further notice, as noted in columns 1, 4, 5 and 6.

(1) = Checking in line with the requirements of Commission Decision 93/352/EEC taken in execution of Article 19(3) of Council Directive 97/78/EC.

(2) = Packed products only

(3) = Fishery products only

(4) = Animal proteins only

(5) = Wool hides and skins only

(6) = Only liquid fats, oils, and fish oils

*Live animals:* (NB includes shellfish)

As of the withdrawal date, these substantial requirements are controlled upon entry into the EU-27 by applying mandatory border checks, including veterinary checks, at the first point of entry into the Union territory:

- Live animals can only enter the EU-27 through "border inspection posts" approved for the species and categories of animals concerned;
- Each consignment has to be accompanied by a duly completed health certificate in compliance with EU animal health import legislation;
- Each consignment undergoes documentary, identity and physical checks;
- Live animals are only allowed to enter the EU-27 with the official document (Common Veterinary Entry Document) attesting that the border checks were satisfactorily carried out in compliance with the applicable animal and, public health rules.

These conditions also apply to the entry into the EU-27 of live animals from the United Kingdom for the purpose of transit from the United Kingdom to another third country or to another part of the United Kingdom.

Live animals admitted to enter the EU-27 will have to be transported according to all the animal welfare rules laid down in Council Regulation (EC) No 1/200528, and will be submitted to checks at border inspection posts by the competent authorities as laid down in Article 21 of that Regulation 29.

Chart initially prepared in February 2019, based one prepared by <https://twitter.com/AnnaJerzewska> for customs formalities and supporting documentation under different Brexit scenarios, to which I have added the Norway scenario, Single Market and other fisheries specific controls, and updated in light of the Withdrawal Act and the Trade and Cooperation Agreement.

## **ANNEX: List of EU law relevant to veterinary border control (inc fishery produce)**

### Secondary Legislation

- [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products ('Official Controls Regulation')
- [Council Regulation \(EC\) No 1/2005](#) of 22 December 2004 on the protection of animals during transport and related operations
- [Regulation \(EC\) No 1069/2009](#) of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 ('Animal By-Products Regulation')
- [Regulation \(EU\) No 576/2013](#) of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals

### Tertiary Legislation

- [Commission Decision 2007/275/EC](#) of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC, as amended by Commission Implementing Regulation (EU) 2019/2007
- [Commission Regulation \(EU\) No 142/2011](#) of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.
- [Commission Delegated Regulation \(EU\) 2019/478](#) of 14 January 2019 amending Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the categories of consignments to be subjected to official controls at border control posts
- [Commission Delegated Regulation \(EU\) 2019/1012](#) of 12 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts
- [Commission Implementing Regulation \(EU\) 2019/1013](#) of 16 April 2019 on prior notification of consignments of certain categories of animals and goods entering the Union
- [Commission Implementing Regulation \(EU\) 2019/1014](#) of 12 June 2019 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points
- [Commission Delegated Regulation \(EU\) 2019/1602](#) of 23 April 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council concerning the Common Health Entry Document accompanying consignments of animals and goods to their destination
- [Commission Delegated Regulation \(EU\) 2019/1666](#) of 24 June 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards conditions for monitoring the transport and arrival of consignments of certain goods from the border control post of arrival to the establishment at the place of destination in the Union
- [Commission Implementing Regulation \(EU\) 2019/1715](#) of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components ('IMSOC Regulation')

- [Commission Implementing Regulation \(EU\) 2019/1873](#) of 7 November 2019 on the procedures at border control posts for a coordinated performance by competent authorities of intensified official controls on products of animal origin, germinal products, animal by-products and composite products
- [Commission Implementing Regulation \(EU\) 2019/2007](#) of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC
- [Commission Delegated Regulation \(EU\) 2019/2074](#) of 23 September 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country
- [Commission Implementing Decision \(EU\) 2019/2098](#) of 28 November 2019 on temporary animal health requirements for consignments of products of animal origin for human consumption originating in and returning to the Union following a refusal of entry by a third country
- [Commission Delegated Regulation \(EU\) 2019/2122](#) of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards certain categories of animals and goods exempted from official controls at border control posts, specific controls on passengers' personal luggage and on small consignments of goods sent to natural persons which are not intended to be placed on the market
- [Commission Delegated Regulation \(EU\) 2019/2124](#) of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union
- [Commission Delegated Regulation \(EU\) 2019/2126](#) of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts
- [Commission Implementing Regulation \(EU\) 2019/2128](#) of 12 November 2019 establishing the model official certificate and rules for issuing official certificates for goods which are delivered to vessels leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or a United States' military base
- [Commission Implementing Regulation \(EU\) 2019/2129](#) of 25 November 2019 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union
- [Commission Implementing Regulation \(EU\) 2019/2130](#) of 25 November 2019 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts

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COMPARATIVE TABLE: FISHERY EXPORT PROCESSES TO EU



Key:

Gvnt to do	Exporter to do – once	Required for every consignment	Trade facilitation agreed	Optional additional step to simplify process	No requirement for the action/barrier
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Export Processes	EU Membership	EU/UK Trade & Cooperation Agreement	Customs Union (EU/Turkey)	No-deal (EU/USA)	Single Market but not EU (Norway)
UK Approval – Gvnt	Not required	Required	Required	Required	Via EFTA
Establishment/Vessel Approval	Not required	Required	Required	Required	Required
Register EORI	Not required	Required	Required	Required	Required
Catch Certificate	Not required	Required	Required	Required	Required
Pre-notification by EU importer to competent authority on receipt of catch certificate	Not required	Required	Required for consignments outside scope of customs union	Required by sea: 72 hours by air/rail: 4 hours by road: 2 hrs	Required – upload to TRACES
Customs Declaration	Not required	Required	Required for consignments outside scope of customs union	Required	Preferential treatment by agreement
Tariffs/Quota/Taxes/Charges	No	Yes unless evidence entitlement to preferential tariffs (Rules of Origin)	Only to extent outside scope of customs union	Yes WTO terms	Yes – under agreements
Authorised Economic Operator	Not required	Option for streamlined export procedures	Option for streamlined export procedures	Option for streamlined export procedures	Option for streamlined export procedures
Export Health Certificate	Not required	Required	Required	Required	Not required
Vet/EHO to inspect all produce, seal consignment & sign Export Health Certificate	Not required	Required	Required	Required	Not Required
Preferential origin certificate	Not required	Available if wish to claim preferential tariff rate	Available for products o/s Customs union arrangements	N/A	Available – EUR-1 or declaration of origin if approved exporter
Safety and Security Declaration	Not required	Required	Required		Preferential treatment by agreement

Export Processes	EU Membership	EU/UK Trade & Cooperation Agreement	Customs Union (EU/Turkey)	No-deal (EU/USA)	Single Market but not EU (Norway)
Transport/shipping documentation	Required	Required	Required	Required	Required
Commercial documentation e.g. invoice	Required	Required	Required	Required	Required
Enter EU through Border Inspection Post for fisheries	Not required	Required: 100% documentary check; identity check; 20% (if in hermetically sealed containers) or 50% other physical check by Official Fish Inspector. Charged to importer	Required unless o/w agreed, 100% documentary check; identity check; 20% (if in hermetically sealed containers) or 50% other physical check by Official Fish Inspector. Charged to importer	Required unless o/w agreed (e.g. New Zealand), 100% documentary check; identity check; 20% (if in hermetically sealed containers) or 50% other physical check by Official Fish Inspector. Charged to importer	Not required
Use of EU international agreements on UK access to third country markets for fisheries produce and to fishing waters	Yes	No	Limited	No	No
Mutual recognition of agencies, standards, licences etc. e.g. packaging and labelling	Yes	Only for AEO status. The European Union directives on mutual recognition of diplomas and other professional qualification only apply to the citizens of the Union.	No	No	Yes

Sarah Holmes MA (Oxon) MA MCIWM CEnv

Legal Director

Supplement to Report to Plymouth City Council BILCO on Export of Fishery Produce after 31.12.20 from Great Britain to Northern Ireland and the European Union

12.02.2021

## Call for Evidence

Following from our conversations, I've been looking at the problems you and other merchants are facing getting fish to your customers in Europe.

They are the bureaucratic and cost issues directly disadvantageous to exporters like yourself who have built up multiple individual customers to send to, with individual invoice clearance documentation to clear at the border control, the imposed, and high, costs of 'needing' a vat accounts 'agent' in France, and the bureaucracy involved with 'Health Certification' and 'Catch Data' documentation.

I understand the PTA are looking at software that could link 'catch data' to the fish buyers market purchases documents, which looks like a promising road to go down. So that would be a start.

The 'Health Certification' border problems could be addressed by 'certificating' each exporting premises in the UK to EU standards, so that each consignment of fish would be accompanied by documentation carrying a premises approval number, from source.

You already have an Environmental Approval number issued by the County Port Health Authority to ensure your premises is up to speed with operating standards and documentation, to UK standards.

There is also precedent for additional enhanced systems of approval to export from the UK to non-EU countries.

As you know if you wish to export fish to the United States, you can only do so from a premises approved of by the American Food and Drug Administration, the 'FDA'.

Between about 2015-2019, we at Bluesail exported fish from Looe, both fresh and frozen, to America, having successfully obtained FDA approval. (We also exported large quantities from Norway, through several European borders, into France for packing and then freighted onward to Heathrow, and then flown to America). A far more complex operation than crossing the Straits of Dover! All of this was facilitated by the 'FDA' approval number we had.

There would be nothing to stop a similar system of 'approval at source' being applied to exports going from the UK into France, from premises approved to EU inspection standards, in addition to the already in place UK standards.  
A couple of caveats.

It would need the will from our UK inspection authorities, and the EU food hygiene authorities, to want to collaborate on putting similar systems to the USA systems of regulatory approval of premises in place, and you would need to be careful of the costs of obtaining that approval. It is not cheap.

Also it would probably take a long time to put into place bearing in mind the bureaucracy that would be involved with the French, and the EU.

It would be considerably easier to implement if we could get an agreement with the EU that our own Food Hygiene Approval Authorities could be delegated to grant that approval to EU standards.

In other words it could be quite speedily implemented if agreement could be reached between DEFRA and their equivalent in the EU. But you would probably need the 'get it done' support from Boris to get anywhere.

The concept could also cover other food producing export sectors, and could be reciprocal in nature, so facilitating trade in both directions between the EU and the UK, from an equal footing.

As for the imposed VAT representative costs that are a very significant cost burden to all exporters, and especially the many 'smaller' businesses like your own, it is an area I am not strong on, but it appears to be a 'tariff' by another name. So it needs firmer opposition.

At the end of the day it looks very like the French have thrown down the gauntlet to the UK fishing industry in retaliation for their loss of Quota.

The UK needs to go on the offensive about these, what look like, trumped up bureaucratic charges, and consider imposing similar charges to imports of certain foodstuffs from the EU into this country. Not enough to cause any major costs on top of general food imports into the UK, which would be completely the wrong political move, but a commensurate response to the damage they are inflicting on our UK fishing industry.

The French are able to away with what they are doing for two reasons, one is that we haven't fought back with a combination of positive ideas, and the threat of action of adverse consequences to themselves, and secondly, they are able to do what they are doing without affecting all the merchants, processors and haulage Companies in Boulogne that rely on the volume of imports for their businesses, because there is already a severe disruption to that demand for fish because of the effects of Covid. When that demand gets back to normal I suspect some of the bureaucratic slowdowns will miraculously evaporate, but the cost penalties will not.

It is those cost penalties that could, if not mitigated somehow, continue to severely impact fish exporters from the S.W.

The natural consequence of that would be a reduced number of businesses exporting, which in turn would lead to reduced numbers of buyers on Brixham, Plymouth and Newlyn competing for fish, which inevitably will result in lower market prices for fishermen.

A worst case scenario is that the consequential lack of competition would eventually lead to the larger catching and merchandising operators in the SW, bypassing local markets and sending fish, in volume, directly to the EU, with the benefits of scale overcoming the additional costs.

Ultimately it would mean the export of jobs, profit and infrastructure to the EU, instead of here in the UK.

So, the catching sector would be no better off with their little bit of increased quota, than they were before 'Brexit', and any Government 'compensation' a poor substitute for a flourishing industry.

Basically. And, the French have had a good 'free run' at causing us problems because of the Brexit fishing 'deal', and the only way out of it will be by a mixture of compliance where necessary with 'catch data regulations' (by upgrading market software), by replacing Health Certification at the border controls with 'Premises Approval', and by firm opposition to the increased costs, which are nothing more than 'tariffs' by another name.

Challenging the 'Brexit' deal will go nowhere at all, nor will one sided positive suggestions from the UK on a way forward to minimise the bureaucracy involved. The EU are so fond of bureaucracy that it would probably be met with a deaf ear. So, firm and direct counter opposition to the cost increases is required. I wouldn't have thought that would be too difficult for our erstwhile Brexiteers to think up a way. 'Implied Retaliation' would be a good place to start.

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**Call for Evidence**

Although, i'm not sure that it is the french/EU that have the answers for the situation to get better, what we have is basically a brexit with no deal ...

I think UK need to come forward with the will to negotiate a proper trade deal with Europe, the mess is there because UK govt have not taken the time to negotiate a proper trade deal with Europe...; so all the rules that are in place are in place because that's the only 'trade agreement' that is available once UK left ... what we are looking at is a basic third country trade agreement with Europe... that need to be improved with negotiation...the lies that have been put forward since the beginning are now led to us facing the reality of a no deal Brexit...

My view from the EU side, is that it's in UK's hands not in EU hands... EU is thinking ' UK decided to leave, and now they re not happy? ....'

British govt have been very much absent since the mess started...and not much is being done to improve the situation...it just seems that seafood industry is not that much important to UK...

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## **Call for Evidence**

The UK's withdrawal from the EU will provide an opportunity to secure a more sustainable and certain future for UK fishermen.

The CFPO has identified the following priorities for the fisheries component of Brexit negotiations:

### **Control and Access**

**The UK must ensure full and absolute control of UK waters out to 200 miles (or the median line).** Fishing opportunities (quota), access and the regulatory regime will then be determined by the UK Government.

**The existing 0 – 12 mile limit must be secured for the exclusive use of UK vessels.**

### **Fishing Opportunities**

**The UK must secure a greater share of Total Allowable Catches (quota) in UK waters.**

Total Allowable Catches (TACs) will be set in line with sound scientific advice for the long term sustainable harvesting of stocks, most likely provided in the context of Maximum Sustainable Yield (MSY) targets.

The UK must secure a fairer/greater share of the TACs of stocks in ICES Area VII. Particular attention should be given to zonal attachment principles and the distribution of stocks within UK waters.

### **Market Access**

**The UK must secure the continued tariff free and unrestricted access to European markets.**

### **Governance**

**The fishing industry must be at the heart of the Brexit negotiations and the future management of UK fisheries.**

To deliver a positive outcome for fishing it is essential that the experience and knowledge of the fishing industry is harnessed and used during and after Brexit negotiations.

It will be essential to develop and implement a standalone UK fisheries policy that will describe the regulatory framework the UK fishing industry will come under post CFP. This will have to consider issues such as access, fishing opportunities, technical regulations and landing obligation arrangements.

A dedicated Fisheries department within Government (including a dedicated Fisheries Minister) that encompasses policy, delivery and compliance would make a positive contribution to developing and implementing a successful UK fisheries policy post Brexit.

**AUGUST 2016**

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## Call for Evidence

### CFPO SUMMARY OF BREXIT AGREEMENT OUTCOMES

#### Control and Access

In effect EU access remains the same as now for minimum 5.5 years, including within the 6-12.

#### Fishing Opportunities

STOCK	2020 UK SHARE OF TAC (RELATIVE STABILITY SHARE)	2021 UK SHARE OF TAC	2025 UK SHARE OF TAC (END OF 5 YEAR PHASE IN PERIOD)	ZONAL ATTACHMENT UK SHARE OF TAC *	AGREEMENT RESULT IN RELATION TO UK OBJECTIVE OF ZONAL ATTACHMENT QUOTA SHARES
Cod 7 e-k	8%	9%	10%	51%	-41%
Haddock 7 b-k	10%	16%	20%	51%	-31%
Whiting 7b-k	11%	11%	11%	52%	-42%
Sole 7fg	28%	31%	32%	91%	-59%
Sole 7e	59%	61%	62%	100%	-48%
Sole 7hjk	17%	17%	17%	36%	-19%
Hake 6/7	18%	20%	21%	25%	-4%
Monk 7	18%	21%	23%	28%	-5%
Megrim 7	14%	19%	22%	26%	-4%
Pollack 7	17%	22%	25%	48%	-23%
Saithe 7	14%	15%	15%	12%	+3%
Ling 6/7	34%	36%	38%	62%	-24%
Plaice 7fg	23%	25%	26%	64%	-38%
Plaice 7hjk	13%	16%	18%	38%	-20%
Plaice 7de	29%	30%	30%		
Rays 7	26%	29%	31%		

(\*Zonal attachment was the stated objective of the UK in these negotiations and was calculated by CEFAS and DEFRA using a number of scientific criteria)

#### TACs

TACs will be set in the context of annual negotiations. For 2021 TACs we expect bilateral UK/EU negotiations to begin early in the New Year.

#### Market Access

As a third country, UK fish exports will not attract tariffs, but exports will now require catch certificates, health certificates and be subject to new border controls.

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8 February 2021

To the PCC special Scrutiny Committee on Commercial Fishing  
[scrutiny@plymouth.gov.uk](mailto:scrutiny@plymouth.gov.uk)

This submission is made by the Sutton Harbour Group with respect to third question

### **What can be done to support your fishing, export, supply chain business?**

Sutton Harbour Group has the statutory mandate and obligation to operate a Plymouth's fish market at Sutton Harbour. The market is located on a strategic part of the Sutton Harbour in the south-east quadrant of the harbour. The facility includes the land, the quays, the buildings, the circulation and parking, the infrastructure includes a new fuel supply system, ice making facilities, two recently renewed chiller stores etc. The building is occupied by the market auction, the offices of the PTA, the management of the fish market facilities and harbour, government agencies supporting the industry, and installations occupied by various related service providers.

The fish are landed at Plymouth Fisheries by both sea vessels and overland by delivery vehicles arriving by road (approximately 50-50%). Following auction, all fish are distributed from the site by road. Access to and egress from the fish market are presently complicated by conflicts between vehicular and pedestrian movements, seeking access to the National Marine Aquarium, the Harbour Car Park, and other businesses along the Barbican Approach. There exists substantial evidence in locations throughout the world of public interest in access to and participation in activities related to fish markets (compare to Sydney fish market, or Fisherman's Wharf in San Francisco). There is a material opportunity for Plymouth to enhance the existing fisheries facilities and create a special place of activity for people in this environment. This could be accommodated on a separated upper level above the fish processing and wholesale market allowing the public a safe way to experience the industrial activity within the fisheries. This level could also enhance access to and from the National Marine Aquarium, instead of the current conflict of access via the same level as service trucks.


This extension and expansion of the facilities and respective complimentary uses of the Fish Quay would enhance the economic viability of the Plymouth Fisheries operation as well as offering an attractive place of activity and interest for the population and broader southwest region.

The commitment of government to provide financial and economic support to the fishing industry is an important opportunity to achieve the enhancement of the current

circumstances for a more viable fish market for the industry and for the economy of Plymouth.

Sutton Harbour Group is committed to working with the PCC and other government agencies, the PTA and other participants in the industry, to realize the potential that these opportunities can afford.

Respectfully yours,  
**SUTTON HARBOUR GROUP**



Philip Beinhaker  
Executive Chairman