

**NWIFCA Quarterly Meeting  
13<sup>th</sup> September 2018: 11.00 a.m.**

**AGENDA  
ITEM  
7**

**CHIEF EXECUTIVE REPORT**

**Purpose of Report: Information**

**Recommendations:**

- 1. Endorse the AIFCA response to Defra on the Fisheries White paper (S6)**
- 2. Receive the report**

**This report covers:**

- I. Personnel, Health & Safety**
- II. Communication & engagement**
- III. Association of IFCA**
- IV. iVMS**
- V. Fisheries white paper**
- VI. FPV 'North Western Protector' update**
- VII. FPV Solway Protector**

**I. Personnel, Health and Safety, complaints**

1. There were no staff changes this quarter.
2. The Authority welcomes Mr. Rob Benson and Dr. Bryony Pearce as members appointed in August by MMO following a selection process. There is one remaining MMO vacancy on the Authority.
3. Dr Pearce owns and operates a Wirral based Marine Environmental Consultancy 'Pelagica Ltd'. She was previously Director of Marine Ecological Surveys Ltd and Gardline Caledonia Ltd. She contributed to EIAs of developments including the London Gateway Container Port and the proposed Tidal Lagoon in Swansea Bay. Her inshore fisheries experience includes work on the Lyme Bay Integrated Management Plan and the Solway Firth Creel Fishery Management Trials.
4. Mr Benson is a Director and co-founder in 2004 of Kingfisher Seafoods Limited in Barrow-in-Furness. The company exports live and processed shellfish such as cockles, mussels, oysters and whelks. He is also a Director and co-Founder of Wildcat Marine Limited providing services to the offshore wind farm industry. Rob owns fishing vessels and has extensive practical experience and knowledge of the fisheries in NW England.
5. There have been no reportable H&S incidents this quarter. Updating the H&S policy continues with advice of our retained H&S consultant.
6. There are no outstanding complaints against the Authority

**II. Communications**

7. Priority work in the quarter was on the naming and dedication ceremony for the new vessel. A large number of photographs taken resulted in a back log of formatting to work through.

8. A significant amount of time has been taken up by Byelaw 3 Renewals. For permit payments the authority is now able to accept card payments over the phone through a virtual terminal. Dredge permit application forms and permit letter have been finalised with valuable input from the Senior Scientist.
9. A monthly website checklist has been created to evidence the monthly checks that occur.
10. The following is a summary of other communications work completed and ongoing
  - Work on a new Powerpoint for use at presentations is underway.
  - A presentation is booked with an angling club in Merseyside for 20th September
  - Looking at creating a virtual tour 360° of the new patrol vessel though automated image stitching in a confined space has proven unreliable.
  - Several changes are planned for the website September to November during the gap between permit renewals. During this time it is hoped to make some progress on the stalled history section with the implementation of a timeline that can be added to over time.

<b>Website Change Log (does not include front page posts)</b>		
<b>Date</b>	<b>Change Made</b>	<b>By</b>
07/6/18	Posted further revised permit forms to website.	AG
02/7/18	Posted B3 Renewal form for 2018/19 year on website.	AG
12/7/18	Updated HRAs adding new fisheries.	AG
23/7/18	Seizure notice posted regarding lobster pot	AG
23/7/18 (ongoing)	Several updates to the cockle and mussel fisheries pages to reflect	AG
Ongoing	Banner images updated with photographs taken by the Communications Officer over summer.	AG

### **III Association of IFCA**

11. A report of the most recent meeting of the Members' forum held on 5<sup>th</sup> June 2018 attended by CEO and Chairman was given by CEO at the 13<sup>th</sup> June meeting. The draft minutes are attached at Annex A. The next AIFCA meeting is 25<sup>th</sup> September.

### **IV iVMS**

12. iVMS was a cause for concern throughout the quarter (summary below) until 17<sup>th</sup> August when the project structure requiring IFCA to pay for units and claim funds back via EMFF grant was finally abandoned in the face of insurmountable legal queries.
13. Communication materials on iVMS were issued from the project Board to IFCA on 14<sup>th</sup> August. Consultation on an SI was expected to open on 23<sup>rd</sup> August. Following the decision above, both are delayed until new funding is in place. MMO funding is suggested but likely to incur the same issues identified by IFCA. iVMS remains a Ministerial priority so the SI is still expected soon
14. Efforts to resolve concerns of NWIFCA members identified at the June meeting and later supported by other IFCA continued throughout the quarter. AIFCA commissioned legal advice from solicitors Ward-Hadaway which was received on 3<sup>rd</sup> August. The advice concluded that the IFCA were exposed to significant financial risks arising from:
  - I. The project structure which under EMFF rules imposed ownership responsibilities for iVMS units for 5 years
  - II. Eligibility of some vessels because EMFF rules state that vessel owners who have been convicted of fisheries offences cannot be beneficiaries of EMFF grants

- III. Liability for possible consequential losses such as damage to vessels during fitting, repair and maintenance of units, possible damage, injury or loss of earnings caused by defective devices.
15. The advice was considered by IFCA Chief Officers on 13<sup>th</sup> August when the major concerns about the project were recognised by all IFCA. The iVMS project Board prepared an action plan to address the issues. The plan included a commitment from MMO to financially underwrite any losses incurred by IFCA as a result of costs arising from iVMS project. However, MMO legal advisors reported that MMO (or any other public body such as Defra) could not make such a guarantee. At that point the MMO Operations Director and Project Board Chairman accepted that alternative funding was needed.

## V Fisheries white paper.

16. Consultation on the White paper closes on 12<sup>th</sup> September, the day before NWIFCA quarterly meeting. Defra had indicated they would hold a public consultation meeting in Fleetwood as part of national programme of meetings, however, this has not been announced. If such a meeting takes place a report will be tabled or given verbally on 13<sup>th</sup> September.
17. Comments received at the NWIFCA meeting will be sent to Defra after the deadline.
18. Annex B includes a Defra paper for an IFCA Chief Officers briefing held on 13<sup>th</sup> August. CEO attended this meeting. In the absence of progress with the Brexit deal, the meeting provided no new information.
19. Annex B also includes a general response to the consultation from all IFCA prepared by Dr Stephen Bolt (AIFCA). This will be sent to Defra before the 12<sup>th</sup> September deadline.
20. Member Mr Steven Brown has made the following comment on the white paper:

*I thought it was a combination of sound bite like statements mixed in with an unattainable wish list.*

*Before any of the contents of the white paper can be sensibly debated I would like an answer to the following questions:*

1. *How can fishing "Rights" (the majority of our quota allocations) that have been sold to Continental interests be either recovered fairly or managed properly given EU country's companies financial and political investments?*
2. *How can the extremely damaging problem of track record being sold so that the fishing capacity of the fleet is being compounded into environmentally damaging units be stopped and if possible reversed?*

*I can offer no solution to either of these insurmountable problems.*

*We discussed the problem of what happens if the UK came out of the CFP hypothetically some years ago. My position is still the same now that this situation has come about. The CFP is without any doubt a monumental failure. Actions taken in its name are often in clear breach of its often laudable early principles. These actions have caused massive environmental damage, incalculable social and economic harm to coastal communities that cannot be reversed and brought about a financial system within the industry which must but cannot easily be dismantled.*

*After more than 40 years of extreme mismanagement I am at a loss as to how to go about putting it right but there is one positive point. Change while within the EU is impossible, once out of the EU a considerable amount of what is now EU waters will fall under UK management. This means that EU and UK "Flag of Convenience" vessels will have to work to our rules. A UK CFP will need to evolve. It will be a long haul, probably another 50 years to undo most of the harm that has been done, but now we are in a position to look to a better future not staring into the abyss.*

*Steve Brown.*

21. Mr Brown identifies the nub of the problem with discussion of the white paper. In the absence of a defined future EU and UK relationship post Brexit it is not clear how or if any of the laudable aspirations can be achieved. It is also not clear that UK is willing to take

the radical actions alone which would be needed to achieve the aims of the paper without the agreement of the EU. If the UK did act alone, it is not possible to see what the consequences would be for the wider UK – EU relationship.

## **VI. FPV North Western Protector update**

22. The vessel was delivered to Whitehaven on 5<sup>th</sup> July 2018. A cheque for full payment was handed to the skipper from HMS on receipt of the vessel. The vessel is now in service with the Authority.
23. The vessel naming and commissioning ceremony was held at Whitehaven Marina on 25<sup>th</sup> July. The naming ceremony was conducted by HRH the Duke of Gloucester. The Lord Lieutenant of Cumbria was in attendance. The Dedication and commissioning ceremony was conducted by Rev George Ayoma from The Fisherman’s Mission, Fleetwood.
24. The Duke went on board for a tour of the vessel and a 30 minute cruise into the Solway Firth. After he departed Whitehaven, a further 4 similar cruises each carried 12 guests. The event received media interest from BBC Cumbria, the BBC website, the Whitehaven News and Fishing news. Whitehaven news included a video of the main components and a large number of pictures on their website. A colour leaflet provided the programme for the event and an introduction to the new vessel.

## **VII. FPV Solway Protector**

25. FPV Solway Protector was sold for £25,000 to Jevington logistics Ltd on 31<sup>st</sup> August 2018. The Finance Committee considered this a fair price, although slightly less than was hoped for. The advantage for the Authority is that outgoings on the vessel of the order of £2,000 per month have now been terminated. The vessel was sold ‘as seen’ with the condition that the name is changed so that the Authority can retain the name in case it is wanted for a future patrol vessel.
26. We understand the vessel will remain in Whitehaven for the foreseeable future and be used in support contract work in the area. The Authority extends thanks to Jevington Logistics and wishes the company future success with the vessel.

## **CEO Main meetings attended June to August 2018**

5 <sup>th</sup> June	AIFCA Member’s forum and Directors, London
6 <sup>th</sup> June	Bivalve Mollusc Working Group
27 <sup>th</sup> June	Audit
28 <sup>th</sup> June	NWIFCA Finance Committee and Annual meeting
4 <sup>th</sup> July	Bivalve Mollusc Working Group
5 <sup>th</sup> July	iDATA Phone system review
17 <sup>th</sup> July	Vessel ceremony planning with Lord Lieutenant Cumbria
24 <sup>th</sup> July	Vessel ceremony
3 <sup>rd</sup> August	West of Walney byelaw consultation MMO
7 <sup>th</sup> August	TSB Morecambe
13 <sup>th</sup> August	Defra briefing Fisheries White Paper, IFCA review IVMS project

**CEO & Communications Officer**  
**3<sup>rd</sup> September 2018**

The Association of IFCAs Members Forum Meeting  
5<sup>th</sup> June 2018 154 Southampton Row, London, WC1B 5JX

Draft Minutes

Attendance for the Meeting

Chair: Tony Tomlinson, CEO: Stephen Bolt

Attendance: Andy Guy, Paul Skinner, Tom Hooper, John Humphreys, Julian Gregory, Les Weller, Mike Hardy, Paul Williams, Robert Clark, Samantha Davis, Stephen Atkins, Tim Dapling, Will Wright, David McCandless, John Lamb, Stephen Axford, Jamie Small, Simon Pengelly

Minutes: Sally Standring

Apologies for absence: Greg Morel, Tony Goldson, Stewart Harper, Chris Matthews

Due to Tony Tomlinson arriving at the meeting later, John Humphreys took the Chair in his absence. John made introductions to Jamie Small who was attending the meeting with Simon Pengelly to present the MPA project.

1. Minutes from last meeting – 6<sup>th</sup> March 2018 All agreed to adopt by general consent.

Actions from previous minutes

1. D&S IFCA meeting is to be held on Friday 13<sup>th</sup> July 2018
2. Defra update position paper – Done

From previous meeting – Chris Williams will be attending the meeting to present his views on first day readiness.

From previous meeting – MMO policy paper has been sent.

3. Fairer funding – SB confirmed that a very brief response has been sent. He has asked for all IFCAs to try to engage with their authorities.
  4. Review White paper – on agenda
  5. iVMS – on agenda
2. Updates from external organisations:
    - a. Views on First day readiness – Chris Williams
    - b. Defra updates – Marina Di Fonzo; Graham Lott
3. Finance and Resources:
    - a. 2017/18 fourth quarterly report

SB explained that the graph shown on the report shows spend against budget, but the budget is down by £3k due to D&S resigning from the Association at the end of December 2017. SB went onto explain that the cost of hiring venues is still a concern, but we have made encouraging progress with Fishmongers Hall and LGA, although the LGA will charge us for the use of their venue. We also have the offer of using the Jersey meeting room in Westminster which we have secured for the next COG meeting in July and the IFCA/MMO working group 27<sup>th</sup> June. The £10k insurance claim which has been repaid to SIFCA is cost neutral to the Association and the draft final accounts shows a £300 deficit. JL has offered a venue in Southend to hold some meetings there.

#### 4. Matters for Decision

##### a. Funding Paper

SB confirmed that the allocation of funding is 2/3 funding from the funding authorities. It has been noted that when the new burdens monies were set out Treasury would not allow the funds to be ring fenced. SB has a meeting with Andy Smith (Chairman of the LGA Coastal Special Interest group 29th June. He confirmed that a change has taken place since the last meeting with the Minister in that ongoing central funding from Defra is now part of the Comprehensive spending review post 2020 when the current new burdens funding is due to finish. Defra have stated that they find this very useful and have suggested all IFCAs put a business case together to support their bid for the future. SB will go through COG on this. Action 1: SB to go through COG and will draft a briefing paper for the next meeting in July.

JL did stated that as part of the fairer funding review of local government revenue, local authorities will now not get all business rates as previously signaled. It is anticipated that the authorities can expect about 75% of the business rates with the remainder still going to Treasury. It was suggested that IFCAs have a strong discussion with their funding authorities to have clear direction for 2021 onwards. In response to the Association revised funding paper, DM did voice his concerns about the potential of unravelling the present formula, but TT suggested we put our views in first. SB confirmed that it was confirmed to him that it was option 2 in the consultation paper was adopted of Defra's allocation of new burdens funding. SB will send this to all members. Action 2: SB to circulate the new burdens funding to all members. TT recommended asking our authorities that the money should be paid directly to the IFCAs from Defra and this would be raised at future discussions. Everyone agreed with this recommendation. All agreed that the funds should be renamed "additional burdens" instead of "new Burdens" which is misleading. Action 3: SB will set up a working group to take forward the funding position and to seek IFCAs agreement. . He will ask COG how best to collate the evidence for continued new burdens funding. SB, JL, TD, WW & DM have volunteered to be part of the working group and will report back. SB will send out a Doodle poll to this working group to seek an appropriate date.

##### b. Revised Terms of Reference for the review of the Association of IFCAs.

SB presented the revised terms of reference to the members. All agreed that we should be looking at being more proactive and making the IFCAs stronger nationally. WW agreed that it was a good idea to do the review now. He confirmed that the MMO discussion are progressing and sees this as an opportunity to pitch ourselves. However, he stated that D&S has been mentioned and we should agree on that fact that they are included, as we are all agreeing to it. However, he believes there are specific holes and wants them ironed out. He has suggested extending the remit to include MMO, NE. In terms of D&S however, how do we want this person to speak to D&S; would they be formally written to? JH has suggested that we should be asking D&S the same question but treat them differently. We might say 'Members and D&S'. TT agreed that we have the principal to go ahead. All agreed.

##### Update from external organisations:

Chris Williams – NEF Chris presented to the members his update on first day readiness and delivering future fisheries management that is fair and sustainable. He specifically presented the work he has been involved with on Shellfish, low impact fisheries, Brexit and the fisheries bill, cost recovery, and the leaked white paper. He continued with how he is into a four-year project called Blue New Deal focusing on the South West. His presentation has been made available to all the members.

##### Defra Update – Graham Lott & Martina Di Fonzo representing Ruth Thirkettle

Martina confirmed that she had news about MPAs, the spending review and Financial Administrating Penalties (FAPs). She confirmed that there is no update on MPAs as the consultation period has not started on tranche 3 site.

Spending review is to be launched next year to include potential extension of central IFCA funding (currently new burdens due to run out in 2020). Defra is looking at what information we need to review and will be in touch to answer the success criteria for the statutory review of the IFCAs - 'A guidance to IFCAs monitory performance'. Once clarity has been confirmed consultation documents will be shared with IFCAs and will inform committee members that this will be taking part soon. In terms of FAPs, Defra has been advised that receiving the financial penalties is not possible as you will need very clear reasons to present to the treasury. SB reiterated the need for a pre-warning of the MPA consultation period. The IFCAs will need as much warning as possible. He also wanted to reaffirm the principal of the four yearly SoS report to parliament as he stated that this is not actually a review and wants clarification that this is not. As far as the monitory guidance is concerned he said that the guidance was originally written in 2010 and new guidance was accepted in 2016. He agreed this with Defra and suggested Martina checked that she is working to the correct guidance. The revised new success criteria was never adopted by the Secretary of State as it is now government policy not to adopt new guidance. Instead the new 5 success criteria (replacing the time limited 7) were unilaterally adopted by the IFCAs with Defra's agreement. SB re-iterated that the 2019 conduct and operations report should be based on the new criteria.

Graham Lott confirmed that the package for IFCO powers is hopefully being cleared today (5<sup>th</sup> June) and he is hoping to be clearing the SI in the next 3 weeks. Action 4: Graham will send an update so that we can be certain of what the timings will be for this.

#### 4. Matters for Decision cont....

##### d. iVMS update and communications document for potential adoption – JG

JG gave a brief overview of where the project is since 2012 when Defra asked IFCA and MMO to introduce Inshore Vessel Monitoring System devices to all commercial fishing vessels under 12m in length. The project follows work to develop a low-cost solution for iVMS which resulted in devices being type approved by the MMO. £3m had been put aside to fund this project. This led to forming a joint MMO/IFCA project board which JG sits on behalf of all IFCAs. He sent an email to colleagues to suggest the project is underfunded but has been working to minimise this and the risk level is very small. He confirmed that he had a very useful update from the EMFF funding team who have confirmed that it applies to core funding and the reclaim process has been reduced from eight to four weeks. JG will share this information with all IFCAs. He has asked the legal team in MMO to look at transfer of ownership to see if this is possible. The MMO will draft a legal agreement between IFCAs to transfer ownership and responsibility. He will then review and give formal legal advice. JG will share this with the IFCAs. However, RC has stated that he will be getting his own legal advice. It was asked if this can go through the Association. SB confirmed that we could do this as a 'club contract' with 10% of costs coming from each IFCA or from AIFCA reserves. In summary JG confirmed that his has been an extremely challenging and complex project. JG recognises the concerns surrounding Transfer of Ownership which he will bring up with the project board. He confirmed that the EMFF will need to see that IFCAs are spending money for this by the autumn. Action 5: Transfer of Ownership legal advice should come from the Association as soon as possible. The legal advice should be experienced in this field. SB will source this advice once we see what legal obligations there are.

#### 5. Matters for Noting

##### a. MPA project – verbal update and introduction to the team (Simon Pengelly, Jamie Small)

The Association IFCAs successfully applied for one FTE to be taken on three days a week in order to be working on the MPA project which resulted in Jamie being successfully employed to be working alongside Simon Pengelly (funded for one day a week) and Patrick Cooper (funded for one day a week) both from SIFCA. She has been working on, firstly developing up to date database, evaluating and digesting contents, capturing everything the IFCAs are doing. Over the course of the next couple of months they will be visiting all IFCAs to capture greater data. Once this has been completed they will construct GIS data layers. SB is very keen to make greater use of the Association website and have an MPA section which includes NGO's and the interaction

we've made with them. Communication forms large part of the project and Simon wants to see something similar to that of the glossy report produced in 2015. Simon has met with several stakeholders and NGOs already but looking to participate in conferences and meetings in the future. There is an opportunity to hold an end of year project conference for stakeholders to launch this document.

Jamie is also working on the HRA's database; and in particular, all management to ensure the correct data has been captured. Once this task has been completed they will visit all IFCA's to capture the proper data using the management to complete the assessments.

#### 4. Matters for Decision

##### c. National Training Proposals – Will Wright

WW is presenting this paper on behalf of Dominic Bailey which has also been discussed with MMO. He confirmed that at present he has been trying to secure EMFF funding for a protracted period for the next two years and what the paper goes through makes recommendations. WW confirmed that we could put in a bid using the same wording as the MMO but also confirmed that they having some difficulty obtaining the paperwork from the MMO, TT will speak to EMFF to see if this can be resolved. It has been agreed that we go down this route and if EMFF decline the application, the IOS IFCA will pay just circa £300 per year and the remaining IFCA's will pay £1500 for training. In addition, the cost to recover the remainder will be covered by increasing the cost of the Torquay course. However, if not enough attendees sign up for the course the shortfall will be covered by the Association reserves. This will be subject to annual review.

#### 5. Matters for Noting

##### b. Environmental consultations – Verbal report Stephen Bolt

##### i. Environmental Principles and Governance after the UK leaves the EU

Open – closing date 2<sup>nd</sup> August 2018. He stated that the consultation document starts with ambitious aims but the detail of delivery appears very weak. He is unsure as to how he is to respond to it at this stage. It was agreed that the Association should not respond at this stage but keep a watching brief on progress.

ii. Fisheries White paper – “Soon” (early version leaked and in public domain) – See paper.

iii. Fisheries Bill – to follow white paper

##### c. Appraisal Update – Tony Tomlinson

TT confirmed that a satisfactory appraisal of SB has taken place.

##### d. FAPs.

SD asked Defra representatives if we can deduct our costs before it goes back to Treasury.

Action 6: SB liaise with Defra regarding this.

##### e. CEO Meeting log

##### f. Directors Minutes

LW voiced his concerns that Directors are discussing issues that should be discussed at the Members forum. SB confirmed that the only things discussed at the Directors meetings are those unfinished items from the Members forum. He also confirmed that at the next members' forum there will be an item for the MMO appointee process. Action 7: SB to ensure there is an agenda item for the MMO appointee process on the members' forum

#### AOB

Graham Lott confirmed that the byelaw review process carried out by MRegs have a final meeting on 14<sup>th</sup> June.



MMO IFCA high level working group (an action from the last AIFCA/MMO board level meeting. TT is to have a telephone conversation with John Tuckett to see whether to proceed 27<sup>th</sup> June given that so many original attendees can't now attend. It was noted that the Defra the Marine Transformation Group is pushing MMO on this matter.

15:00 Close of meeting

Date of next members forum meeting – 25<sup>th</sup> September – LGA venue

Actions from this meeting: Items for Decision

No	Action	By
1	Funding Paper - Defra have suggested all IFCA's put a business case together to support their bid for the future. SB will go through COG on this. Action 1: SB to go through COG and will draft a briefing paper for the next meeting in July.	SB
2.	SB to circulate the new burdens funding formula as adopted in 2010 to all members.	SB
3.	SB will set up a working group for this. He will ask COG how best to collate the evidence for continued new burdens funding. SB, JL, TD, WW & DM have volunteered to be part of the working group and will report back. SB will circulate a draft to all members.	SB
4.	Graham Lott confirmed that the package for IFCO powers is hopefully being cleared today (5 <sup>th</sup> June) and he is hoping to be clearing the SI in the next 3 weeks. Graham will send an update so that we can be certain of what the timings will be for this.	Graham Lott
5.	Transfer of Ownership legal advice should come from the Association dependant on the iVMS project board immediate response. The legal advice should be experienced in this field. SB will source this advice as appropriate	SB

Matters for Noting

No	Action	By
6.	FAPs - can we deduct our costs before it goes back to Treasury. Defra to confirm this with all IFCA's	Graham Lott
7.	SB to ensure there is an agenda item for the MMO appointee process on the members forum	SB



### Key messages

- The Fisheries White Paper – '[Sustainable Fisheries for Future Generations](#)' – **charts the course for a sustainable and profitable fishing industry.**
- Leaving the EU means **taking back control of our waters for the first time in 40 years**, access will be on the UK's terms and for the benefit of UK fishermen. When we leave the EU, the UK will become an **independent coastal state** under international law.
- The UK will have the opportunity to move towards a **fairer share of fishing opportunities** - overhauling the current system where UK fishermen have received a poor deal that is based on fishing patterns from the 1970s.
- Fisheries **will be a separate strand of our future relationship with the EU** to the future economic partnership. Through the fisheries strand there will be a separate process whereby the EU and **the UK, as an independent coastal state, will negotiate on access to waters and fishing opportunities on an annual basis.**
- The government will **introduce the Fisheries Bill** in this session of Parliament, to create powers to give the UK full control of our waters, set fishing opportunities and manage fisheries.
- Underpinning everything will **be our commitment to sustainability** – supporting future generations of fishermen and allowing our marine environment to thrive.
- There will be a ten week consultation closing on 12 September.

- We will take back control of who has access to our waters, and on what terms.
- The government will negotiate access and fishing opportunities with our European neighbours on an annual basis.
- We will seek to move away from relative stability towards a fairer and more scientific method for future quota shares.
- We do not yet know the outcome of the UK's negotiations to withdraw from the EU or on a future economic partnership. The White Paper is clear that market access for fisheries products is separate from the question of fishing opportunities and access to waters.
- Fisheries will be a separate strand of our future relationship with the EU to the future economic partnership. Through the fisheries strand there will be a separate process whereby the EU and the UK, as an independent coastal state, will negotiate on access to waters and fishing opportunities on an annual basis.

### Commitment to sustainability

- Healthy stocks are the foundation on which all else depends: commercial fishing, recreational fishing and thriving communities.
- We remain committed to fishing within sustainable limits (maximum sustainable yield) to restore stocks to healthy levels. We will publish an annual statement setting out the health of fish stocks based on the latest scientific evidence.
- We will continue to work towards ending the wasteful practice of fish discards and comply with the landing obligation.
- We will make clear that vessels will only be allowed to fish in our waters if they adhere to our high sustainability standards.
- As in its 25 Year Environment Plan, the government will pursue an ecosystem approach to fisheries management to minimise impacts of fishing on the wider marine environment.

## **Devolution and a UK framework**

- Our approach will benefit the whole of the UK.
- Fisheries is devolved and the UK government is committed to respecting the devolution settlements. Particular attention will also be given to maintaining cross-border co-operation between Northern Ireland and Ireland.
- The UK government will continue to work with the Devolved Administrations to develop a new UK framework for fisheries management, which will maximise their power to manage their fisheries while maintaining the integrity of the UK internal market.

## **The Fisheries Bill**

The White Paper announces proposals for the Bill to include powers to:

- enable UK to take back control of access to our fishing waters
- preserve equal access for UK vessels throughout UK waters
- set fishing opportunities (quotas or days at sea)
- manage the exploitation of sea fisheries resources to ensure we can protect our marine environment
- allow the UK to respond to scientific advice, protect the marine environment and meet our international commitments by taking a power to amend retained EU law
- introduce reforms to fisheries management in England, including schemes to tender or auction quota and to enable fishers to avoid the problem of choke species
- improve Marine Management Organisation's cost-recovery powers and modernise grant making powers

## **Reforms to fisheries management**

- We will continue to use existing methodologies based on Fixed Quota Allocation for apportioning any existing quota within the UK.
- For any additional fishing opportunities we negotiate as an independent coastal state, we will explore other methodologies such as zonal attachment. Defra intends to begin a conversation with the Devolved Administrations and stakeholders to allocate these on a different basis.
- We are fully committed to working with partners to introduce a management regime that works for the catching sector, coastal communities, the seafood sector, consumers, NGOs and the wider public.
- We will consider, with interested parties whether and how to replace the EMFF, which has supported the sector across the UK.
- In England, the government will:
  - develop a tailored package of measures to prevent wasteful discarding
  - develop a new approach to tackling 'choke species'
  - consider the establishment a reserve of quota to be managed and allocated according to new criteria to meet future industry needs
  - review the current "under 10" category of low impact inshore vessels
  - consider a targeted scientific trial of the 'effort system' for quota management
  - consider further integrating recreational angling into the new fisheries framework;
  - to use technology to support the collection and use of data and information to develop a much more transparent regime;
  - explore new management for non-quota stocks (e.g. shellfish) in western waters

## **Introduction:**

This response primarily reflects the perspectives and needs of inshore fisheries and marine environmental management, the communities they serve and the marine environment upon which they depend. Inshore in the context of this response is within 12 nautical mile territorial waters. Inshore fisheries can be considered in the context of commercial and recreational vessels that largely operate both within IFCA limits and territorial boundaries. From the perspective of scale this comprises to a large extent of vessels below approximately 12 metres in overall length. The IFCAs currently have duties and powers relating to the 0-6 nautical miles only.

## **Key points**

- The Association is supportive of the ambitions and underlying principles set out on the consultation. The IFCA believe that the IFCA model of local governance and decision making coupled with active stakeholder engagement fits well with the concept of sustainable seas and fisheries and the ambitions set out in the white paper. In addition, this fits well with the 25-year environment plan and the Seafood 2040 plan. The Association believes that these initiatives should be delivered as part of a long-term plan for the marine environment and would seek to be actively involved in this process. The IFCAs have considerable and widely recognised expertise and operational experience in inshore marine management that we can input to the delivery of these exciting policies.
- The Association is, however, concerned as to the limited references to inshore fisheries (both commercial and recreational) within the consultation, and would wish to input clearly defined opportunities that exist to support this element of the fishing sector and the coastal communities that they support.
- Despite their function and level of management activity there is little if any reference to IFCAs, and the present arrangements for supporting inshore management in England following establishment of the IFCAs and their new duties through the Marine & Coastal Access Act 2009.
- The IFCAs would seek further clarity on secure central funding for IFCAs which has not been encompassed within the consultation, we feel this is an important opportunity going forward.
- The present value and further opportunities for inshore management to support more economically viable and sustainable inshore fisheries and communities whilst protecting the marine environment within territorial waters needs closer examination, innovation and vision. The IFCAs would welcome the opportunity to work closely with Defra and the Defra group to achieve this.

## **Background:**

The ten IFCAs were launched in April 2011 following the introduction of the Marine and Coastal Access Act 2009 (MaCAA) and as provided for in part 6 of MaCAA.

These authorities replaced the Sea Fisheries Committees (SFCs) which had been in existence for 120 years. The MaCAA details an extended remit of the IFCA's in place of the SFCs to become the lead regulator for fisheries and conservation in the 0-6 nautical mile inshore zone. IFCA are stand-alone regulatory bodies funded by local authorities. Defra supports the local authorities who fund IFCA's through 'new burdens' funding. The IFCA's work closely with stakeholders to achieve our shared vision "to lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry". As local regulators we support inshore sustainable fisheries and the IFCA's believe that by engaging at a local level in order to assist with the delivery of UK marine policy we provide a cost efficient and effective method of regulation. The IFCA's have over 30 vessels carrying out enforcement, monitoring and surveillance with over 1400 days at sea per year. The IFCA's are joint committees of the funding authorities in their districts. The structure and makeup of the individual IFCA's can be found in the Association report entitled "The Inshore Fisheries and Conservation Authorities 2011 to 2015" published on the Association website: <http://www.association-ifca.org.uk/news/the-ifcas-2011-2015-achievements-and-success>. In addition, MaCCA requires the Secretary of State for the environment to present a report to Parliament every four years. The first report entitled "IFCA Conduct and Operations 2010 to 2014" was presented to parliament in March 2015 and can be found at: <http://www.association-ifca.org.uk/Upload/About/ifca-review-2010-2014.pdf> The MaCCA also makes provision for the IFCA's to set up a national body to represent the ten IFCA's and as such the Association of IFCA's was set up in June 2011. The Association has a full time Chief Executive and a part time Administrative and finance assistant and reports to a Board of Directors nominated from the IFCA's. Details of the Association can be found on the Association website: [www.association-ifca.org.uk](http://www.association-ifca.org.uk).

In recognition of the present EU negotiations and development of new domestic law the AIFCA published a policy document in 2017 to provide support and advice to Government, **'Opportunities for Inshore Fisheries and Marine Environment; Future Management in England'**. This policy paper outlines the Inshore Fisheries and Conservation Authority's (IFCA's) collective recommendations for inshore fisheries management reform following the EU referendum and subsequent negotiations. As existing inshore fisheries managers for English coastal waters, IFCA's are well placed to highlight and identify opportunities to reform, develop and enhance the fisheries resources, the commercial industry and the marine environment. <http://www.association-ifca.org.uk/Upload/IFCA%20future-management-Final%20.pdf>

**In respect to the specific questions the Association of IFCA's responds as follows:**

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

We broadly agree with the proposed powers as proposed in section 1.2. We would also welcome further explicit reference to and recognition of inshore fisheries and the specific legislative, policy and management needs of inshore fisheries and the communities they support.

Given the existing powers and activities of IFCA's to protect Marine Protected Areas with domestic legislation, we welcome further clarity and assurance on what further powers are proposed within the Marine & Coastal Access Act to protect inshore MPAs and that part of the marine environment not contained within MPAs.

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

Creating 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 effort on non-TAC species such as shellfish. In addition, the UK commitment to MSY in all commercial stocks by 2020 (including shellfish) is likely to put more pressure on inshore fishermen as possible effort management may be forthcoming.

Maintaining trading opportunities to enable efficient and effective movement of fisheries products (notably live shellfish) into mainland European markets. 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 we consider there to be strong justification to establish exclusive access for predominantly UK registered vessels only. In so doing this would create new fishing opportunities for inshore fishing fleets and strengthen economic viability of inshore fishing businesses and associated communities.

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

We support continuing international commitments identified in section 1.4.

We encourage the UK's full engagement with in international negotiation. In so doing the interest of inshore fisheries should be fully recognised in relevant agreements and collaborative actions.

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 marine life and our common seas. The IFCA's believe that the IFCA model of local engagement and decision making in inshore waters could be exported successfully to UK overseas territories and other third coastal states. IFCA's believe their model is an exemplar of localism in action.

**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 toward 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. The IFCAs would welcome the opportunity to actively engage in the formation of such a policy.

**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 IFCAs 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. The Association would draw attention to the evidence submitted by the Association to the "MPA revisited" Environment Audit Committee.

**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. Sound evidence should remain at the heart of management decisions and be scaled accorded 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 as set out in the 25 year environment plan and 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?**

The Association recognises 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.

There are however, some particularly negative consequences of an FQA system that need careful consideration and solutions found, where necessary this might be achieved through a predefined process of phased introduction. The sale of quota allocations to active fishers from parties (sometimes referred to as slipper skippers) that have little if any possibility of utilising

their FQA can be considered as detrimental to a future sustainable fisheries business model and management system.

Those fishers who are able to acquire the resource may be paying 'market rents' for access to fish that reflect a large proportion of the final revenue that can be achieved for the landed fish. Subsequently this reduces their profitability and simulates a need to fish for more resource to run viable businesses.

Those who rent the public resource do not own it, although they might consider they have a legitimate expectation to receive it. Importantly however, the receipt of income from renting a public asset may not be associated with supporting their own existing fishing business in these situations, furthermore it can drive increased fishing effort in other fisheries.

An alternative approach is that unused resource is allocated by government to achieve the most desirable policy outcome. Rents, if any, can be linked to positive policy objectives such as low impact fisheries and sustainable inshore fishing communities.

The Association is concerned that most of the benefits identified for the inshore fleet are dependent on the UK negotiating an uplift of quota. The Association would like to see a mechanism to revisit the allocation of existing quota should this uplift not be realised. In addition, interim support for the inshore fleet may be needed if realisation of an uplift was significantly delayed.

The proposed 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 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 recognition of opportunities to see resource allocation structured in a manner to benefit low impact fisheries is recognised as a very positive development providing positive feedback to stimulate low impact methods. Identification of criteria and methodologies to define low impact fisheries is an area that the IFCA can bring particular expertise and knowledge and we welcome further engagement on this matter.

The new legislation needs to recognise that Natural Capital, of which commercial fish stocks as a public asset form a part, and the principles of ecosystem management should underpin and be central to the future direction of local 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.

The principle of deriving government revenues from fisheries resources is welcomed providing it is proportionate, consistent and that that income is properly utilised to support improved fisheries management at all levels and create a positive feedback to the benefit of the fishing communities.



**Q9: How should any additional quota that we negotiate as an independent coastal state be allocated?**

Fisheries resources should be allocated with consideration of socio-economic, economic and environmental factors, whilst realising the potential of natural capital and supporting blue growth. Protection for vulnerable inshore fishing communities with limited fishing opportunities should be prioritised and promoted. As stated above, consideration should be given to allocation of existing as well as additional quota.

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

Yes this would have value if well managed

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

The Association recognises there are issues associated with the current western waters effort management regime for specific shellfish stocks. These require attention to ensure sustainable exploitation.

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

The Association recognises the importance of recreational sea angling in the UK and agrees that there is a strong case for integrated recreational sea angling into fisheries management. Many IFCA's have RSA expertise on their Committees and would welcome the opportunity to provide better regulation for this important sector.

The need for any integration to be conducted in such a manner that it recognises the full socio economic value of recreational fisheries is critical to the success and support of such measures. In the IFCA's view the present integration of bass management into recreational angling actively with introduction of a zero take has not duly recognised the resulting impact upon recreational businesses such as charter operators.

Measures that should be considered include RSA licensing arrangements and potentially some arrangement for catch returns. Angling 2012 demonstrated the importance of angling in terms of stock management and GDP and this is clearly an under managed and reported sector.

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

Broadly yes but it relies on the UK Government successfully negotiating an uplift in quota. The Association believes that consideration should be given to implement the discard ban in the event that this is not forthcoming. Support for the inshore fleet going forward may be necessary to support this sector.

**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)?**

The Association is concerned at any new risks arising from changes to existing environmental legislation which has taken decades to develop and introduce. However, it is recognised that

there could be new opportunities to better protect our seas within the UKs EEZ with a more agile method of designating and managing MPA network and the wider marine environment.

**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 citizen science to support fisheries management. Good practice should be identified and promoted further. The IFCA's are well placed to assist both directly and through promoting citizen science (as evidenced by the IFCA's support for the Seasearch organisation). The IFCA's have capability to support Defra and the Defra group in scientific and monitoring work.

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

- Monitoring and compliance responsibilities could be more cost effectively delivered through full incorporation into an expanded IFCA local management model reflecting stakeholder engagement and decision making. This would support more efficient deployment of resources and strengthen national enforcement capacity. Overlapping enforcement duties with the Marine Management Organisation and Environment Agency could be incorporated into the IFCA model as lead inshore fisheries managers within the 12nm, delivering more cost-effective and efficient enforcement, whilst maintaining existing service levels.
- The Association believes that EU exit represents an opportunity to maximise growth and opportunities for the inshore fleet. We believe that the work of the IFCA's in engaging and working with local communities and stakeholders provides an exemplar model for inshore fisheries. The principle of local ownership and decision making while working with Defra and Defra group needs to be considered in the White Paper in UK fisheries. The Association and the IFCA's are committed to engaging and assisting where possible during the process of negotiating and delivering EU Exit and moving to the UK becoming an independent coastal state.

**Additional comments:**

In addition to the questions above, and further to the IFCA's support for the principles set out in the white paper the Association has the following additional comments:

The Association and the IFCA's seek further input to the review of inshore fisheries management mentioned on page 28 of the consultation where it states "Defra and MMO can use this opportunity to review how the English inshore fleet.....is managed and regulated".

The IFCA's are keen to explore opportunities for the inshore fleet as access to the 6-12 becomes available and also how extended quota might be allocated to the inshore fleet which have been severely disadvantaged by CFP. The Association believes that there is a strong case for the IFCA's to extend their lead in inshore management to the 6-12 nautical mile zone.

The IFCA's would also like to see the potential of English aquaculture development taken into account in future work. There are transformational opportunities in English Aquaculture as recognised in Seafood 2040. However, there are potential challenges regarding site selection, water quality and potential competition for space with commercial and recreational fishermen. Many of these can be overcome with a holistic approach to marine management and marine planning and the IFCA's are well placed to assist with this process.

The IFCA's recognise the potential opportunities for the inshore sector that may arise from EU Exit and supports the principles set out in the consultation. We recognise that this is a starting position and are ready and able to engage with Defra and Defra group in further developing fisheries and the wider marine environment. The IFCA model of local engagement and decision-making fits well with the aspirations of this document, but also with the 25 year environment plan and the Seafood 2040 initiative.