

Association of Inshore Fisheries and Conservation Authorities



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 IFCAs 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 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 to ensure that IFCAs have a sustainable funding model.
- The IFCAs would welcome the opportunity to work closely with Defra and the Defra group to explore further opportunities for inshore management. In particular, 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.

Background:

The ten IFCA 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 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 in their districts who fund IFCA through 'new burdens' funding. The IFCA 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 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 have over 30 vessels carrying out enforcement, monitoring and surveillance with over 1400 days at sea per year. The IFCA are (mostly joint) committees of the funding authorities. The structure and makeup of the individual IFCA 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 to set up a national body to represent the ten IFCA and as such the Association of IFCA 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. Details of the Association can be found on the Association website: 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) collective recommendations for inshore fisheries management reform following the EU referendum and subsequent negotiations. As existing inshore fisheries managers for English coastal waters, IFCA 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 responds as follows:

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

We broadly agree with the 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.

Live crustacean and molluscan shellfish species make up a large proportion of inshore landings that are commonly exported to the EU. As a result, maintaining trading opportunities to enable efficient and effective movement of fisheries products into mainland European markets is of critical importance for the continuing viability of vessels and businesses whose operations are based on these stocks.

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. These impacts relate to both tariff and non-tariff barriers, particularly in the implications for additional delays for both live and fresh goods. 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.

The Association supports the position of moving from relative stability to zonal attachment as a priority in the UK negotiations.

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

In respect to territorial waters we consider there to be strong justification to consider the establishment of exclusive access for UK registered vessels. In so doing this would create new fishing opportunities for inshore fishing fleets and strengthen economic viability of inshore fishing businesses and associated communities. The IFCA's would wish to see the inshore fleet with opportunities to strengthen the viability of the sector and consideration of a UK exclusive area in the 0-12 territorial waters would further this aim.

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 relevant international fisheries 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 and to work towards a model of greater quota stability over time to enable both fishing businesses and regulators to be able to plan and invest accordingly. Much of fisheries and environmental management is a multinational endeavour given the movement of 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. The IFCA's believe that the IFCA 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 and at a smaller localised scale, however common management objectives can be identified and supported through a common UK framework policy which also supports and encourages sharing of experience knowledge, data and research. The IFCA's would welcome the opportunity to actively engage in the formation of such a policy from our perspective of the delivery of inshore fisheries management across boundaries between devolved administrations, for example in the Severn estuary.

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

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

Those who hold FQA units for UK fisheries quotas (which are a public resource) do not own quota, although they might consider they have a legitimate expectation to receive an annual allocation. 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 where the IFCA can bring particular expertise and knowledge and we would 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.

The Association of IFCAs would not wish to see a system which allocated quota to the highest bidder as this would serve to concentrate the ownership quota in a few, well-resourced larger businesses, as smaller operators would not be able to compete. It would also create further barriers to new entrants into fishing at a time when this is already a challenge, leading to an ageing workforce and barriers to investment for smaller scale fishing businesses, which form the majority of the inshore fleet in England.

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. It is important to consider that in the consideration of the use of a 'days at sea' type system, inshore vessels already face a range of natural constraints on their fishing effort, including weather and tidal states in areas where many ports are not accessible over a 24 hour period, for example in Cornwall.

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. The IFCA model is widely recognised as being best practice for the management of inshore fisheries stocks incorporating local decision making and stakeholder engagement. IFCA's have a long history and considerable experience in the management of a range of crustacean and molluscan shellfisheries within the 6nm limit and are aware as a result of the implications for management approaches outside the 6nm limit to have impacts within it, for example, moving fishing pressure for vivier crabbers closer inshore around the Cornish coast as the result of losing their allocation of days at sea, making fishing further offshore less viable. The majority of smaller ports and harbours around the English coast are dependent upon shellfish stocks and as a result, any new management regime must take this interaction between inshore and offshore into consideration, particularly where there are straddling stocks.

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 integrating 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. Several IFCA's have already developed management approaches which reconcile the requirements of both commercial and recreational vessels or individuals.

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 catch and release only in the majority of 2018 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.

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 the impacts of fully implementing 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 the MPA network and the wider marine environment. IFCAs have been at the forefront of developing management options for the existing MPA network and as a result, we are familiar with the challenges and the opportunities this presents. We would welcome more detail on the proposals for extending powers contained with the Marine and Coastal Access Act and whether this extension would also encompass the management of non-fishing activities outside MPAs, where legislative jurisdiction is currently unclear, for example, the anchoring of merchant vessels within territorial waters but outside harbour authority jurisdiction, management of recreational activity outside MPAs, where these activities in turn impact on certain fishing sectors, particularly on inshore static gear vessels.

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

There are considerable opportunities that can be developed toward greater involvement of the catching sector in the collection of data to support fisheries management. Good practice should be identified and promoted further. Data supplied through IFCA permit systems for crustacean shellfish, for example in Cornwall, are analysed and used in the development of management options and as a data source to track changes within local fisheries. The IFCAs are well placed to assist both directly and through promoting citizen science (as evidenced by the IFCAs support for the Seasearch organisation) and the use of commercial fishing vessels to gather data. The IFCAs 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. Any Overlapping 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.

Q 17: What would be your priorities for any future funding for the sector or coastal communities.

- From a regulatory perspective, and in particular with the inshore fleet, it is imperative to adequately ensure sustainable and appropriate funding streams to allow for long term support for business development and its impact on local communities. True cost recovery for small businesses may not be practicable and the IFCA model engages with and supports local commercial and recreational fisheries but requires long term financial stability to allow for blue growth in line with the 25 year environment plan and Seafood 2040 aspiration.
- The current European Maritime and Fisheries Fund (EMFF) and previous European fisheries funding programmes have proved essential in supporting the wider fishing industry and the work of the Authority. In the past, two such programmes have been utilised to provide substantive funding to purchase and commission new patrol vessels for the NEIFCA District. In addition to supporting the purchase and commission of fisheries control assets a significant number of fishing industry projects have been successfully delivered through the Fisheries Local Action Group framework. NEIFCA officers have worked in very close partnership with the Holderness Coast Fisheries Local Action Group delivering investment totalling £3.65 million in projects supporting conservation, marketing, processing and cultural initiatives. By the end of the current FLAG programme around 80 individual projects will have received assistance encompassing over 300 separate business interventions. If the ambitions of the White Paper are to be fully realised it is essential that a UK replacement fund is developed to support the fisheries sector following the UK's exit from the EU alongside a revitalised supporting framework similar to the current FLAG system. Any new UK centric fisheries fund will need to cover the core areas of enforcement and control, safety and innovation supporting low impact sustainable practices within the industry.

Q18: Do you have any further comments relating to the issues addressed in this section?

See above

Q19: How far do you agree with our future vision to pursue a partnership approach with industry and others for sustainable managing fisheries?

The Association supports the future vision of a partnership approach to managing fisheries sustainably which accords with our vision. Local decision making and stakeholder

engagement is at the core of the IFCA model and we believe that this could be extended to the 12 mile territorial limit in order to maximise the opportunities for the inshore fleet.

Q20: Do you have any further comments relating to the issues addressed in this section?

See above.

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 would welcome the opportunity for further input to the review of inshore fisheries management mentioned on page 28 of the consultation document 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 role in inshore management to include 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 could be overcome with a holistic approach to marine management and marine planning and the IFCA's are well placed to assist with this process subject to resources.

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, and also with the 25 year environment plan and the Seafood 2040 initiative.