



Department
for Environment
Food & Rural Affairs

Consultation on the introduction of Inshore Vessel Monitoring Systems for all licensed British fishing boats under 12 metres in length operating in English waters

October 2018



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Contents

Consultation summary	1
Introduction	4
What is I-VMS and what are we proposing to do?	4
Why do we need to install I-VMS?	5
Objectives for the installation of I-VMS for the under 12m fleet	5
Who will be affected by the changes?	6
How and when are we going to make these changes?	7
What we will do with the consultation responses and by when	8
Consultee information (non-mandatory).....	8
Consultation questions	8

Consultation summary

Subject	<p>This consultation seeks to gain public views on the proposal to introduce Inshore Vessel Monitoring Systems (I-VMS) for all licensed British fishing boats under 12 metres in length operating in English waters (with English boats also covered outside of English waters). Defra proposes to make this a legislative requirement by means of a statutory instrument.</p>
Purpose	<p>This consultation seeks to establish any potential business impacts of introducing I-VMS to under 12m vessels.</p> <p>Prior to this public consultation, Defra has consulted with the Marine Management Organisation (MMO), Inshore Fisheries and Conservation Authorities (IFCAs) and Natural England (NE). Provisional evidence has been compiled in the I-VMS Regulatory Triage Assessment published alongside this document.</p>
Geographical Scope	<p>The proposed legislation will apply to all licensed British fishing boats under 12 metres in length operating in English waters (with English boats also covered outside of English waters). In practice this means Scottish, Welsh and Northern Irish boats fishing in English waters as well as those of the Crown Dependencies. English waters in this instance means British Fishery Limits excluding the Northern Ireland, Scottish and Welsh zones.</p>
Audience	<p>This consultation will be of particular interest to owners and operators of licensed British fishing boats under 12 metres in length operating in English waters. As a result of the proposed statutory instrument, vessel owners will be required to install a vessel monitoring system. The time frame for implementation is set out on page 5 of this document.</p> <p>However, this public consultation is open to anyone who may wish to contribute their view on the proposed policy. This consultation is the principal means by which we will gather views on the proposal.</p>
Duration	<p>This consultation will run for a period of six weeks from 4th October 2018 until the 14th November 2018.</p>
How to Respond	<p>You can respond to the consultation by email to: control.and.enforcement@defra.gsi.gov.uk</p> <p>By using the link here to Citizen Space</p> <p>Or by post to: DEFRA, Fisheries Control and Enforcement 4th Floor Foss House 1-2 Peasholme Green York YO1 7PX</p>

	<p>However you choose to reply, please ensure your response reaches us by 17:00 on the 14th November 2018.</p>
Enquiries	<p>If you have any enquiries, or wish to receive hard copies of the consultation documents, please contact us by using the details shown above.</p>
After the consultation	<p>We will summarise all responses and place this summary on our website at http://www.gov.uk . This summary will include a list of the names of organisations that responded. It will not list personal names, addresses or other contact details (for either organisational or individual responses).</p> <p>We will retain a copy of responses so that the public can see them; copies will be made available on request. Also, members of the public may ask for a copy of responses under freedom of information legislation.</p>
Confidentiality and Data Protection	<p>Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.</p> <p>If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.</p> <p>In view of this, it would be helpful if you could explain to us why you regard the information you have provided in your response as confidential and so do not want it to be disclosed, if requested. If we receive a request for disclosure of the information, we will take full account of your explanation but cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.</p>
Compliance with the Code	<p>This consultation is issued in line with the principles of consultation issued by the Cabinet Office. These can be found at:</p>

of Practice on
Consultation

<https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any comments or complaints about this consultation, please address them to:

Defra Consultation Co-ordinator
Nobel House, 17 Smith Square
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Or email: consultation.coordinator@defra.gsi.gov.uk

Introduction

The purpose of this public consultation is to seek views on the proposed introduction of legislation to make it a statutory requirement to install Inshore Vessel Monitoring Systems (I-VMS) for all licensed British fishing boats under 12 metres in length operating in English waters (with English boats also covered outside of English waters). The reason for this is that we recognise there is more we can do to improve data gathering to create sustainable fisheries for the future through more effective enforcement and informed management.

The consultation will be of particular interest to owners and operators of British fishing boats under 12 metres in length operating in English waters. In practice this means Scottish, Welsh and Northern Irish boats fishing in English waters as well as those of the Crown Dependencies. For the purposes of this proposal English waters means British Fishery Limits excluding the Northern Ireland, Scottish and Welsh zones. We also wish to cover English boats wherever they are fishing.

What is I-VMS and what are we proposing to do?

I-VMS records the location, speed and heading of a vessel using a secure tamper resistant system. It sends this information to an established national centre using mobile telephone technology.

Vessel monitoring systems using satellite technology have been used by all European fishing vessels over 15 metres in length since 2003. In 2013, a vessel monitoring system using satellite and mobile phone options was introduced in the UK for vessels of 12 metres and over in length. These systems are widely used as a monitoring and management tool.

We are proposing that an approach similar to the vessel monitoring systems that already exist for 12 metres and over vessels, should also be applied to under 12 metre vessels. I-VMS will differ from VMS because it will transmit data through GPRS¹ rather than satellite technology and will be simpler, and thus lower cost, than the system used by larger vessels. The initial cost and installation of I-VMS units will be met by the UK Government through the European Maritime and Fisheries Fund (EMFF). As a result, the cost to industry will be limited to reporting costs, ongoing repairs, replacement costs and the

¹ General Packet Radio Service (GPRS) is a packet oriented mobile data service on cellular communication system's global system for mobile communications (GSM).

option of purchasing an extended warranty once the initial warranty has expired. The I-VMS rollout will take place between April 2019 and June 2021. Once I-VMS roll-out is complete, those owners of vessels that are newly licensed, or owners of licensed vessels who did not take-up the offer of installation, will be required to purchase and install the equipment themselves. I-VMS units are lower cost than VMS units and utilise high frequency reporting. The units receive messages using mobile signals (GPRS) on board vessels, and transmit the data onwards. If there is no mobile signal the device will store reports and transmit when in range.

Prior to this public consultation, Defra has developed the proposals in consultation with the Marine Management Organisation (MMO), Inshore Fisheries and Conservation Authorities (IFCAs) and Natural England (NE). There is also an I-VMS pilot project currently underway in the Devon and Severn IFCA district. Provisional evidence has been compiled in the I-VMS Regulatory Triage Assessment published alongside this document. This consultation seeks to further establish any potential business impacts and understand industry views.

Why do we need to install I-VMS?

Of the 3,078 English registered fishing vessels only 327 are currently being tracked using VMS as per EU legislation requirements. These vessels are 12 metres or over in length and tend to operate further offshore and catch a larger proportion of fish (83% of the total tonnage caught in 2017), hence they were prioritised for VMS on a risk-based approach. We would like to bring the requirements for the under 12 metre fleet into alignment with those for the larger fleet to provide a fuller picture of where fishing is taking place. The MMO is looking at catch reporting options for the under 10 metre fleet which will provide information on what is being caught. The two initiatives combined will give a more complete picture of current fishing levels and whether they are sustainable. We need to create sustainable fisheries for the future through more effective enforcement and informed management.

Objectives for the installation of I-VMS for the under 12m fleet

The policy objective of this proposal is to gain better information on where vessels are fishing by extending vessel monitoring to all inshore vessels. This will improve understanding of the fishing activity of that fleet, informing a number of key areas necessary to managing fisheries in a more fair and efficient way.

I-VMS will also provide benefits to industry. These include to:

- Utilise finer scale management to assist in maximising fishing opportunities, such as zoned management within Marine Protected Areas (MPAs), and create a more responsive management system. This means access may be allowed to certain types of fishing in areas where it was previously prohibited.
- Provide consumers with accurate information of catch locations which may improve consumer confidence when purchasing local fish.
- There are also safety at sea implications, and the tracking functionality may assist with recovery and swifter payment of insurance claims in case of loss or damage of vessel at sea.
- Prove that we are taking appropriate steps to fish more sustainably and as a result the industry is able to market it as such.
- Enable the data captured to be used by fishermen to develop their business plans.
- Enable fishermen to demonstrate they have a track record in catching a certain species of fish e.g. for bass particularly if they electronic catch reporting too.
- Provide fishermen with data with which they can engage in consultations on Offshore Windfarms, MPAs and marine infrastructure developments which have been increasing over the last decade impacting on inshore fishing fleets.
- Achieve a culture of compliance within the fishing industry.

Management benefits include:

- Assisting in the management of MPAs;
- Providing valuable data that will assist in making future policy, regulation and enforcement decisions more effective and proportionate; and
- Delivering intelligence to improve risk based and targeted inspections.

Who will be affected by the changes?

The legislation will apply to the owners or operators of licensed British fishing boats under 12 metres in length operating in English waters (with English boats also covered outside of English waters). English waters in this instance means British Fishery Limits excluding the Northern Ireland, Scottish and Welsh zones. The British boats covered by the legislation will include those registered in Scotland, Wales, Northern Ireland and England. It will also cover Crown Dependency boats operating in English waters. This proposal will not apply to EU or third country under 12 metre vessels operating in English waters.

How and when are we going to make these changes?

We propose to introduce a Statutory Instrument that will make it a requirement for all licensed British fishing boats under 12m fishing vessels operating in English waters to have an I-VMS device installed. To help manage the process, we are planning a staggered rollout that will commence from January 2019 as set out below. The date and time for installation to take place will be agreed with owners/skippers but if the agreed slot is missed by the vessel owner there will not be a second opportunity. All vessels must have I-VMS installed by 31st of March 2021. EMFF funding for I-VMS devices will no longer be available for I-VMS units from the 1st of April 2021.

I-VMS project co-ordinators will contact fishers in each tranche as set out below. They will explain the next steps and request fishers to identify which I-VMS device and supplier they intend to sign up with. This information will be required in order for the fisher to obtain a grant-funded device. **Because of the number of vessels involved there will be only one opportunity for each vessel to have a device fitted.**

April 2019	Staggered rollout commences with vessels 9m to 11.99m in length
September 2019	All licensed fishing vessels of 9m to 11.99m in length to have an I-VMS device installed
October 2019 – June 2020	All licensed fishing vessels 6m to 8.99m in length to have an I-VMS device installed
July 2020 – June 2021	All licensed fishing vessels up to 5.99m in length to have an I-VMS device installed

Owners or masters may be required to have I-VMS fitted in advance of the schedule above if they fish in areas where it is an existing requirement under IFCA byelaws.

More information on how the I-VMS project will be managed, including the procedure for EMFF bids, is set out in the Regulatory Triage Assessment published alongside this document.

What we will do with the consultation responses and by when

The consultation period closes on the 14th November 2018. We will publish a government summary of the responses on <http://www.gov.uk> within 3 months of this date. The Regulatory Triage Assessment will be updated to reflect consultation feedback.

Consultee information (non-mandatory)

1. What is your name?
2. What is your email address?
3. What category best describes your interest in this consultation?
4. If applicable what is the name of your organisation?
5. What is your role in the organisation?
6. Would you like your response to be confidential?

Consultation questions

1. Do you agree with the proposal that I-VMS is needed on under 12m vessels? Yes / No / Unsure, please provide comments below in support of your view.
2. What alternative approaches could be taken to achieve the same aim? Outcome needs to be outlined in a drop down box – sustainability, MPA protection etc.
3. What are your views on the costs and benefits as set out in the Regulatory Triage Assessment, do you agree with them? Yes / No, please provide comments below in support of your view.
4. Do you agree with the analysis of the costs and benefits as set out in the Regulatory Triage Assessment- Yes / No, please provide comments below in support of your view.
5. Are there any costs or benefits that have not been identified in the Regulatory Triage Assessment? What evidence do you have to support this?
6. Are there any further comments you would like to make on the impact of the proposal?

If you have any comments or complaints about this consultation, please address them to:

Defra Consultation Co-ordinator
Nobel House, 17 Smith Square
London, SW1P 3JR

Or email: consultation.coordinator@defra.gsi.gov.uk