

# WAG TO MANAGE AND ENFORCE FUTURE SEA FISHERIES IN WELSH WATERS ?

Dear SWSFC Permit Holder

June 2008

The Welsh Assembly Government (WAG) has announced its intention to dispose of Sea Fisheries Committees (SFCs) and manage fisheries 'in house'; that means determine policy and deliver it. That is in keeping with previous Assembly (NAW) decisions for the WDA, Tourist Board and ELWa. But SFCs and Marine management and enforcement are very different tasks.

SFCs have been around for over 100 years, and they maintain that the current good standing of the inshore area reflects their good stewardship. This contrasts with the seas outside 6 n miles which are managed by Governments under the EU Common Fisheries Policy (CFP) and where finfish are generally in poor fettle.

On the face of it the proposal looks a sensible one. Manage Welsh waters as a single unit. Reduce the number of Organisations and therefore boundaries; all work to a single enforcement 'uniform', accountable to one body - NAW. What could be better?

But why do WAG wish to extend as Phase II its waters beyond 12 n miles to the mid line of territorial waters? Especially since it cannot manage the majority of vessels fishing there as the EU CFP has primacy. In fact Government departments poorly manage even UK vessels fishing 6-12 n miles because they cannot apply rules to the EU vessels which fish alongside, and the EU largely refuses to do so. Review of SFCs is said to be a natural consequence of phase II

Fundamental questions arise as to the content of the consultation document as it lacks even the slightest detail on how WAG intend to progress the new structure. There are no management plans, no detail as to what work is to be undertaken, how, where, or by whom.

What capital resources (e.g. Patrol Vessels, RIBs, offices, etc.) will be required? What are the relevant costings? Indeed, only a proportion of SFC 'grant' will be captured from local authorities so costs will be increased; on top of the set up costs etc. In England 'new burden' costs for new duties of Inshore Fisheries & Conservation Authorities (IFCAs) (replacement SFCs) are of the order of £4-6m. This will be extra, albeit for delivery of extra environmental services on which Wales might be missing out.

There is also no information given on liaison structures that might replace the current SFC participatory membership, or on accountability or accessibility aspects - especially as the offices are said to be moving to Aberystwyth and all the existing WAG Fish staff have recently left or are leaving.

Questions arise in many other areas as well, for instance scientific expertise; from where will the body obtain fishery conservation advice and will it balance this against fishery development? What of collection of fisheries statistics, comment on developments or development of grant aid functions such as lobster V-notching? Will the body directly contribute to EU Special Area of Conservation (SAC) management schemes as do SFCs?

But perhaps the biggest area of concern relates to the extent that fishery powers will exist and/or will be implemented and enforced to secure appropriate local management especially of intertidal (beach) fisheries? WAG is not an enforcement or management body. Regionalisation would go against the grain of WAG Nationalistic policy. On the future of important Regulated (licensing) and Several (cultivated) fisheries the consultation paper is silent. It merely wishes to "investigate what provisions might be available". Current licence holders might well be worried, not only as to the possibility that the Orders may disappear, but if they continue whether they will have to pay the costs to meet the funding gap? Compliance is also questionable with EU Conservation Directives.

Serious questions exist as to whether WAG is capable of undertaking the number of inspections currently undertaken by SFCs and of the subsequent enforcement actions (e.g. see over) taken in court.

## WAG PROPOSAL

### PROS

**Fewer organisational boundaries**  
**'One Fishery Officer uniform' in marine waters**

**Accountability is clear - with WAG (NAW)**

**Financing does not depend upon LAs who seem not to fully value SFCs**

### CONS

**No costings given, but likely expensive to establish and run**

**Finances at the whim of WAG**

**Will industry have to pay (more) for the services?**

**Central Government models have poor reputation. Inefficient**

**Plans not laid down**

**Asset use? Protection vessels?**

**Unlike SFCs, model is untested**

**Fishery Officers to have less flexible working?**

**Not as operationally efficient as IFCAs**

**Will prosecutions take place?**

**Sources of scientific information?**

**Will fishery decisions be subservient to environmental ones?**

**Will fishery development (e.g. lobster V-notching) cease?**

**Will Marine Stewardship Council accreditation cease?**

**Future of Regulating & Several Orders? Compliance with EU Env't. Directives?**

**Decisions will not be taken locally**

**Fishermen will not be closely involved with decision making detail**

**Assembly Members will be held vociferously to account**

**Limited accessibility to policy people**

**SFC efficiency and 'goodwill' will be lost within an amorphous WAG**

**Reduced impartial expert response to marine developments?**

**Loss of SFC impartiality**

**AVERAGED ANNUAL COUNT OF ENFORCEMENT ACTIONS : 2003—2008 (inc)**

Inspections on land	Inspections at Sea	Inspections at Premises	VW	HoC	WW	Individuals Prosecuted	Hours at Sea	No of Sea Miles
1643	372	55.6	100	3.6	35.4	27	757	3736
VW = Verbal Warning			WW = Written Warning			HoC = Caution		

NAW Assembly members are bravely putting themselves in the firing line in the highly specialist, 'political', rapid moving, contentious world of inshore fisheries management. That the consultation says AMs may become involved is an understatement.

The SFCs themselves say that there is no need for such concerns. The solution in Wales lies, as in England, with new Inshore Fisheries Conservation Authorities (IFCAs) - complete with new powers under the Marine Bill.

SFCs say that the above is not only the most sensible option, which has not at all been ruled out by the WAG consultation, but it carries low execution risk AND WAG could still dissolve IFCAs in the future if it did not work out.

But what of WAG concerns regarding an alleged lack of delivery of Habitats Directive provisions as claimed in the consultation as the main reason to disband SFCs?

The SWSFC most emphatically denies this and say not only is WAG wrong in law, but that it is WAG itself that has failed to deliver. In fact, dissolving SFCs increases the risk of infraction upon UK government.

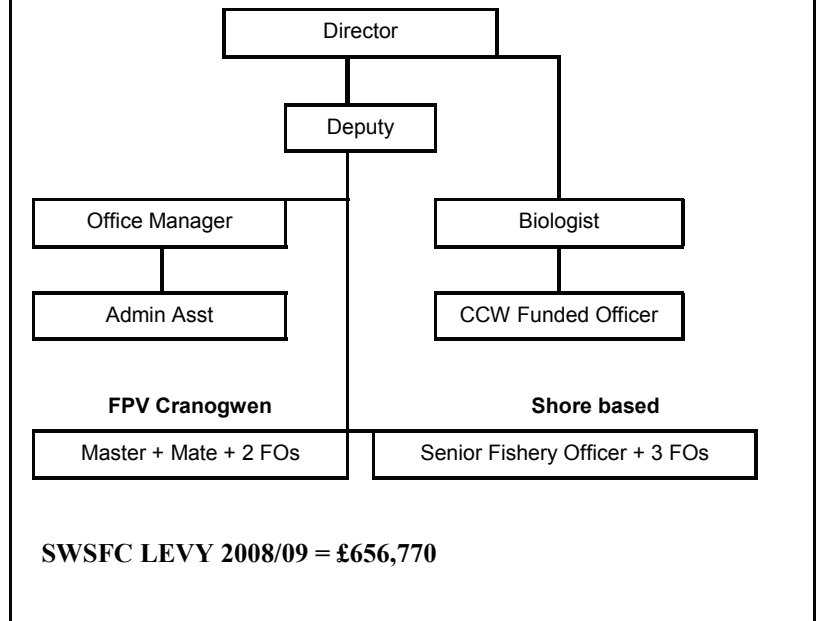
SFCs have the vast expertise (referred to positively in the WAG document) which they use to balance fishing and habitat protection, and which has not seriously been questioned by the EU. Importantly, the SWSFC fears that without their expertise and services, the fishing industry will be unnecessarily closed down in large areas, a question of 'guilty, because they cannot prove their innocence'.

In any case the Marine Bill provides the simple option to lay down Ministerial powers of direction for IFCAs for matters of EU competence, just as is proposed for the new Marine Management Organisation (MMO) in England.

**SWSFC LANDINGS – LANDINGS  
(2000 - 2007 AVERAGED)**

	TONNES	RANGE
Cockles	3937	(500-9911)
Mussels	3289	(1700-9233)
Scallop	72	(18-204)
Whelk	912	(595-1380)
Other Molluscs	22	(15-23)
Bass	23	(15-32)
Other finfish	2302	(1430-3519)
Lobsters	81	(45-101)
Crab species	603	(447-697)
Others	19	(12-28)
First sale value	£6.68 to £14.22 million	

**ORGANISATION CHART**



**VERDICT**

***There are evidently pros and cons to any model, but until WAG produce a comprehensive consultation document, it is impossible to make any valid judgements. Meanwhile, the IFCA model in England, as consulted upon Marine Bill, should be pursued. Strategic management approach will come from WAG Fishery Strategy and 'a hand on the tiller'.***