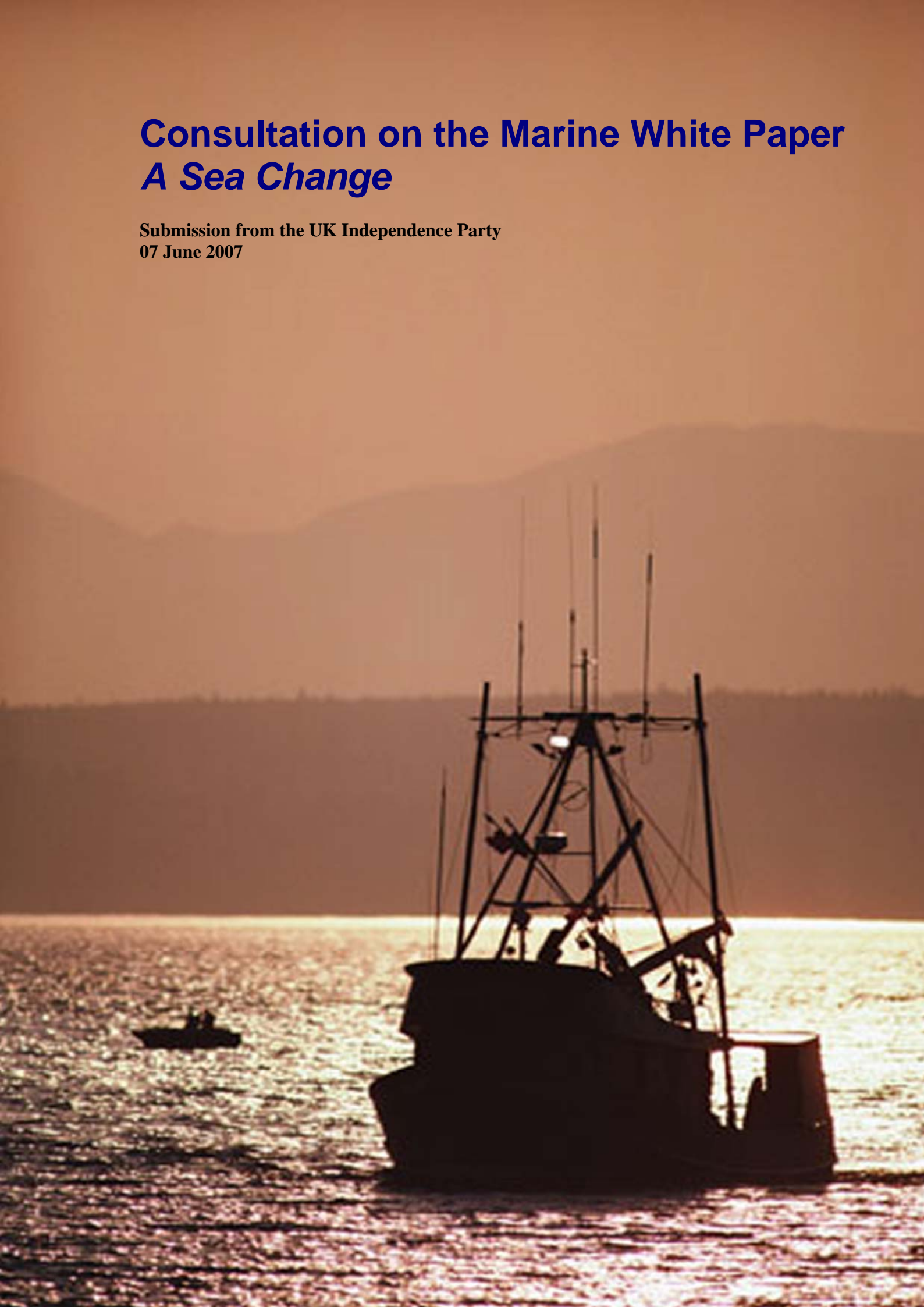


Consultation on the Marine White Paper *A Sea Change*

**Submission from the UK Independence Party
07 June 2007**



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Overall Comment.

This draft bill has been drawn up with very little, if any, detailed consultation with the fishing industry. It is extremely badly written –with turgid prose and repetition hiding the proposed introduction of an expensive and even more draconian regime for regulating the fishing industry, the introduction of further layers of bureaucracy and more “quangos” with no democratic input. The stated purposes of the bill are to “streamline” management of the marine area, introduce conservation measures and to simplify planning and licensing arrangements. Perhaps the real purpose is to clear the way for off shore wind farms and tide hubs and to pay lip service to the “green lobby”.

The “Executive Summary” in the paragraph headed “Managing marine fisheries” reads – “it will strengthen fisheries enforcement powers and provide for the recovery of the costs of fishing vessel licence administration” This unspecified extra cost could be the final nail in the already beleaguered fishing industry’s coffin!

Specific Objections.

Value of the fishing industry. Para. 1.3 gives figures for contributions of marine related activities to the economy. These figures are grossly misleading and wrong. For example, Naval Defence is credited with a contribution of 6.5 billion which must be a debit. Fishing is only credited with 0.5 billion when Mr Bradshaw himself is quoted in Hansard (14th Dec 2006) as saying that total landings in 2005 were £571 million and that exports were £925 million. Is this paragraph a deliberate attempt to downgrade the value of fishing to the country?

Marine Conservation Zones (MCVs). It is proposed to introduce MCVs which might extend beyond the 200 mile limit of UK waters (para 6.17). It is stated that the purpose of these MCVs is to “provide species and habitats considered to be of National value that cannot be protected under European law”. We can only read this to mean that “no fish” areas will be established to protect spawning grounds of species in decline. We agree in principle with this policy but point out that as long as we remain in the Common Fisheries Policy (CFP) it is unworkable and totally discriminatory to British fishermen. EU fishery ministers will under no circumstances forgo their rights under the CFP to fish right up to our HW mark. Para 6.77 is relevant but almost certainly unattainable.

Policing an area that extends 200 miles out to sea will depend on the Royal Navy - they have neither enough men nor suitable ships for the purpose!

Conservation generally. Government and the electorate must appreciate that no conservation measures have any relevance whilst we continue to apply the CFP discard rules. Every year, fishermen are obliged to throw back thousands of tons of edible fish, dead. This policy is destroying stocks and is fouling the seabed. Para 6.13 states “Conservation benefits are also delivered in other ways. For example through the application of :-

- fisheries management controls helping to reduce the adverse effects of fishing activity”

This is particularly sinister and can only demonstrate an antipathy towards the fishing industry.

Throughout the draft bill there are numerous references to the CFP, EU law, competences and limits to the UK’s ability to make decisions. No conservation measures are relevant unless we leave the CFP which we can only do if we first leave the EU as is stated by Mr Bradshaw (Hansard, 14th Dec 2006)

Risk assessment. We cannot believe that “bait digging” constitutes a “high conservation impact” nor do we believe that recreational fishing has a “medium” risk. (para 6.130) The conservation impact of both activities is minimal.

Planning and Licensing. (Chapters 4 and 5). As a fishing policy committee we do not propose to comment on chapters 4 and 5 other than to state that it would seem that the procedures proposed will allow plans for offshore structures – wind farms, tidal hubs, oil rigs etc to be granted without consultation with the fishing industry. Recent reports in the local papers state that the “biggest offshore wind farm in the world” is planned for the Bristol Channel, just North of Lundy Is. This wind farm is enormous and right across a prime fishing ground.

Bureaucracy. We can see little reason to establish a further layer of bureaucracy with the introduction of a Marine Management Organisation (MMO) and we can see no reason at all to introduce similar and parallel organisations answerable to the devolved authorities of Scotland, Wales and Northern Ireland. There would seem to be no attempt to disband or amalgamate existing organisations such as UK Marine Monitoring and Assessment Strategy (UKMMAS), the Marine Data and Information Partnership(MDIP), the Marine Data Archives Centres (DACs) and the Marine Environmental Data Action Group (MEDAG) nor would there appear to be any clear statement of their separate responsibilities and a clear chain of command. There is however, a proposal to reduce the number of Sea Fisheries Committees (SFCs) in England and Wales from 12 to “about” 6 (para 7.65). This reduction implies setting up SFCs on a Regional basis, either answerable to, or administered by, the Regional Assemblies and this we cannot support. We believe that SFCs currently do a good job. We would support some degree of modernisation and support a reduction in numbers of members but cannot support a guaranteed place on each SFC for an MMO representative (unnecessary) or a representative of Natural England, who by their qualifications clearly have no comprehension of marine matters! We are adamant that SFCs should be kept thoroughly local – for example, the SFC in Cornwall has very different responsibilities and problems to Devon’s SFC. We are very suspicious of making funding arrangements for SFCs the responsibility of local government. SFCs must be adequately funded and cannot be regarded as another charge on Council tax. SFCs must be funded by central government.

By Laws, Police Powers and Penalties.

We believe that the proposed MMO, as a quango with no elected members and unaccountable, is not a suitable organisation to be given by-law or police powers. If MCZs are introduced they must be controlled by statute or an EU directive. Para 6.152, which states that the MMO should be authorised to introduce “interim measures to control unregulated activities at short notice” to be a totally unacceptable infringement of civil liberties. Paras 6.160 to 6.170 give the proposed MMO what are in effect police powers and these powers will be extended (para 6.173) to SFCs, the Marine and Coastguard Agency, the Environment Agency and Port and Harbour Authorities. This is just not acceptable.

Paras 6.175 -6.182 envisages the formation of a corps of enforcement officers within the MMO with fairly draconian powers. In former times these suggested powers were occasionally enforceable by commissioned officers in the Royal Navy employed in Fishery Protection duties and have now been extended to British Sea Fisheries Officers (BSFOs). We consider that it is far easier to extend conservation powers to RN Officers and BSFOs than to recruit a new branch of enforcement officers, who are unlikely to be gainfully employed anyway!

We consider that “fixed penalties” are totally inappropriate at sea and must not be introduced. A deep sea trawler fishing, perhaps improperly is very different to an illegally parked Ford Fiesta!. All policing must be carried out by properly qualified officers (RN or BSFOs) and all penalties must be subject to a Court of Law. We believe that increasing £5,000 fines to a maximum of £50,000 (para 7.49, 7.100) is draconian in the extreme and totally unacceptable.

Recreational Fishing and Unregulated fishing.

We consider that the quantity of fish caught by recreational fishermen and small unregulated fishing boats is such that they make absolutely no difference to fish stocks. It should be noted that recreational fishermen who catch small fish tend to throw them back alive to be caught later when they have got bigger. The costs of introducing a “Rod Licence” regime and “bag limits” would be out of all proportion to the return and the scheme will be almost impossible to police. The number of sea bass caught by recreational fisherman (estimated in the draft, para 7.120, at 400 tons per year) is insignificant when compared with the catch of two French “pair” trawlers fishing for just one day!

Enforcement and control of commercial fishing (paras 7.124 – 7.130.

This section is absolute drivel The framers of this awful bill fail to appreciate that the environmental disaster visited on our fishing grounds and the destruction of our once vibrant fishing industry is entirely due to the discard policy of the EU’s CFP! Para 7.125 – we quote “ the EU has made a firm commitment to conserve fish stocks and to protect the fishing industry”. This is a fundamental lie!

Paras 7.133 and 7.148 call for powers to prosecute British nationals outside British waters and when in non British flag vessels. This has to be contrary to International law and “Flag” custom.

Para 7.50 estimates the costs of enforcing the changes in law with reference to British fishing vessels to be in the region of £100 million a year. This has to be a significant under estimate and even a further cost of £100 million levied on the industry could finish off our fishing fleet.

Out of date and redundant fisheries legislation.

The list of Acts to be reviewed is pathetic. Almost all of the acts listed are not just out of date but totally anachronistic – who fishes for seals in the North Pacific in this day and age?

Summary.

1. This draft bill is extremely badly framed. It is repetitive, and full of meaningless verbiage which hides draconian legislation which will finally kill off British fishing
2. We cannot accept yet another layer of bureaucracy. The proposed MMO is not necessary. If it is allowed to be established, it will be an incredibly powerful “quango” with more or less unlimited planning, police, by- law and enforcement powers
3. SFCs should be allowed to function more or less as they do already. They must be kept “local”. We would agree that members should be limited to about 15 but the majority should represent fishing interests and not be government appointees. Funding for SFCs must be adequate and must be provided from central government
4. Increasing penalties for fishing offences by ten fold is just not acceptable, nor is the introduction of “fixed penalties” Policing powers must be restricted to properly trained officers and all penalties must be imposed by a court of law.
5. We see no need to introduce “Rod” licences or “Bag limits” for recreational fishermen.
6. We consider the introduction of Marine Conservation Zones to be impractical and impossible to police.
7. The only way we can conserve stocks is to abrogate the Treaty of Rome, leave the CFP and introduce a sensible fishery control system along Norwegian lines.
8. Costs and recovery of costs have not been properly estimated or investigated.