



Northern Ireland
Assembly

Committee for Agriculture and Rural
Development

OFFICIAL REPORT (Hansard)

Common Fisheries Policy: DARD Briefing

11 February 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Frew (Chairperson)
Mrs Jo-Anne Dobson
Mr William Irwin
Mr Declan McAleer
Miss Michelle McIlveen
Mr Oliver McMullan
Mr Ian Milne
Mr Robin Swann

Witnesses:

Mr Paddy Campbell

Department of Agriculture and Rural Development

The Chairperson: I welcome to the Committee Paddy Campbell, a deputy principal officer at the Department of Agriculture and Rural Development (DARD). You are no stranger to the Committee, Paddy. Thank you for attending. Members will have had a chance to read your briefing paper. I ask you to take up to 10 minutes, if that is in order, to address the Committee, after which we will go straight into questions. I ask Members to keep their questions succinct and to the point, with no long and broad statements or press releases at this point. That would be greatly appreciated. Time is running on. Without further ado, I will hand over to you, Paddy.

Mr Paddy Campbell (Department of Agriculture and Rural Development): Chair and members, thank you very much for inviting me along to talk about the common fisheries policy (CFP) and its implementation. Mark from RalSe has covered a lot of the ground already, so perhaps I will go into more detail on some of the more significant areas.

As Mark said, the CFP regulation was formally adopted by the European Parliament and the Council just before Christmas on 11 December 2013. The common market organisation (CMO) regulation was adopted at the same time. The CMO regulation, which was not covered in my brief, mainly concerns the role of the fish producer organisations in how they market fish, common marketing standards for fish, common consumer labelling requirements, competition rules and market intelligence. It is very much to do with improving the marketing of fish and hopefully improving the value of fish and returns to producers.

The main impact of the CMO regulation will be strengthened rules for our producer organisations, requiring them to provide production and marketing plans and trying to get them to focus more on improving returns for their fish and marketing fish better. As Mark said, in support of the two regulations — the CFP and CMO regulations — we have the new European Maritime and Fisheries Fund (EMFF) regulation. As he said, we hope to have formally adopted that by April 2014.

Unlike the existing European Fisheries Fund (EFF), the European Maritime and Fisheries Fund provides support for the fishing and agriculture sectors and also now incorporates funding for scientific data collection and enforcement and control by European member states' control agencies. Previously, those were separate funds. This time round, all the funds have been combined into a single fund.

I will move on to the CFP regulation. Mark referred to commitments to fish now at maximum sustainable yields. He has covered that issue very well, and I do not intend to say any more about it. In my briefing paper, I highlighted that we have already seen some of the effects of that in last year's December Council negotiations in that they were much more focused than they have been previously. Member states will have to concentrate on providing sufficient scientific evidence to argue with the Commission whether they have a contrary view to the level at which the total allowable catch (TAC) has been set. They must provide scientific evidence and argue that it is still within the confines of achieving maximum sustainable yields. In the future, you will see fewer issues at December Councils. The onus is on the member states to provide the evidence that we need.

The other major change that Mark referred to was the regionalisation and provisions in the new common fisheries policy for member states to work together at regional level. The question was raised about how that will work out in practice and whether member states will be able to work together to come up with plans. The way in which it has been outlined is that member states will be given a set period in which to come up with recommendations for multi-annual plans, discard plans and conservation measures. They will then have to agree on what is appropriate for their regions. They will have to consult within that period with the regional advisory councils, which are industry-led bodies that were established under the old common fisheries policy regime and involve representatives of the fishing industries of many member states and some NGOs. Those two groups have to come together to agree some recommendations. They will then put them forward to the Commission.

The expectation is that, if they have done their homework properly, the recommendations are fairly evidence-based and they meet the objectives of the CFP, they will receive little opposition from the Commission. We expect that the Commission will accept them with few amendments. As Mark pointed out, we will have to see how that works out in practice. Already, subregional groups have been established to look at discard plans. There is one for the North Sea and one for the north-western waters, which include the Irish Sea. I was at the most recent technical meeting in Dublin around three weeks ago with the north-western waters group. The Northern Ireland voice is there at the table at those regional groups.

The third major change, which probably has the biggest implication for the fleet immediately, is the landing obligation and what we have to do to try to minimise the potential negative impacts of that. The landing obligation kicks in from 1 January 2015 for the herring and mackerel fisheries. We anticipate few problems with the pelagic fisheries. They do not generally have high levels of discards or unwanted catches. That is seen as possibly the easiest of the discard plans to introduce. Work is ongoing on a North Sea group and a north-western waters group to come up with discard plans for those fisheries. They need to have that done by the middle of this year.

I will move on to 1 January 2016, which sees the impact of a discard ban landing obligation coming in for the Northern Ireland fleet and the Irish Sea nephrops fishery. From 1 January, no nephrops can be discarded from the fishery. However, we have until 2019 to deal with other unwanted fin-fish species. That gives us some flexibility to start to put our house in order on time.

The regulation takes some account of the practical difficulties of achieving clean fisheries. There are some exceptions. The landing obligation does not apply to all species; it applies to all species that have a quota, so some fin-fish species and most of the shellfish species that are not nephrops, such as scallops, crabs and lobsters, are excluded and can be returned. Another exemption that they allow is for fish that have high survivability. They say that some fish can be returned if they can be shown to have high survivability. As with many things in the CFP regulation, there is some uncertainty about what survivability actually means. The regional groups will have to look at that. There is already additional science activity being undertaken to try to come to some understanding of what survivability means. It can vary within species and from fishery to fishery. It also depends on how fish are handled on board the vessel. If they are dredged up from a great depth, hauled for a long time and treated poorly on board a boat, that all affects the survivability of the fish when they are returned to sea. All those issues have to be addressed.

There is also a de minimis exemption whereby, if you can demonstrate through good scientific evidence that your selectivity measures cannot be improved any further, or if there are going to be disproportionate handling costs when you bring the fish onto the quayside, you could try to claim a de minimis level. Eventually, it will be 5% of the total annual catch that can be treated as de minimis, but for a period up to 2019, you can have a slightly higher threshold. For the Irish Sea nephrops fishery, the de minimis level will be 7% in 2016-17, 6% in 2018-19 and 5% from 2020 onwards. Again, there is some uncertainty over the interpretation of the de minimis levels. What level of catch will the 5% apply to? Is it the whole catch of the fishery, certain species or just the catch of a particular vessel? Once again, the regional groups will look at that and propose recommendations as to how that can be dealt with.

Mark talked about the choke species, and I am not going to say any more about them. He explained them very well. The main choke species in the Irish Sea nephrops fishery is whiting. The quota for whiting in the Irish Sea is relatively low. The discards of whiting in the Irish Sea are relatively high because there are a lot of small fish in the fishery and a poor market for whiting. There used to be a well-developed market for whiting in years gone past but that has declined. The main ways of tackling that are through our developments on highly selective gear.

A report commissioned by the Sea Fish Industry Authority, which reported at the end of last year, looked at the issue in detail, and the Irish Sea nephrops fishery is one of the case studies that it looked at. It painted the worst-case scenario — the Irish Sea nephrops fishery could be closed within a very short time due to whiting — but that was based on the situation a couple of years ago before highly selective gear was developed. Gear is now available on the fleet, which will reduce the catch of whiting by 50% to 60%. There will be ongoing work, funded by DARD with the cooperation of the industry, to try to improve that situation even further.

Some of the producer organisations are also looking at how they deal with some of the fish that are being brought ashore. Invest NI has provided assistance to help them to look at new markets for fish that are above the minimum conservation sizes and that can be sold for human consumption, and also to help them to look at what they can do with the fish that have to go to non-human uses. Work is being done in that regard.

Over the next year, our main focus will be on reducing the impacts of the landing obligation as far as possible, so there will be much more focus on highly selective gear and trying to improve the gears that we already have, particularly looking at the catches of small juvenile fish, particularly whiting. Ongoing research is being funded on that.

We also need to look at areas where there is missing data. As we said, we need data to justify increases in the total allowable catch and to provide us with information to get de minimis exemptions. We have to look at areas where those gaps are and try to prioritise where we can spend money best to do that. We are also looking at that over the whole of the UK, seeing what Scotland, England and Wales are doing so that none of us is duplicating and that we are pooling our resources as best we can. There will be consultation at EU level, within the regional advisory councils that the industry is involved in, within member states and within the regional groups.

We hope to have a consultation event in March involving the wider industry to look at our priorities for the European Maritime and Fisheries Fund. We have to input into a UK operational plan, and we will look at how much funding we need to cope with the discard ban and the other challenges that face us over the next few years. At that stage, we will explain to the industry the implications of the CFP and the CMO and will try to tease out our priorities over the next five years.

I will leave it at that. We have covered all the main points. A lot of work is going on, and we are doing our best to get into a good situation when the landing obligation and the other requirements come through.

The Chairperson: Thank you very much, Paddy, for your presentation. We will go straight into questions.

Miss M McIlveen: Bear with me if I go off the script of the CFP. Thank you, Paddy, for your presentation. I want to look at the European Maritime and Fisheries Fund in particular. One of your final comments was about your consultation in March with stakeholders. Where are you and the rest of the UK in relation to drafting your operational plan? I am very conscious that we were quite late in launching the EFF, and we do not really want to be at that stage with this funding package.

Mr P Campbell: We have got off to a difficult start. The EMF has been slow at getting approval: it was hoped that the EMFF package would be approved at the same time as the other two elements, so it is going to be six months behind. There have been initial discussions across the UK. We are in line to contribute to the UK operational plan, and we hope to have that finalised by the end of this year. We are not behind any of the other regions in the UK, but there is a lot of work to do.

Miss M McIlveen: You mentioned some of the issues about the discard ban, and so on. I asked the Minister about the restructuring of the fishing fleet, in particular decommissioning and whether the moneys that were ring-fenced under EFF would still apply. She mentioned opportunities through the EMFF. There was to have been a meeting in January. Did that meeting take place with stakeholders?

Mr P Campbell: There was a meeting with stakeholders on 3 February, including representatives of the catching and processing sector. We discussed a range of issues, including possible restructuring. We have to come back to that. The EMFF event gives us an opportunity to tease out attitudes with a wider group.

As you will be aware, the problem with decommissioning was that it was planned for the EFF. The difficulty always is with trying to justify value for money for the schemes. We have had such schemes in the past, and, unfortunately, although we have prevented individuals who decommission vessels from investing in other vessels, over time, other people in the fleet have brought new vessels in.

The issue is getting the right balance in restructuring to justify it. If we need to be able to release sufficient significant fishing opportunities for the rest of the fleet to make use of, we have to control the capacity of the fleet so that, when it gets down to a level that we consider sustainable, it does not increase again. At the same time, we have to make the scheme attractive to the fishing industry so that we get enough of the right boats to leave the fishery and leave their opportunities behind them. That is actually quite a difficult thing to do, but there will be a further opportunity under EMFF to have a look at that.

Miss M McIlveen: Will there be any further discussions about that in advance of EMFF?

Mr P Campbell: There will be opportunities at the planned consultation event. We are going to look specifically at the priorities. There will be opportunities for people to raise their concerns about that and give us ideas about what they think should be done.

Miss M McIlveen: You will recall that, back in July, the Minister launched an aid package. At that stage, it was welcome, but it probably did not meet all the needs of the fishermen at that stage. You may recall that she said that there were plenty of days and quota left for the fishermen to make up for the bad start to 2013. Some of the local fleet had a particularly bad year; they started only in May, and they finished in September. Has any assessment been made of the impacts of weather and so forth on last year's catch?

Mr P Campbell: At the final count, over £400,000 of aid was distributed to fishing boats to help them with harbour and landing dues last year. In the Irish Sea, I think that we finished up around 9% less in quota than we would normally have at this time of year in actual landings.

Miss M McIlveen: One of the comments made to me by a skipper was that it was his worst year in 25 that he had been fishing.

The Minister also mentioned in the statement that the Department would examine the need for intervention in the form of a loan fund. Has that been explored?

Mr P Campbell: That has been touched on in the discussions with the industry. Again, it is something that we have to look at overall in the context of restructuring, decommissioning and other things as well.

Miss M McIlveen: I am conscious that that statement was made in July 2013. We are now in February 2014.

Mr P Campbell: Well, it has been discussed. People from the industry have not been knocking down our doors looking for the loan fund.

Miss M McIlveen: It could be a chicken-and-egg situation. If it is not available, they are not going to ask for it.

Mr P Campbell: The issue of restructuring has been discussed with the industry. We will discuss it with the industry again.

Miss M McIlveen: I am conscious that I have taken up a bit of time, but I know that there are other questions —

The Chairperson: You are the only one to indicate that they have a question. Is that you, is it?

Miss M McIlveen: I will wait, Chair, and then I will come in again.

The Chairperson: No, carry on. Go on ahead.

Miss M McIlveen: I was going to return to broader issues around the conservation zone proposals that have been put out by DEFRA, and DOE's consultation around the marine protected areas. What is the Department's approach to those? I am also conscious of the fact that there is a proposed offshore wind farm off the County Down coast. All those things will impact on the local fishing fleet. What is your approach to them?

Mr P Campbell: Our approach is very much that we would like to see all those things being taken together. We do not want to see a wind farm established here, independently of considerations being taken in DEFRA on marine conservation zones in the middle of the Irish Sea, separate to what the DOE decides to do with the inshore ones. We have made those views known to DETI, DEFRA and DOE. Our preference is for opportunities for the Northern Ireland stakeholders, certainly on the marine conservation zones, to consider those things at the same time so that some synergies are achieved. We do not want to close down more areas of the Irish Sea than we have to. We have made the point that there are issues of displacement. If we close an area off and a fleet has nowhere else to go, it has to go to the rest of the mud patch where the nephrops are. We are being listened to on that. The DOE is holding a consultation event on its zones later this spring. DEFRA has been invited along to that, and I think that it is going to take up the opportunity. We met DEFRA recently and put our points to it. DEFRA seems quite amenable to coming over and talking about its zones at the same meeting that the DOE will talk about its plans; that is good.

We were very keen to take any chance at all for some of these zones to be co-located with wind farm sites. If a zone is going to be closed off for a wind farm, there may be a possibility that that could be taken into account in respect of the amount of areas that you want to close for conservation reasons. I understand that there are difficulties there with the developers. The wind farm developers are not very keen on that idea in case it increases their costs.

People are aware of our views. The fishing industry has been made aware of our views. We feel that we are being listened to on that one. I hope that that is reassuring.

Miss M McIlveen: The concern for the fishermen is that it is one thing after another. It moves from one headache to another. Thank you very much.

The Chairperson: Paddy, how do you police survivability?

Mr P Campbell: The first thing that we have to do is decide what species have a possibility of surviving. That will be an issue in itself. It could go from one extreme to another. We could, for example, have closed-circuit television on all fishing boards.

The Chairperson: That is not the case at present, though, is it?

Mr Campbell: It is not the case at present, but it is being trialled. I do not know if you are aware that it is being trialled in some white fish vessels in the North Sea. I do not think that we will ever get to that situation. It may be something that you could look at for certain sectors. You might have a reference fleet that you could fit CCTV to. We also have to look at what is being done on the regional groups. The regional groups may look at CCTV and decide that they do not think that that is an appropriate control measure.

The other thing is having observers on board. You could put observers on vessels and get some information that way. The problem with observers is that we know that fishermen's behaviour changes when an observer is on board the boat. They will be as good as gold when the observer is on board, but things may change as soon as the observer gets off. Who knows?

These are all issues that the regional groups will look at. We will be looking for the same approach to be adopted in all member states, so that the UK is not doing something that is particularly draconian to our vessels whereas the Dutch or the French are doing something that is less draconian and less costly. It is a challenge.

The Chairperson: We are talking about the potential issues around landing obligations. "Choke species" is an interesting term. What does that actually mean? How do you determine the species that should be choked?

Mr P Campbell: We know from our discard information the amount of fish that is being discarded presently. Take whiting as an example. On average, about 300-odd tons of whiting is discarded by the fleet every year. The quota for whiting is pretty small — it is less than 50 tons or so — so that will be a big problem. If you landed that 300 tons, the first bit of it would use up the quota very quickly. Unless you do something else to make use of flexibilities or cut the amount of fish that you land in the first place, you will be in trouble.

There is provision in the regulation for a change to the way that quotas were set. In future, quotas will have to be set to take account of fish that was previously thrown away. In the past, total allowable catches were really total allowable landings. The catch of whiting could not be any more than, say, 600 tons. However, we know that, say, 500 tons of that is thrown away. So, we will set the quota at 100 tons knowing that 500 tons is thrown away. There is a possibility that, in future, that 500 tons, or part of it, will be added back into the TAC and you will have a bigger TAC. That will be a help.

The Poseidon report on sea fish that was commissioned reckoned that the TAC uplift could be in the region of 75%. So, you might get a 75% increase in whiting catch. It is still going to be a big problem. That puts the focus on us to try to develop selectivity to the stage where we are catching as little of it as possible.

The Chairperson: For what we have to bring ashore that we may not eat, use or process here, how will that affect the industry as a whole? Do we look for new markets?

Mr P Campbell: There are two types of unwanted fish that are landed. There are the fish that are above what used to be known as minimum landing size and is now called minimum conservation size. Those bigger fish can be sold into the human supply chain. The challenge will be to find chefs, supermarkets or whoever else to start putting them on their shelves, if they have not previously put them on their shelves, and trying to develop new markets for those.

For the other stuff that is too small and is below the conservation size, we will look at non-food uses. We could look at fertiliser uses, anaerobic digestion and all sorts of things like that. Fishmeal is another possibility. We will have to try to find contacts for those. We will have to try to work with people to develop markets for those fish. One of the difficulties that we foresee with Northern Ireland is that we are relatively small. In UK terms, the quantity of this stuff may seem large to us. However, it is not large if, for example, you are trying to establish a processing factory just to do the unwanted fish catch in Northern Ireland. There would not be enough to keep something like that going. It might have to be transported, and we might have to pay extra transport costs to get it to wherever it needs to go to be processed. These issues have to be looked at.

The Chairperson: Is regionalisation in respect of where your fleet is based, registered or licensed, or is it regionalisation whereby you can have different rules for the sea area that you fish in? For instance, if someone were to leave Kilkeel in a boat, would they end up having to be careful to abide by three or four sets of different regulations as they sail across the British Isles?

Mr P Campbell: It has been set up on geographical lines. This issue has already arisen in the pelagic fishery. The pelagic industry or catching sector already says, "Look, we have a northern group and a north-western waters group. We do not want different rules for herring and mackerel vessels that are moving from the North Sea into the North Atlantic." The groups are conscious of that. They have already initiated discussions with the pelagic sector. They will come up with common rules where

appropriate. If you are tackling mackerel or herring, you would hope that there will be common rules. We hope that there will be some common sense in all this.

There is likely to be an Irish Sea subgroup that will look at a mixed fishery plan for the Irish Sea. That is already being looked at in the north-western waters industry regional advisory group. It is working on a multi-annual plan for the Irish Sea. You could have slightly different measures for, say, the west of Scotland. However, we already have different technical measures for the west of Scotland and the Irish Sea, so that is nothing new.

Mr Swann: Just a very quick one, Paddy: fish for anaerobic digestion?

Mr P Campbell: Yes; I floated that one just as an idea. *[Laughter.]* A number of uses will be looked at.

Mr Swann: So it is not anything that the Department has investigated in any great detail or intends to do.

Mr P Campbell: No. One of the producer organisations —

Mr Swann: It is just to let you see that we are listening to some of this.

Mr P Campbell: That is all right. One of the producer organisations has got some funding from Invest NI to look at those things. It will try to see where these fish might go and what the potential is.

The Chairperson: There are no further questions. Paddy, thank you very much for your attendance today. I know that you had a bit of a wait, and I apologise for that.

Mr P Campbell: It was very interesting. *[Laughter.]*

The Chairperson: Thank you very much.