



Northern Ireland  
Assembly

Committee for the Environment

# OFFICIAL REPORT (Hansard)

Marine Bill: National Federation of  
Fishermen's Organisations/Anglo North Irish  
Fish Producers' Organisation

17 May 2012

# NORTHERN IRELAND ASSEMBLY

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**Members present for all or part of the proceedings:**

Ms Anna Lo (Chairperson)  
Mr Simon Hamilton (Deputy Chairperson)  
Mr Cathal Boylan  
Mr Gregory Campbell  
Mr John Dallat  
Mr Tom Elliott  
Mr Peter Weir

**Witnesses:**

Mr David Hill	Anglo North Irish Fish Producers' Organisation
Mr Alan McCulla	Anglo North Irish Fish Producers' Organisation
Mr Dale Rodmell	National Federation of Fishermen's Organisations

**The Chairperson:** I welcome Alan McCulla from the Anglo North Irish Fish Producers' Organisation (ANIFPO), Dale Rodmell from the National Federation of Fishermen's Organisations (NFFO), and David Hill, a trawler owner and director of both NFFO and ANIFPO. Gentlemen, you are very welcome. If you give us a presentation of about five or 10 minutes, I will then let members ask you questions.

**Mr Alan McCulla (Anglo North Irish Fish Producers' Organisation):** Madam Chairperson, first of all, I thank the Committee for its invitation to allow us to follow up our written submission on the Marine Bill with today's oral evidence. My introductory remarks will take only a few minutes. As you said, our delegation comprises me, Dale Rodmell and David Hill. I am the chief executive of the Anglo North Irish Fish Producers' Organisation, and I am based down in Kilkeel. Dale Rodmell is the assistant chief executive of the National Federation of Fishermen's Organisations, which is the main representative body for fishermen in England and Wales and here in Northern Ireland. David Hill, as you rightly said, is not only a director of both organisations and a trawler owner but, last week, he retired as president of the National Federation.

I will say at the outset that we welcome the Northern Ireland Marine Bill. We know that some criticism has been levelled at legislators here for what has been called the "delay" in bringing forward the Bill. However, from our perspective, we believe that Northern Ireland has got the timing just right. I say that because it seems to us that, in other parts of the UK, the process has been somewhat rushed, which has resulted in less than perfect legislation. What some describe as the "delay" has, I am sure, provided Northern Ireland with the opportunity to learn from other people's mistakes.

Although television programmes such as 'Trawlermen' and 'Deadliest Catch' provide realistic and exciting pictures, the perception of the fishing industry in some quarters is of a traditional, historic industry in decline. That is not the case. Our commercial fishing industry, both at sea and onshore, may be facing significant challenges. What industry is not facing challenges? However, where there are challenges, there are also opportunities. Our industry is evolving to address the challenges and avail itself of the opportunities.

There was a significant increase in the value of all fish and shellfish landings into Northern Ireland in 2011 compared with 2010. Figures that the Department of Agriculture and Rural Development (DARD) released earlier this year show that, last year, some 23,601 tons of fish and shellfish were landed, with a value of £27.5 million. That compares with landings in 2010 of 23,902 tons valued at £22.1 million. The value of the landings in 2011 was the highest in over 10 years. Therefore, although the tonnage dropped by just over 1%, the value of the catch actually increased by 25%. It is worth noting that those figures exclude landings that the Northern Ireland fleet made outside Northern Ireland. The inclusion of those figures would conservatively add another £15 million to the total.

Prawns, or nephrops, remain by far the most important species. A 3% increase in the volume landed in 2011 over that in 2010 actually resulted in a massive 43% increase in the value of that catch to nearly £15.6 million.

So, in 2011 Northern Ireland's fishing fleet depended on a single species for nearly 57% of its earnings. For prawns, the scientific advice confirms that the stock is at least stable or indeed increasing, as is the case with the majority of commercial fish species in the Irish Sea. For independent confirmation of that opinion, I refer members to section 4 of the 'Northern Ireland State of the Seas Report', which was produced jointly last year by Agri-Food and Biosciences Institute (AFBI) and the Northern Ireland Environment Agency (NIEA). Trends show an increasing stock size even of cod in the Irish Sea, and there continues to be anxiety about management of that fishery.

We are pursuing Marine Stewardship Council (MSC) certification for several of our fisheries, including prawns, herring and, most recently, mussels. That accreditation will underline the increasing sustainability of fisheries off and around Northern Ireland's coastline.

Overall, fishing plays a key role in providing food security, with the vast majority of the catch landed into Northern Ireland exported to other parts of the UK, Europe and further afield. With its role as a food provider, fishing is probably the oldest marine activity. That fact cannot be lost as we progress the subject of marine planning.

Northern Ireland's fishing fleet operates in waters all around the United Kingdom and Ireland, but it is based in the Irish Sea. Indeed, 80% of the UK's fishing effort in the Irish Sea originates from the County Down coast. That does not mean that 80% of the Irish Sea is fished; far from it. With your permission, Chair, I will leave with members a copy of a map for their consideration. Based on satellite monitoring systems, the map shows the extent of Northern Ireland's fishing fleet in the Irish Sea. In simple terms, the areas shown in white have little or no fishing, while the areas in green, blue and yellow are where the prawns live. That is where the fishing is automated.

Fishing remains a vital industry to the County Down coast. Relatively speaking, the Irish Sea is a small area, and there is of course increasing competition from a variety of users who wish to avail themselves of the opportunities that the area has to offer. Gas installations, offshore renewable energy projects, cable and pipeline operators, as well as shipping and leisure activities, are facts of life that we in the fishing industry cannot and do not ignore. It is with that in mind that we welcome legislation that is designed to help rationalise those uses in the most efficient way possible.

Over the past 18 months, we have enjoyed extensive dialogue with offshore renewable energy developers, with not only those seeking permission to develop the opportunities around Northern Ireland's coast but those companies who are now about to embark on the third round of renewable energy projects in the eastern Irish Sea. As we speak, we have deployed several local trawlers to assist with the installation of new cables across the Irish Sea, as well as to conduct post-construction benthic surveys among the wind farms off the Cumbrian coast.

Turning to the Marine Bill and associated issues with the marine strategy framework directive (MSFD), earlier this week we were pleased to host a series of meetings in Kilkeel involving the NIEA, Natural England and the Joint Nature Conservation Council (JNCC). Those meetings were designed to explore the myriad issues that we are already faced with that resulted primarily from the Marine and

Coastal Access Act 2009, which covers England. Most notable among those are marine protected areas (MPA).

We must state very clearly that we are not opposed to MPAs, and we have been seeking to engage constructively with all concerned to deliver a chain of ecologically sound and scientifically validated areas. With that in mind, we should take cognisance of the following points as we progress proposals for MPAs in Northern Ireland waters. We should allow for the appropriate application of real evidence in the decision-making process. We must take into consideration issues such as displacement resulting from MPAs or marine conservation zones (MCZ). There must be a case for strengthening cross-departmental consultation over the MCZ planning process.

We support the point that the Minister of Agriculture and Rural Development made when she said that the proposals that are being delivered through the Department for Environment, Food and Rural Affairs (DEFRA) should not be considered in isolation. Rather, they should be considered in parallel with what is likely to be proposed following the Northern Ireland Marine Bill. It is vital that a holistic approach is taken to these matters. That approach should seek to avoid consequences such as the displacement of fishing effort, which could contribute to an overall degradation of the marine environment. That would undermine the aims of the legislation and the marine strategy framework directive, as well as risk unnecessary socio-economic consequences.

There is a government responsibility to manage and to mitigate any losses. That should be reflected in the legislation, but, to date, it has not been. It is with that in mind that we advocated in our written submission three specific amendments to Part 2 of the Bill, which are aimed at giving primacy to existing activities. They are designed to make a presumption in favour of existing activities; guarantee consultation when decisions are taken that are not in accordance with the plan; and act upon new evidence when it becomes available. As is the case with our other amendments, those are made in the light of experience with England's Marine Act, as well as the parallel legislation in Scotland.

I will end my remarks with that and welcome questions from members.

**The Chairperson:** Thank you for your presentation. It was a very clear presentation of your position. From your map, we can see that you fish around the area near Scotland and England. You mentioned the MPAs, which we are going to call MCZs. Did you encounter any difficulties once the special protection areas in England were designated?

**Mr McCulla:** Yes, is the short answer.

**The Chairperson:** What type of difficulties?

**Mr McCulla:** Our frustration was that we very much wanted to be involved in the process from stage one. At the risk of getting into a long story, I will say that the first that we heard of the English-based process was by accident one evening at a meeting in Barrow-in-Furness. At that meeting, the Irish Sea conservation zone project explained to a group of fishermen in Barrow what they were about to do. They talked about the number of consultation meetings that they were going to have along the west coast of England. I asked whether it was their intention to consult with the fishing industry and others in Northern Ireland, given that most of the fishing activity in those areas comes from Northern Ireland. The simple answer was no, that that was not their intention.

To cut a long story short, we had to knock the door down to get fishing industry representation on the stakeholder forum, which eventually came forward with the proposals. The stakeholder forum consisted of between 30 and 40 members, reflecting all the sea users, but the fishing industry representation on that committee amounted to about four people. So, immediately, our views were in the minority.

You can impose the MPA proposals on that chart. We are not opposed to the majority of the MPAs that DEFRA is considering, but about four of them are critical and fall within the areas that are highlighted for our fishing operations. That is where we are at the minute. We are in dialogue with DEFRA, JNCC, Natural England and others, basically making the point, again, that we are not saying no to MPAs but that we need a bottom-up approach that takes into consideration the views of everybody and that will address the issues that we have at hand.

**The Chairperson:** As you say, we are the last to enact this piece of law. We must learn lessons from others. We were in Scotland, and, through video link, we talked to the Fishermen's Association.

There seems to have been quite a lot of dialogue between Marine Scotland and the fishermen. It is a difficult issue. We are involved with the Department of the Environment (DOE), and our number one priority is to protect the environment. However, it is a balancing act. We need to take into consideration the economic and social elements of our communities and how the legislation will impact on those aspects. The part in the Bill about the publication of a public statement of public participation really means stakeholder engagement, so are you confident that that will ensure proper consultation with your organisation?

**Mr McCulla:** I will let Dale answer that question. Dale is based in England and has had direct involvement with the Marine Act and the Scottish experience.

**Mr Dale Rodmell (National Federation of Fishermen's Organisations):** Madam Chairperson, thank you for the opportunity to come here to put forward our views.

A public statement would certainly help in that regard. Of course, it gives no guarantee in practice. What happened under the English approach, initially at least, was that there was what I would describe as an England-centric view that did not necessarily account for the needs of multiple nations in this specific area of the Irish Sea. That was definitely a problem. There was also a problem with the pace at which the process was undertaken. A lot of evidence was brought into the process very quickly after the legislation was passed. We have only something like 18 months to carry out all this work. There have been improvements in how the Scottish approach has moved forward and with the time frame that they had to work with.

I will respond to the point that you raised about taking socio-economic factors into account. The design of the Westminster legislation, which this Bill follows, sees socio-economics and ecology as two ends of a spectrum. There is a trade-off between the two. We need to think much more in terms of synergies that consider the ecosystem. That is about not just the ecology itself but the interrelationship between that ecology and human use. That is why we propose a number of amendments to the Bill that are related to displacement. A poor selection could result in activities that actually increase pressures on habitats that may have been more pristine in the first place and less impacted. It may increase the amount of effort that has to go into fishing, which also has knock-on consequences.

We are seeking a broader, holistic approach. It is an approach that fisheries scientists have understood over the years, having experienced failings in particular spatial management measures in fisheries management and having learned those lessons. At the moment, the science of the planning of marine protected areas is based on principles that do not take those interrelationships into account. We are not saying that those principles are not important; we are saying that they need to consider those wider effects.

We think that it is important that the Northern Ireland Assembly takes this forward. We have come through the experience of the English process, which has so far ignored displacement. In fact, DEFRA recognised it subsequently in our discussions. The problem is that recognising it later in the process makes it much more difficult to deal with. It is far better to deal with it from the outset.

**The Chairperson:** It is important to consider long-term sustainability as well. Scotland invested a lot of time and effort to make its Bill not perfect but the best that it could be, and the approach to planning for the MPAs was very much evidence based.

**Mr Boylan:** Thank you very much for your presentation. From our point of view, you will not be in the minority in bringing forward your views and opinions. I think that it is important that we give everybody an opportunity. I want to see a balanced approach. We had a good visit to Scotland, and it seems that it has gone about it the proper way by going from the bottom up and by giving everybody an opportunity. The statement of public participation is the right way to go. It is about participation, as opposed to consultation, because there is no point contributing if there is no meaning to it and if, at the end of the day, the relevance is not listened to or looked. There are some good points in your submission, and we will go away and cross-reference it with the Bill. When you met the NIEA, what feedback did you get on the suggestions that you have made so far?

**Mr McCulla:** Thanks very much for your question, Mr Boylan. After I address your second point, I will ask David Hill to talk about the experience in Scotland.

We met the NIEA this week, and the focus of those discussions was the proposals that DEFRA is considering on the marine conservation zones in the western half of the Irish Sea. The point that we made to DEFRA, the point that the Minister of Agriculture and Rural Development has taken on board and the point that we made to the NIEA is that, with a Northern Ireland Marine Act, you cannot look in isolation at what we do in Northern Ireland without looking at what is being done in England and Scotland and at what will be done in the Republic of Ireland. I do not speak for NIEA — I would not dream of doing that — but I think that it recognises those issues, so together we want to come up with the best possible solution that we can all live with.

**Mr David Hill (Anglo North Irish Fish Producers' Organisation):** I will give you a little bit of my background. I was at sea for over 30 years. I was the man at the coalface, and I have fished pretty much all around the UK. Although a scientific picture is taken two or three times a year, I have lived with and always respected and appreciate the environment. I believe in sustainability, and the vessel that I own today gets added value in its product by doing certain things and behaving in a certain way. So, we bought into it.

The Scottish inshore process has only really started, and the offshore side has been up and running for quite a long while. I have been at a couple of meetings at Rockall and Stanton Banks, where things are going on. Fishermen came in with their information and worked with Marine Scotland on policy and devised the balance of areas that met the percentages in their criteria, as well as the features. They did that together. I was at a couple of meetings at which the NGOs were present, and everybody was able to sign up to that policy. That was the opposite approach to that that was taken at the meetings in England, where you were sat at a table and more or less told that you had to fill the squares in.

As fishermen, we are very passionate about our grounds. We understand conservation, and we offer areas up for conservation. However, it just seemed as though we were filling in a form en masse, and if you marked the four MPAs in the Irish Sea, you would find that it is no coincidence that they are in the middle of our fishing grounds. That would mean a reduction in earnings for us, because if you took the boats out of that picture and put them somewhere else, you would displace them. That would then offset any good that is being done in the area that is being protected, because the rest of the areas would be more heavily fished. That is a great concern to us, and it has to be thought about. So, we are concerned about the management measures in that area. Of course, they have been designated, and we do not know what the management measures are. If we knew what they were, it would ease the problems for us. There are all sorts of problems, and we are asking what the management measures are going to be. You have to designate first, but what is going to happen in this area? Nobody knows yet. It is a great problem that something is being imposed but you do not know what is allowed in and what is not.

To go back to the Scottish process, that work was done together with the fishermen. The fishermen sat down with Marine Scotland and came to an agreed position quite easily.

**Mr Boylan:** I have another couple of points, Chair. You mentioned "significant new evidence" in your presentation. That is a valid and key point. Scotland has its Marine Atlas, for which a lot of evidence has been gathered already. Where are we with our evidence gathering? That is key to this process. We are looking at MCZs — they have MPAs, which are the same thing — but we should not be designating an area unless we know. We do not want to talk about Strangford lough, because there are serious issues there, but the process has to be evidence based.

**Mr McCulla:** Absolutely.

**Mr Hill:** I just want to make one small point before I finish. Those of us who work in the sea, know that it is evolving all the time. It is not like a field where you put wheat or corn in; there are no gates. That change means that patterns come and go, and that is the reason that we need to update this evidence all the time. Every year, if there is a difference in the temperature or a different bloom, things act in a different way. That is why updated evidence is very important to us at all times.

**Mr Rodmell:** Thank you for the question, and, to follow on from that, a number of our amendments are related to evidence, which is recognised in the fact that our knowledge and understanding is so much less in the marine environment. That means that, in managing resources and the environment, we need to have a greater flexibility to allow that evidence to inform decision-making.

One key amendment that we would like to see is conservation objectives being set. That partly comes from the experience that we are seeing in England already. Having those objectives defined up front at the designation stage risks our not being able to have sufficient evidence to justify them in the first place. In fact, the evidence base for them could be rather tenuous. We suggest that, ideally, you want to have flexibility to allow evidence to inform that decision right up to the stage of developing the management measures. We think that the habitats directive is better in that sense, because it has greater flexibility on that issue.

**Mr Boylan:** Finally, you mentioned taking a holistic approach in discussions with NGOs, and you are correct about that, because this issue goes across leisure activities and everything else. Where are you with that? I agree with you, David, that not only the designation but the management of these areas is key, so we have to get that right from the very start. I just want to make that point. However, have you had any discussions with or sat down with NGOs and the other different groups that this is going to impact, such as the Marine Task Force and different groupings?

**Mr McCulla:** We have not had any specific discussions about these proposals with the Marine Task Force in Northern Ireland. The Marine Task Force has received two invitations to come to Kilkeel to discuss these and other issues that are of mutual interest, but, unfortunately, we have not managed to set the meetings up yet.

**Mr Rodmell:** In general, we in the fishing industry in England have had conversations with NGOs about MPAs, and we put forward the same views that we are putting forward today about taking that holistic approach to the relationship that exists between the resource and human use. That is very much consistent with the wider marine strategy framework directive. That is its broader aim. Another issue with handling evidence is the way that the precautionary approach was applied in the past and how it is applied at present. Although it is not an unimportant principle, we need to see environmental management in the context of understanding the risk of pressures and their potential consequences. That is a much more attuned approach to learning about cause and effect. For instance, the marine management organisation (MMO) is trialing measures in Lyme Bay at the moment. So, the point is to learn more about the pressures, because we are not in the same situation as we were when it was initially applied in fisheries management, for instance. We are not looking at collapsing stocks and the doom that that would create, and we often do not know what the effects of that would be on marine protected areas. Of course, there are some cases where the effects are obvious and where there are very fragile habitats, such as cold water coral reefs, but, for a lot of it, such as high-energy sand habitats, we do not know what reducing pressure will do, or whether, in fact, that reduction in pressure would have a wider value for the marine ecosystem.

**Mr Boylan:** I will have to leave it at that.

**The Chairperson:** It is useful to have you here from England. You mentioned the differences in approach that the English authorities and Marine Scotland take. You said that Marine Scotland seems to be spending more time engaging with stakeholders. Is there anything in the legislation in those places that requires the bodies there to engage with the fishing industry to some extent?

**Mr Rodmell:** I am sorry, I did not hear that.

**The Chairperson:** Is there anything in the Marine Acts in Scotland and England that requires the bodies there to engage with the fishing industry? Why is there a difference in their approaches? Is there something in the legislation that says that they must do certain things?

**Mr Rodmell:** I believe that there is an obligation to consult. In the English system, the establishment of regional projects was, of course, about consultation. The problem in this case was that, as I said, it tended to be England-centric. The obligation for consultation was in that Act, I believe.

**Mr Elliott:** Thanks for the presentation, folks. Your submission states that marine planning:

*"has the potential to affect the fishing industry in many ways".*

Will all those ways be of negative consequence to the fishing industry, or are there positive aspects to it?

**Mr McCulla:** Mr Elliott, thanks for your question. DEFRA is considering proposals at the minute, and the Irish Sea Conservation Zones project has estimated the likely loss to the fishing industry from its existing MPA proposals equates to something like £4 million per annum, £3 million of which would be a direct loss to the Northern Ireland fishing industry. That information has been verified by consultants who the fishing industry here has employed, and that, in turn, has been verified by economists from the UK's Sea Fish Industry Authority. That is the estimated monetary loss per annum. Davey said that the management measures need to be clarified, but one argument is that, by having MPAs or marine conservation zones and by ultimately taking them to a no-take zone, as a result of setting an area aside — for want of a better description — there will be spin-offs for the surrounding areas in the medium to long term. We are not convinced by those arguments. Most of the evidence for the sea benefits of no-take zones comes from subtropical waters, particularly those around coral reefs. If there were a very real problem with a fishery in an area, scientifically speaking, there might be an argument for a no-take zone.

However, as I mentioned, 57% of our earnings come from one species, which is nephrops, prawn, langoustine — whatever you want to call it. In a worst-case scenario, the science tells us that the stock of that animal in the Irish Sea is stable. In a best-case scenario, the science tells us that the stock has been increasing over the past four years. That is why we say that, if we decide to have MPAs, MCZs or no-take zones, the decisions on them must be evidence based. There has to be scientific evidence to back it up. There does not seem to be any scientific need to put that order of protection in place in these areas.

I emphasise that we are not saying no to MPAs and MCZs. If we look at the geography of the Irish Sea and the fishing effort, as shown by the coloured areas on this map, we will see that the fleet does not fish some areas because fishermen do not want to interact with the underwater seabed creatures. There is evidence that the communities on those reefs are pretty pristine, and that is with existing fishing effort. The question that the fishermen will ask is: if we have these pristine areas, why do we need to impose closed areas around them?

**Mr Elliott:** That leads me on to the second point. Your proposals talk about displacement, economic interests, social interests and the environment in the protected area. It is fine to put that into a Bill, but how do you see the outworking of those issues in practice?

**Mr Rodmell:** The emphasis is on the prevention of problems before they occur. The initial amendment to clause 12 is intended to provide for that so that, in the initial selection of sites, the potentially negative effects of displacement are thought about in the round.

As Alan pointed out, the industry in Northern Ireland is vulnerable because of its dependence on one species, the locations of that species and the fact that the actual marine space is rather limited in the first place. However, that does not mean that, in trying to deal with the issue at the outset, the possibilities of negative effects can be minimised. Ultimately, if it comes to the point where significant socio-economic harm would be done, we think that there would need to be an obligation to manage those effects so that livelihoods are not unduly affected as a consequence of the legislation.

**Mr Elliott:** Are you saying that greater weight needs to be given to economic and social aspects?

**Mr Rodmell:** No, not necessarily. As I said, we see this as much more about trying to find the synergies in a three dimensional space.

**Mr Elliott:** Yes, but given that you are proposing the amendments, you are clearly saying that not enough weight is given to economic and social issues in the Bill. Is that reasonable?

**Mr Rodmell:** To an extent, we would say that. The way that the Westminster Act could have been implemented may have meant that decisions were made on the slightest changes in evidence in the scientific base, which we do not think should necessarily overrule socio-economic considerations at the outset. There needs to be more of a balanced approach. We do not feel as though the Westminster Act had the provisions for that at the outset.

**Mr Elliott:** My final question is a simple one. Would you like to be a member of the Marine Task Force?

**Mr McCulla:** Thank you very much for that question.



**Mr Elliott:** You are welcome.

**Mr McCulla:** I know that, two weeks ago, you asked the Marine Task Force whether, given its very name, it included representatives of the fishing industry. Without quoting directly from the evidence, I believe that the answer that you got was somewhere along the lines of saying that, if the fishing industry wants to adopt its policies, it would be very welcome as a member of the Marine Task Force. I do not know whether we could sign up today to the policies of the Northern Ireland Marine Task Force, but as I mentioned, there is an open invitation to the task force, any NGO and this Committee to visit Kilkeel so that they can look at the evidence that we have and the measures that we are putting in place. As we speak, we have three trawlers in the Irish Sea trialing measures that will reduce their impact on the environment. A lot of work is going on to increase the sustainability of our fisheries so that the impact on the environment can be reduced. From everybody's point of view, that is a win-win situation.

The problem that we in the fishing industry have is that we do not have the resources behind us that some have to promote the good work that we are doing. However, I would very much like to take the opportunity, Chair, to welcome you and the other Committee members to Kilkeel so that you can see for yourselves what we are doing. That invitation has been open to the Marine Task Force for a long time.

**The Chairperson:** I have to declare an interest — I love seafood; I live on it.

**Mr Elliott:** I hope that it is sustainable.

**The Chairperson:** It has to be sustainable; that is my last word.

**Mr Hill:** If I can just make a point about MPAs and MCZs. On Monday of this week, James Marsden came across at our invitation to discuss this hot topic. We gave him a PowerPoint presentation and engaged with him. We had a very frank discussion that bore fruit. He gave us a way that we believe we can use to move forward on these MPAs, and he told us how we can go in on the first and second tranche. Inviting him here involved a lot of hard work. We are not afraid to meet anybody. We will give our presentation, and we have the figures and everything else, but James Marsden came to Kilkeel and said "Oh, you have a fishing fleet". He came down and engaged with us. He was here for around 36 hours, and he went away a totally different man.

**Mr McCulla:** For your information, Chair, James Marsden is the marine director of Natural England, and he has been instrumental in bringing forward the English proposals for MPAs. I have to say that there may be a perception in certain quarters of the fishing industry that Mr Marsden is not fishing friendly, but as we find so many times, when people from his mould actually come and engage and see the work that we are doing here in Northern Ireland, they go away impressed and want to engage with us further, as David said. That must be good.

**The Chairperson:** They get a better understanding of the situation.

**Mr Hamilton:** You only have to look at me to see that I have in part been sustained down the years by fish of the battered variety. *[Laughter.]* There have been too many of them.

**Mr Weir:** I think that it is more the chips that come with it. *[Laughter.]*

**The Chairperson:** Yes; it is not just the fish.

**Mr Hamilton:** Thank you for coming along; your evidence has been very useful. It is very beneficial to the Committee to get evidence from a broad range of stakeholders, and, when talking about the Marine Bill, there is none more important than you. One theme that has come through from your evidence and the questions that members asked is the need for your sector to be involved throughout the process. It is encouraging that you are actively seeking to be involved. We have looked at experiences elsewhere and at where they have been good and where they have been bad. Where it has been good, it has involved all the different sectors right from the start. I think that we are increasingly of the collective view that, if the process is sometimes a slow and laborious, that is what has to happen to get this all right. We are dealing with a lot of different interests who all have very valid points to make.

You touched on this quite a bit, and, Alan, your point in response to Tom about scientific evidence is key. I have repeated at various stages in the passage of the Bill that, on the basis of the marine science, MCZs should be designated and then protected no more than they should be protected. I can understand some of your proposals, including the new clause. Down through the years, the fishing industry has felt that a lot of things have been done to it but that not a lot has been done to compensate for that. I take it that that is the thinking behind a lot of this.

I think that clause 12 states that consideration should be given to economic and social circumstances. Consideration could easily be given. You could ponder it for a while and say, "Yes, we have considered that, but we are still going to go ahead and do it." That might be the right decision, but it will have a consequence. It could displace the industry and have a very detrimental impact on it. Even after a long, slow and laborious process, in which everybody is involved and hopefully everybody has agreed on, that could still have a detrimental impact on the industry. Is that where you are coming from? You are not opposed to it, but you appreciate that it could have an impact on your industry.

**Mr McCulla:** Mr Hamilton, thanks for your question. In short, yes, that is where we are coming from. I will let Dale expand on that a wee bit.

On your first point, the fishing industry amazes me with its resilience. Generally speaking, the Northern Ireland media highlights our case in about the middle of December each year after our return from our annual pilgrimage to Brussels, where various further restrictions have been placed on the industry.

**Mr Hamilton:** Have there not been any miracles in those pilgrimages yet?

**Mr McCulla:** I keep believing in miracles. *[Laughter.]* You are right that the industry feels very vulnerable. For example, European cod recovery measures in the Irish Sea started in 2000. What some people might call a no-take zone was imposed off the County Down coast 12 years ago, and, 12 years later, we are still waiting for it to work. For example, the cod quota is 5% of what it was 12 years ago. The 40-plus white fish trawlers that targeted cod, haddock and other white fish that we had in 2000 have now gone — full stop.

In addition, you have proposals, whether for MCZs, offshore renewable energy or whatever. You can fill the map with all these activities that are going on in the Irish Sea, which, as we said, is a small geographic area, comparatively speaking. The fishermen feel that they are being pushed further and further into a corner, and they have responded to that. Our organisation has tried to respond by looking for opportunities elsewhere by diversifying trawlers into other activities such as cable, oil and gas operations. However, more importantly, at the end of the day, a fisherman's job is to catch fish and land them. Therefore, the onus is on us to maximise the value of that catch. I hope that, when you come to Kilkeel, we can show you what we are doing in that sense. The industry feels very vulnerable.

I will let Dale answer the other part of the question.

**Mr Rodmell:** I agree. The residual effects of the planning process are very concerning for the industry. As has been highlighted, some of the English designations are very problematic. Some of the most problematic are in the Irish Sea, as they affect the Dublin Bay prawn fisheries. On top of that, every prawn fishery in English territorial waters, bar one, has been selected for an MCZ. That is because of the primacy that is ultimately given to those habitats in the selection process. However, these are relatively intensively fished areas, so the consequences depend on the management measures for large-scale displacement. It is a head-on conflict in that sense. We certainly do not think that it is fair or proper that fishermen, who may have spent their lives in a particular area — indeed, generations — should be simply turfed off those areas without a further thought.

**Mr Campbell:** Obviously, the long-term sustainability of the ecosystem underlies all this. You have had discussions with, and you are knowledgeable of, the English and Scottish fishermen and others who are involved in the fishing industry. I know that it is early days. What has been their practical experience of some of the things that you are welcoming and that you are concerned could happen here? They are a few years ahead of you in terms of experience. What has been that experience?

**Mr McCulla:** Thank you for the question, Mr Campbell. I will give a brief answer, and then I will let Dale and David come in. There is quite a stark difference between the English and the Scottish

approaches. David referred to that earlier. In England, the fishing industry feels that it has been kept very much at arm's length in the process. That is reflected in the fact that, as Dale said, many of the MPAs seem to have been targeted as very important fishing areas. That means those not just in the Irish Sea but right around the coast of England. On the other hand, the industry in Scotland has been involved from day one in working up proposals for the offshore areas that have already been designated and now on proposals for the inshore areas. The result of having been involved from day one is that the industry has come up with proposals that it can live and work with. In many ways, although no piece of legislation will be perfect, certainly the example from Scotland is what we would like to see done here.

**Mr Rodmell:** Those involved in the Scottish process have had more time to deliver their outputs, as has been mentioned, so that has been of benefit in itself. Also, a similarly rigid set of ecological criteria has not been adopted for that process. Although the scientific principles that it aims to deliver are the same in the end, it is not applied in the straitjacket way that the English system was applied. So, those two reasons have led to a more flexible and pragmatic approach.

**The Chairperson:** I see your point. You ask exactly what impact the MPAs have on the fishing industry. Does an MPA mean that you are totally excluded from those areas? You talk of displacement. Does that mean that fishing is restricted in those areas, or does it mean something different?

**Mr Hill:** It depends on the management areas, which have not been decided yet. So, that is where the Achilles heel is, if I may use that term. We are designating an area, but we do not know what is happening in it yet. Fishermen here want to engage, and we want to help to designate the areas, but we want to co-locate with these things.

Ultimately, although they are fishing boats, they are also businesses. In Kilkeel, we have 2,500 or 3,000 people involved in the industry. So, a balance has to be struck. If you go back 20 years, you will see that the fisherman was a totally different breed. Today, they are smarter, because we have quotas, days at sea and all sorts of things. We have to be smarter. You have a fishing plan, which will include things such as MPAs, which are coming up, or wind farms. We are talking to as many people as we can and educating the fisherman to engage. He wants to engage. If we can do something together, sensibly, such as adopting the way that things are done in Scotland, which is from the bottom-up instead of top-down, we can move ahead on this quite quickly.

**Mr Dallat:** I am sorry that I missed your presentation. I have read the documentation, and I have known you, Alan, for a long time.

Let me ask a difficult question. What is the point in having marine conservation zones if they avoid the fishing grounds?

**Mr McCulla:** Thanks for the question, Mr Dallat. I can turn that around slightly: what is the point of having a marine conservation zone if there is not something there to protect? At the end of the day, humans — fishermen — are part of the natural environment and ecosystem. I was reminded of that earlier this week. In 'The Sunday Times' there was an article by well-known journalist and author Charles Clover, who is maybe not perceived in the fishing fraternity as an ally. In that article, he used the word "harrow", as in harrowing the field. In many ways, that is what fishermen do to part of the seabed: they harrow the seabed. From harrowing it, they help to grow a crop. The most important crop for us is nephrops. What I am trying to do, Mr Dallat, is turn the question around. If you told a farmer to stop harrowing the field or stop ploughing the field, he would ask why. Unfortunately, the answer that we get from some quarters is: "Just so that we can see what happens." That is not good enough. There has to be a scientific and ecological reason for doing that. Likewise, Mr Dallat, if, in the analogy that I gave about the farmer, there were a feature in the field, and if the ethos on the protection of that feature were explained, I would have no doubt that the farmer would agree to protection and mitigation measures, which is what happens. Again, I emphasise that we are not saying no to MPAs or MCZs. However, it is simply not good enough to come in and seal off an area of the seabed just so that we can see what will happen.

**Mr Dallat:** I think that my question was very well turned around. *[Laughter.]* Finally, you mentioned your annual pilgrimage to Brussels. I would welcome a pilgrimage to Kilkeel. I would not be looking for miracles, but I think that it would be useful.

**Mr Boylan:** To the fish and chip shop.

**Mr Dallat:** No, battered fish.

**Mr McCulla:** I would be very happy to arrange that.

**The Chairperson:** I will be looking for lobsters. I am only joking. I love them, but I cannot afford them.

Thank you very much indeed for that very comprehensive presentation. Thank you, Dale, for coming from England to Stormont.