



Northern Ireland  
Assembly

Committee for the Environment

# OFFICIAL REPORT (Hansard)

Marine Bill: Sport Northern Ireland/Irish  
Federation of Sea Anglers

10 May 2012

# NORTHERN IRELAND ASSEMBLY

## Committee for the Environment

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

Ms Anna Lo (Chairperson)  
Mr Simon Hamilton (Deputy Chairperson)  
Mr Gregory Campbell  
Mr Tom Elliott  
Lord Morrow  
Mr Peter Weir

**Witnesses:**

Mr Garry Gregg	Irish Federation of Sea Anglers
Mr Michael McClure	Sport Northern Ireland

**The Chairperson:** Our next presentation is from Sport NI together with the Irish Federation of Sea Anglers (IFSA). A briefing paper has been supplied, which is in members' packs.

I welcome Mike McClure, outdoor recreation officer for Sport NI, and Garry Gregg from the Irish Federation of Sea Anglers. You are very welcome. If you could give us a five- or 10-minute presentation, members will ask you questions. We have your written submission already.

**Mr Mike McClure (Sport Northern Ireland):** Good afternoon. On behalf of Sport Northern Ireland and the Irish Federation of Sea Anglers, we welcome the opportunity to provide a briefing to the Committee on the impact of the Marine Bill on sport and physical recreation on the coastal and marine environment.

As stated, my name is Mike McClure, and I am the outdoor recreation development officer in Sport NI. Garry Gregg is the voluntary liaison officer in the Irish Federation of Sea Anglers, which is one of the recognised governing bodies of sport that could be impacted by the Marine Bill. We propose to give you a brief outline of the proposed impact of the Bill, and we will then welcome questions from members.

Sport Matters, which is the Northern Ireland strategy for sport and physical recreation, sets the policy framework for the work of Sport NI in developing sport and physical recreation. Sport Matters recognises the importance of the natural environment, including the marine environment, for providing opportunities for increased participation in sport. Recreational users of the marine environment are active proponents of the importance of keeping that environment as pristine as possible, and therefore Sports NI broadly welcomes the Marine Bill's aim of protecting our coastal and marine environment.

The Department of the Environment (DOE) has signed up to the implementation of Sport Matters, and it is therefore aware of the scale of recreational users' use of the marine environment and the

importance of the coast to the general public. Over the past six months, in partnership with the Northern Ireland Environment Agency (NIEA), Sport NI has been holding a series of public consultations on the development of new outdoor recreation action plan for Northern Ireland to replace the 1998 countryside recreation strategy. Over 90 organisations have responded to that consultation, and one of the main recurring themes is the lack of access to the natural environment for physical recreation and the lack of rights of way on footpaths. We believe that the Marine Bill could have presented an opportunity to help to redress that situation by making a commitment to developing coastal access in line with that in the UK Marine and Coastal Access Act 2009.

The health benefits of walking are very well documented, and work by Walk England has highlighted that for every £1 that is spent on walking infrastructure, there is a £7 saving to health. The Welsh Assembly Government launched their coastal path last week on 5 May and have recognised the economic benefits that that will bring through tourism. The Northern Ireland coast is exceptional, with fantastic scenery and cliff paths on the north coast right through to the Drumlins scenery around Strangford lough. Sport Northern Ireland, therefore, urges the Committee to consider looking at the issue of coastal access as part of the Marine Bill, as per the UK Act.

One of the main concerns that landowners regularly bring up is occupiers' liability. However, that has been dealt with through provisions in the UK Marine and Coastal Access Act, and it can also be dealt with through the Occupiers' Liability (Northern Ireland) Order 1987, in which there is no duty owed to users for liability on a road and in which a road can be defined as a public right of way. Currently, there is a public right of navigation on the sea, and Sport Northern Ireland is concerned that clause 24 could enable the Department to create by-laws that could remove that ancient right. Sport Northern Ireland has concerns about other aspects of clause 24, including the restriction of sustainable and economically beneficial activities, such as sea angling. However, at this stage, it is difficult for us to say any more about that because, until any proposed by-laws are created, we do not know what will be in them. So, it is essential that the Department continues to liaise with the Department of Culture, Arts and Leisure (DCAL) and Sport Northern Ireland, as well as with the governing bodies of sport, as and when by-laws are being proposed.

I will pass over to Garry, who will outline the views of the Federation of Sea Anglers specifically on clause 24.

**Mr Garry Gregg (Irish Federation of Sea Anglers):** Good afternoon, Committee and Chair. I very much welcome the opportunity to address the Environment Committee. My name is Garry Gregg, and I am the liaison officer for the federation, which is recognised as the official body for sea angling in all of Ireland.

The potential for job creation in recreational sea angling in Northern Ireland is unrealised, even though studies that have been carried out by PricewaterhouseCoopers have identified the economic impact in Northern Ireland as almost £7.4 million in 2005, with an average annual spend by each sea angler of £1,459. Under the best projections from PWC, that is estimated to rise to £23.1 million in 2015. That survey was carried out in 2005, and we have moved a long way since that time, and we have seen our tourism increase greatly since then. The real social and economic benefit would be even more than the figures quoted in PWC's 2005 report. The Department of Agriculture and Rural Development (DARD) also carried out an inshore fisheries review in 2006, and the recommendations on improving and developing sea angling have not been acted on.

At a time when we need to attract and keep tourists, we have a great opportunity to achieve that through the full promotion of recreational sea angling. We have a beautiful coastline with many sheltered bays that suit recreational sea angling very well and that will provide a much-needed boost to sea angling tourism and the creation of new, sustainable jobs. We have serious concerns about the future increases in aquaculture in our waters, because that has the potential to damage our marine environment and reduce recreational sea angling availability in sheltered areas, which are often the only places accessible to sea anglers in bad weather. Clause 24 of the Marine Bill has the potential to allow the Department to prevent access to those marine areas by introducing by-laws that could stop recreational anglers collecting bait or even angling there. It is widely accepted that recreational sea angling has a low impact on the marine environment and on fish stocks. We request that we are included as stakeholders in the formulation of any new by-laws that the Department proposes for any marine protected area (MPA) in the future.

DCAL has responsibility to promote and develop our freshwater angling estate under the Fisheries Act (Northern Ireland) 1966. Our sea loughs that border the Republic of Ireland are being developed for all disciplines of angling by the Loughs Agency. However, the area of sea between Lough Foyle and

Carlingford lough is not being developed or promoted for recreational sea angling by anyone, and that anomaly is an untenable situation. We believe that a legislative change to the Fisheries Act (Northern Ireland) 1966 is required to make a Department take on that responsibility. We suggest that the Loughs Agency is best suited to that role, as it is doing well in its current areas of responsibility.

Without an effective licensing process, the retention of by-catch species relating to the inshore, such as wrasses, dogfish, conga eel or rockling, to name but a few, are routinely retained in crab and lobster pots, to be processed as pot bait there and then. Those species, which are in rapid decline as a result of that practice, are important recreational sea angling species. Their absences for the recreational angler from the shore have had a direct impact on the tourist angler and those who supply from them local coastal verges as that form of retail support base falls into decline.

The uncontrolled and apparently unmanaged proliferation of pots, the frequency with which pots are laid along the coastline, with little distance from each other, and their depth and distance from the shore make them a frequent hazard to recreational users of small boats and shore anglers alike. An effective management framework would make a difference by enabling the local economies to benefit, through increased turnover, footfall and profitability.

For most recreational and tourist anglers, the sea angling season is a 12-month, year round season. The number of anglers fishing the coast has been moderating over the past few years as the result of reduced availability of sporting species, caused largely by commercial fishing. The immediate result would be negligible. However, the medium- to long-term importance would be the rejuvenation of small coastal villages' economies by injecting footfall and generating the associated coastal usage.

We believe that almost all the well-known areas of sea angling activity in Northern Ireland that used to be able to generate large incomes from angling-based tourism revenue have all but been destroyed through commercial fishing pressures. To redress the balance of depleted recreational fish stocks, protection should be introduced to the 0- to 6-mile offshore area that Northern Ireland has authority over. That would allow the repopulation of fish so that a healthy and thriving recreational sea angling tourism industry can be supported.

Labour's 'Charter for Angling' refers to England and Wales, but is relevant and stated:

*"A recent study of the sea fishing industry in England and Wales showed that recreational angling is worth £538 million a year (nearly as much as the commercial fleet at £600m)."*

That was in 2005. Since then, the figures for commercial sea fisheries have gone down the tubes, because the fish are not there. The charter continues:

*"Further studies by the Prime Minister's Strategy Unit (P.M.S.U.) indicated that Britain's 1.1 million sea anglers contribute £1.3 billion to the economy every year. This prompted the government to state: —*

*'fisheries management policy should recognise that sea angling may, in some circumstances, provide a better return on the use of some resources than commercial exploitation.'*

*Put simply, there is a better economic return in limiting the over exploitation of the sea by commercial fishing and allow sea angling to develop and prosper."*

The charter also points out:

*"Angling in Britain is responsible for over 30,000 jobs with many more benefiting from the angling related 'revenues'. It also generates nearly £5 billion annually for the economy and makes a major contribution to tourism in the UK. There are huge social benefits to be derived from angling",*

which has:

*"advantages in relieving stress and helping people relax and unwind."*

The charter further states:

*"Angling is a sport, which can claim to be truly classless and meritocratic, and is especially popular with disabled people. The average angler can compete in angling competitions alongside national*

*and world championship anglers whereas the average ... footballer will never get the opportunity to play in the same match as David Beckham or Wayne Rooney.*

*In recent years huge strides have been made in recognising the contribution that angling can make to divert young people away from crime and in promoting social inclusion."*

It explains:

*"Labour has introduced the Countryside and Rights of Way (CROW) in such a way so as to ensure that there is a little or no impact on angling. The Act gives a right of access, in defined circumstances to walk over mountain, moor land or heath."*

That was Labour's 'Charter for Angling' in 2005. Thank you very much.

**The Chairperson:** Thank you both for your presentation. Angling is a big tourist attraction here in Northern Ireland, and it has been for decades. It is a very important industry. Mike, you mentioned coastal access.

**Mr McClure:** Yes.

**The Chairperson:** What was formerly known as the Ramblers Association came to talk to the Committee about that, as well as about the general lack of access in the countryside. Your point concerned lack of access to coastal paths, from which the sea looks so beautiful. Northern Ireland has such long coastal paths, yet they cannot be accessed. That is certainly quite interesting and is something that I am keen to look into. You said that Wales has a strategy and an action plan to have a route right round Wales.

**Mr McClure:** They have actually launched it. They have gone beyond the strategy. The strategy ran for the past few years, and they opened their path last week. They are claiming that they are the first country in the world to have their entire coast accessible.

**The Chairperson:** You also mentioned that we have a lot of miles in private ownership. How will we get over that?

**Mr McClure:** That is a real difficulty, and our existing legislation makes it difficult for local authorities to deal with that. There is a similar situation in England, and they have made a commitment to work with landowners to create small corridors adjacent to the coast that are just 5 metres wide and that can be handed over to the local authority to manage as a coastal footpath. However, they have said that they are not going to rush through it and that it is not going to be something that they will do in the next two years. It is a 10-year programme to roll out a coastal path round England. So, it is a commitment to work to do that. We would welcome that commitment in Northern Ireland to work with private landowners. One of the ways to do that is to have some form of compensation or to make sure that private landowners are not impacted by recreational users by ensuring that liability issues are dealt with.

**The Chairperson:** The Ramblers Association suggested that councils should not implement the legislation on access because some of them are more committed to opening access than others. The association suggested that that should be put back to the Department. What is your view on that?

**Mr McClure:** Under the 1983 access order, councils are empowered to create public rights of way and footpaths. However, they are not required to, and that is one of the big issues that many users have with the existing legislation. At the same time, the legislation does not require the Department to force councils to do create rights of way or to force it to happen. It is more of an empowerment than a requirement, whereas, under the Countryside and Rights of Way Act 2000 in England and Wales, which was a revision to their existing legislation, as well as under the Land Reform (Scotland) Act 2003, there is a requirement to open up land for recreation.

**The Chairperson:** If we updated our law, that may make it more enforceable. I am a very keen walker myself, but I am not a hugely ambitious walker. However, I love walking. It is a shame that a lot of the beautiful paths and scenery are not accessible.

**Mr McClure:** I will give you an example. We have about 130 miles of public rights of way in Northern Ireland, and England has over 200,000 miles of public rights of way. For every square mile in Northern Ireland, there is 0.29 miles of public rights of way. In England, for every square mile there are 2.2 miles of public rights of way. So, we are considerably behind other parts of the UK.

**The Chairperson:** It is a huge potential for tourism. There are walking tours all over Europe and America, and it could certainly increase the number of tourists.

**Mr Hamilton:** I apologise for missing the bulk of your presentation. However, I have read through your submissions. With regard to the angling side, your concerns with clause 24 seem to be very similar to those expressed in the first evidence session. Obviously, there is a lot of crossover of membership. You referred to clause 24(3), which deals with prohibiting or restricting the killing, taking, destruction, etc, etc in a marine conservation zone (MCZ). It goes back to the same point that those witnesses were trying to make. I think that it is incumbent on the Committee to seek clarification from the Department so that you can get the assurance that, if an MCZ is designated and, say, it is out at sea, just because there is something at the bottom of the seabed that is worth protecting and is worth designating, that does not mean that things cannot be taken above that. I appreciate that there is always a concern that the worst will be done as a result of this, but I think that it is incumbent on us to try to get that clarification that it does not always mean that the most extreme restriction will be put in place. Is that fair? You are content with the notion of protecting habitats, because that adds benefit for angling and fishing in the longer term.

**Mr Gregg:** Yes, that is a great point. My colleague and the Chair spoke about the pleasure of walking. For anglers in general, be they involved in freshwater or saltwater fishing — I am involved in both — half the joy is just being in and enjoying the environment. We value highly the myriad of wildlife, flora and fauna that is there. We are not against protecting them. We are worried about is being prevented from angling somewhere where we have been going and maybe collecting bait for recreational angling, not for commercial purposes, and to enjoy that recreation as it has been enjoyed since time began when we were fishing for our dinner. We do not think that draconian measures against the recreational sea angling group are necessary in those by-laws. So, we are very encouraged to hear that that is the way you are going to go.

**Mr Hamilton:** That is probably what all of us are thinking about or are worried about. You could see the overly zealous interpretation of some of those clauses being restrictive of doing basically anything in the marine environment. That is not where anybody wants to get to. There may be some MCZs designated where, for legitimate reasons, nothing can happen. However, that should not be the default position. As the point was made earlier, there should be no more protection than is necessary. I can see a lot of areas where there will be protection, but that does not necessarily mean that you cannot fish or shoot over it. We have a responsibility to ensure that that clarity for the likes of you is in the Bill as it proceeds through the Assembly so that you can embrace the Bill and all its elements rather than see it as something that is there to stop you from enjoying your pastime.

**Mr Gregg:** All anglers, whether sea or freshwater, are custodians of the environment in their own mind's eye. They are highly involved now in monitoring pollution or reporting incidents. Conservation is also uppermost in their minds. They do not take home fish that they are not going to eat or use. That maybe happened decades ago but not any more. We have seen a massive reduction in the stocks that are available to recreational sea anglers in our inshore. That is purely because the commercial fleet is twice the size that it should be. They have now switched to prawns; that is the only fishery left.

Some sense needs to be made of the common fisheries policy. They are now looking at by-catch, but the real issue is that there are no fish to populate the inshore if they keep taking out. The way that it stands at the minute, any vessel that is under, I think, 15 metres that is registered in Northern Ireland, the Republic of Ireland or wherever has the ability legally to go inshore right to the dry sand and trawl if they want to. That is why we have no fish in the inshore and why sea angling is dying. People are walking away from sea angling in their droves. They are turning to other forms of angling. However, if the stocks were there, the anglers could fish.

I watch Assembly debates, and I know that they talk about how we are going to get tourism. The Florida nature reserves have thriving striped bass fisheries. Norway, Iceland and Scotland are going the same way. We need to follow, because there is tourist money there for supporting jobs and for developing as a fishery. However, we need to have the stocks of fish for anglers to chase. If the stocks are there, the tourists will come from everywhere.

**The Chairperson:** I see from your submission that you support a maritime management organisation (MMO) as a result of your experience of dealing with DARD and DCAL.

**Mr Gregg:** You can see that I am not filled with a lot of inspiration. Surveys were done that I took part in, and the recommendations came out the other side, but nothing happened. Nothing has happened with even PricewaterhouseCooper's recommendation. Now, DARD in its wisdom, whether it has no resource or just wants to keep things moving, has commissioned Dr Carrie McMinn at the Agri-Food and Biosciences Institute (AFBI) to do another sea angling survey. I met with Dr Carrie McMinn a few times and spent a lot of time explaining things to her, but we just seem to be beating our head off a brick wall.

If you look at any other developed tourism and recreational-based fishery, you will see that it is making a lot of money. The striped bass fishery in New York State is worth billions of dollars a year. If we had the stocks of fish in our inshore, we could be raking in a lot of tourist money.

**The Chairperson:** Thank you very much for your time and input.

**Mr Gregg:** Thank you very much indeed.