

## **SEA FISH INDUSTRY AUTHORITY**

Minutes of the

### **Seafish Marine Environmental Legislation Expert Group Meeting**

Held at Nobel House, Smith Square, Wednesday 24th November 2010

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#### **Present:**

James Wilson	Chairman, Seafish
Steve Colclough	Environment Agency
Dale Rodmell	National Federation of Fishermen's Organisation
Fiona Walters	Defra – item 6
Colin Warwick	Crown Estates
Helen Stevens	Natural England
Peter Wilson	Seafish
Sarah Horsfall	Seafish
Phil MacMullen	Seafish
Tricia Jordan	Seafish
Mark Gray	Seafish

#### **Apologies:**

Mike Park	Deputy Chairman, Seafish
Peter Winterbottom	The Association of Sea Fisheries Committees
Jerry Percy	Welsh Fishermen's Federation Association
Walter Spiers	ASFG
Tom Pickerell	Shellfish Association of Great Britain

Rory Campbell	Scottish Fishermen's Federation
David Collins	Defra
Eamon Murphy	Marine Scotland
Neil Wellum	Marine and Fish Agency
Patrick Stewart	Scottish Fishermens Federation

## **1. Welcome by the Chairman**

The Chairman welcomed everyone to the meeting and thanked Defra for hosting the meeting. In view of the length of time since the last meeting, the action points would now be no longer relevant.

## **2. Apologies**

Apologies were received from Walter Speirs, Neil Wellum, Rory Campbell, Peter Winterbottom, Andrew Brown, David Donnan

## **3. Matters Arising**

### **3.1 Several and Regulating Orders**

Tom Pickerell was to have given an overview on this, but could not attend today's meeting. Guidance notes have been received.

- SH to circulate

### **3.2 Future management of fisheries orders in Wales**

At the last meeting we discussed a consultation from WAG about the future management of fishery orders in Wales after the SFC's were disbanded. The consultation offered four possible solutions, which were;

- a. Lapse
- b. Licences given to the Environment Agency in Wales
- c. Set up limited company – fishermen to accept licences and run them
- d. Grant licences to a committee made up of industry, NGO's and representatives

WAG have provided a written update on the current position

- SH to circulate WAG update

### **3.3 Scottish Marine Bill**

Apologies had been received from the representative from Scottish Government who was to have given an update on the Scottish Marine Bill. However, notes were sent to Sarah Horsfall who went through them for the committee members.

- SH to email notes to committee members

### **3.4 Any other Matters Arising**

#### **3.4.1 Marine Cultural Heritage**

Since the Heritage Protection Bill has been shelved, and the Marine Act failed to include a mechanism for protecting underwater cultural heritage there has been an attempt to give protection under the Marine Policy Statement. The draft version of which has just been out for consultation. Sarah Horsfall advised that Seafish had responded to the consultation commenting that this was not the appropriate way to effect heritage protection.

## **4. Marine Strategy Framework Directive**

Kylie Bamford from Defra tabled the "Marine Strategy Framework Directive - the path to implementation" and gave an overview of the plan. She also confirmed that the stakeholder consultation group would restart in the New Year.

## **5. Common Fisheries Policy**

A discussion took place on the Common Fisheries Policy (CFP). PM is currently trying to build a consensus statement on CFP involving all of the supply chain. It is hoped that the UK will come up strong coherent position on reform of the CFP.

- Kylie Bamford to email CFP timeline to Sarah Horsfall

## **8. Marine Policy Statement**

Fiona Walters from Defra gave an overview on Marine Policy Statement (MPS).

- MPS debate is currently in the committee stage and will move from there to the House of Lords.
- All debate is to be completed by January 2011

## **6. Marine Licensing**

You will probably remember that under the UK Marine Act fishing was included as an activity which needed to be licensed, although this was not the case in Scotland. We were disappointed with this having tried to get it removed. However, we asked for it to be listed under the exclusions in the subsequent legislation because it is licensed and controlled elsewhere, and this is now the case.

Our concern now is the lack of rights for third party appeals to licensing decisions however Anju Sharda, from Defra explained that it is not now possible to change that in the legislation.

In view of that Seafish expressed concern over the pre licensing consultation process not being adequate. Anju advised that the MMO would be providing guidance.

- AS to provide contact details for the relevant part of the planning department

## **7. Shellfish Waters Directive**

Sarah Horsfall explained that we are all aware of the potential problems associated with the upcoming repeal of the Shellfish Waters Directive. We have been campaigning with EMPA to have a European solution to this problem, but have been unsuccessful so far.

We have also been asking DEFRA and SH recently met with Chris Preston of DEFRA who heads the aquaculture team to explain the problem and ask for DEFRA's help in solving it. After the meeting he asked for a letter which DEFRA could respond to which SH has now sent, along with TP and WS's support.

We are now waiting to see what DEFRA's response is.

- SH to email copy of letter sent to Chris Preston to Kylie Bamford

## **9. Food For Wales**

Wales recently held a consultation and Seafish have responded to this and note that fishing and aquaculture has been included. The Chairman reported that the Welsh Assembly Government were very keen on combining food producers with local markets and have spoken to stakeholders around Wales on producing food in a sustainable way.

## **10. Further proposed EU marine sites under Natura 2000**

Helen Stevens gave an update after which a discussion took place.

## **11. Date and Venue of Next Meeting**

The next meeting to take place on 16 February 2011. Possible venue National Federation of Fishermen's Organisation, York.

- Sarah Horsfall to confirm date to committee members

## **12. Any Other Business**

- Steve Colclough advised that Environment Agency are training Marine Management Organisation staff on Marine Enforcement.
- Steve Colclough advised new legislation on powerstations in Scotland. SC to email details on powerstations to Sarah Horsfall
- Steve Colclough gave an update on Sturgeon. It has been noted that adolescent Sturgeon are now making a comeback in our estuaries from France. This is due to the estuaries in France being full of sturgeon.