



Cynulliad Cenedlaethol Cymru The National Assembly for Wales

Y Pwyllgor Amgylchedd a Chynaliadwyedd: Grŵp Gorchwyl a Gorffen ar y Polisi Pysgodfeydd Cyffredin

The Environment and Sustainability Committee: Common Fisheries Policy Task and Finish Group

**Dydd Iau, 3 Tachwedd 2011
Thursday, 3 November 2011**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r grŵp gorchwyl a gorffen yn bresennol

Task and finish group members in attendance

Yr Arglwydd/Lord Elis-Thomas	Plaid Cymru The Party of Wales
Llyr Huws Gruffydd	Plaid Cymru The Party of Wales
Russell George	Ceidwadwyr Cymreig (yn dirprwyo ar ran Antoinette Sandbach) Welsh Conservatives (substitute for Antoinette Sandbach)
Julie James	Llafur (Cadeirydd y Grŵp Gorchwyl a Gorffen) Labour (Task and Finish Group Chair)
William Powell	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
David Rees	Llafur Labour

Eraill yn bresennol

Others in attendance

Alun Davies	Aelod Cynulliad, Llafur (Y Dirprwy Weinidog Amaethyddiaeth, Bwyd, Pysgodfeydd a Rhaglenni Ewropeaidd) Assembly Member, Labour (The Deputy Minister for Agriculture, Food, Fisheries and European Programmes)
John Clark	RSPB Cymru
Debbie Crockard	Y Gymdeithas Cadwraeth Forol Marine Conservation Society
Dr Clare Eno	Uwch Gynghorydd ar Bysgodfeydd Senior Fisheries Adviser
Stuart Evans	Pennaeth y Polisi Pysgodfeydd, Llywodraeth Cymru Head of Fisheries Policy, Welsh Government
Dr Sue Gubbay	Aelod o Gyngor Cefn Gwlad Cymru Member of Contryside Council for Wales
Robert Floyd	Swyddog Polisi Pysgodfeydd Môr, Llywodraeth Cymru Sea Fisheries Policy Officer, Welsh Government

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol

National Assembly for Wales officials in attendance

Leanne Hatcher	Dirprwy Glerc Deputy Clerk
Dr Virginia Hawkins	Clerc Clerk
Nia Seaton	Y Gwasanaeth Ymchwil The Research Service

*Dechreuodd y cyfarfod am 1.05 p.m.
The meeting began at 1.05 p.m.*

Cyflwyniad, Ymddiheuriadau a Dirprwyon Introduction, Apologies and Substitutions

[1] **Julie James:** Good afternoon, everyone. I welcome task and finish group members and the members of the public who may be watching us. A warm welcome to our two witnesses. In the event of a fire alarm we should leave the room via the marked fire exits and follow the instructions of the ushers and staff. There is no test scheduled for the duration of our meeting, so, if an alarm sounds, it will be a genuine emergency. Please switch off all mobile phones and other electronic devices. We operate bilingually. Headphones are provided for translation and amplification if you need it. Interpretation is on channel 1 and amplification is on channel 0. The microphones will come on and off automatically as you speak, so there is no need to switch them on manually. We have had apologies from Antoinette Sandbach, and Russell George is substituting for her this afternoon.

1.06 p.m.

Ymchwiliad i'r Diwygiadau Arfaethedig i'r Polisi Pysgodfeydd Cyffredin: Tystiolaeth gan Gyngor Cefn Gwlad Cymru Inquiry into Proposed Reforms to the Common Fisheries Policy: Evidence from the Countryside Council for Wales

[2] **Julie James:** I welcome you again, formally. It is very nice to see you both here. Would you like to give a short introduction to your paper? We will then have a number of questions. We tend to run the task and finish group slightly less formally than some of the bigger committees are run, because there are a smaller number of us. So, we will see how the questioning goes. Members may want to ask for clarification on a number of points.

[3] **Dr Gubbay:** I am Susan Gubbay, a council member of the Countryside Council for Wales, and Dr Clare Eno, who is with me, is a staff member who specialises in fisheries. We are delighted to be here. Thank you for inviting us to give evidence. The common fisheries policy, as are fisheries in general, is a fraught subject, but one that is of great interest to us because it has clear implications for environmental management and ecosystems management around the coast of Wales. We have submitted in written evidence a general introduction, some key points and some responses to specific questions that you had raised.

[4] In these few minutes of introduction I will highlight some of our major points. We welcome the opportunity to comment on the review of the common fisheries policy. The CCW has submitted a response, with the other conservation agencies and the Joint Nature Conservation Committee, to the Green Paper, which gives additional background. We would be happy to send that to you as well, if you would like that.

[5] We have set out our general approach to fishing and what we would like to see. I do not think that there will be anything of great surprise there. It is about minimising the adverse effects on the marine environment, integrating environmental considerations into fisheries management, and wider resource management, not just fisheries management. It is also about being long term and proactive, thinking about ecosystems management rather than individual elements and seeking greater stakeholder involvement in fisheries management.

[6] We have highlighted seven priorities. At this point, I will raise three with you. I am sure that we will discuss the others as we go through the evidence. The first, which I have hinted at already, is that we feel that one of the positive things in the new regulation, but one that needs more work, is the idea of taking forward what is called 'the ecosystem approach' into fisheries management. It is mentioned, but perhaps we can discuss how it may be enhanced in the new regulation. The second theme that I would like to highlight is

environmental directives. Again, the regulation proposes linkages with other environmental directives, such as those on habitats and birds and the marine strategy framework. That is also positive, but it would be helpful to have some more detail on that and what exactly it means. The third is about science and data. Clearly, as an organisation that provides advice to Government, we rely on science and data. We feel that sound science and data collection are important in fisheries management as well as in all other aspects of our work. There is scope for the regulation to be strengthened in this area also. So, those are the three priorities that I would like to raise at this point. As we get into more detail, I can give you more information and bring out our other points.

[7] **Julie James:** That was extremely helpful. I will kick off with the questions. One of our major concerns is about the interaction of the marine conservation areas with a number of other things, such as energy generation and so on, as well as the fisheries. We have a number of complex things to manage in our coastal waters. Do you have a view on how the fisheries policy regulations might be strengthened, weakened or changed with that complexity in mind?

[8] **Dr Gubbay:** Yes, the new regulation, in particular article 12, talks about special areas of conservation and gives member states the opportunity to put forward proposals to the Commission on fisheries management in such zones. Our feeling is that that really needs to be linked back to all the technical measures in the regulation and that it should not just be limited to special areas of conservation. As we know, the habitats directive and the birds directive require consideration beyond the boundaries of these protected areas. If you want to be effective in protected area management, you need to take a broader approach as well as focusing on the site. So, that is one aspect of the management of sites where it might be helpful to have more clarification.

[9] **Dr Eno:** In relation to protected areas, the marine strategy framework directive is proposing that a network of protected areas should be set up across the European Union. As my colleague said, we should therefore really be looking for a clearer indication within the common fisheries policy regulation of the specific links with the marine strategy framework directive and mechanisms for delivering the marine protected areas as well as mechanisms for regulating fisheries in relation to marine protected areas.

[10] **Julie James:** I note that, in your paper, you link that to the strategic environmental assessments. I do not know anything about marine strategic environmental assessments, but I know quite a bit about them onshore, and I think that it is fair to say that they have not been an unmitigated success. Do you think that it is a viable tool to use in the marine context?

[11] I was not meaning to put you off them entirely.

[12] **Dr Gubbay:** Certainly, strategic environmental assessment is a very valuable tool in taking an ecosystem approach as well as for being proactive as well as reactive. That is something else that we want to try to do—to look ahead and head off environmental problems. So, strategic environmental assessment is a good tool. It is not really applied in fisheries management. Potentially, it could be very helpful at a regional level—in the Irish Sea or smaller regions—in picking up on some of the big issues that you then need to look at in detail for fisheries management. So, it is an important tool, and it would be really useful to have some more on that.

[13] **Julie James:** Are you talking about linking it across a number of areas that are looking to develop in a particular area—whether it is a conservation area or not? Is that what you are suggesting? It seems to me that you could use it across a number of directives or areas as a single tool to link them together. Would you agree with that?

[14] **Dr Gubbay:** Yes, certainly. I am a fan of strategic environmental assessment.

[15] **Dr Eno:** Certainly, if there was a more regional approach to managing fisheries across the European Union, the bodies and the stakeholders involved in undertaking that approach could link it. Within the regulation, there is a great deal of mention of the development of multi-annual plans for fisheries. Linked with strategic environmental assessments, they would allow for the development of a more ecosystem-based approach on a regional basis.

[16] **Yr Arglwydd Elis-Thomas:** Gofynnaf fy nghwestiwn yn y Gymraeg. Gan fy mod yn holi'r cyngor cefn gwlad, byddai'n rhyfedd i mi wneud hynny yn Saesneg. Mae gennyf, wrth gwrs, ddiddordeb mawr yn y cysyniad o ddatganoli rheolaeth dros bysgodfeydd i'r lefel rhanbarthol. Fodd bynnag, o'm profiad fel un sydd yn cynrychioli etholaeth sydd yn ymestyn o Gaernarfon i lawr i Aberdyfi a gogledd bae Ceredigion, a'r pysgodfeydd o'i chwmpas, yr wyf yn poeni ynglŷn â dylanwad gwahanol randdeiliaid yn y rhanbarth hwnnw.

Lord Elis-Thomas: I will be asking my question in Welsh. As I am questioning CCW, it would be odd for me to do so in English. I have, of course, a great interest in the idea of devolving the regulation of fisheries to the regional level. However, from my experience as the representative of a constituency that runs from Caernarfon all the way down to Aberdovey and the north of Cardigan bay, and the surrounding fisheries, I am concerned about the influence of different stakeholders in that region.

1.15 p.m.

[17] Mae gwahaniaeth mawr rhwng llongau pysgota ar ymweliad o'r Alban, o Iwerddon, o Getaria yng Ngwlad y Basg, neu o lle bynnag, a'r ardal honno. Mae hynny'n arbennig o berthnasol ar gyfer pysgota cregyn bylchog i'r gogledd o Benrhyn Llŷn. Ofnaf y bydd datganoli rhanbarthol yn gwthio dadleuon ynglŷn â rheolaeth pysgodfeydd, yn enwedig rheolaeth lefelau pysgota, i lawr i'r lefel ranbarthol. Pwy sy'n mynd i ofalu am hynny?

There is a great difference between visiting fishing vessels from Scotland, Ireland, Getaria in the Basque Country, and so on, and that area. That is particularly relevant for scallop fishing to the north of the Llŷn Peninsula. I am concerned that regional devolution will mean that the arguments regarding the regulation of fisheries—fishing quotas in particular—will be pushed down to the regional level. Who will be responsible for that?

[18] **Dr Gubbay:** There are several points to make about the regional approach. Considering fisheries management from an ecosystem perspective, it is wise to manage fish stocks over the areas that they roam and rely on for reproduction, where the juveniles are and so on. For effective management, you need to look at the whole region that is relevant to that particular fish or crustacean stock. That would be the first relevant region. On top of that, there are practical administrative regions, community management regions, and inshore and offshore fisheries. The challenge is to combine those in a way that works for the management of the resource. It must always come back to that. That is what we are trying to deal with, and you need to choose appropriate regions for that. The Commission has recognised that Europe-wide is not sufficient. We need to start looking at a more regional level, hence the regional advisory councils. We can take advantage of that and work at a more realistic level for the fish resources that we need to manage.

[19] **Dr Eno:** The management of inshore fisheries is the primary responsibility of the Welsh Government. I understand that you will be hearing from the Welsh Government and the Deputy Minister for Agriculture, Food, Fisheries and European Programmes shortly in that respect. Offshore fisheries management is the responsibility of the Commission. It has exclusive competence for management of fisheries, but has derogated inshore fisheries. The

process suggested for the regional approach is in line with what the Welsh Government has been undertaking for inshore fisheries management. It has put forward stakeholder groups—three inshore fisheries groups operate in Wales—and there is an overarching Welsh marine fisheries advisory group, which reflects the same idea of having regional bodies for offshore fisheries. Those regional bodies could also influence inshore fisheries. You asked about visiting vessels; we are very well positioned in Wales to understand what is happening on a Welsh basis and, through engaging with the regional process, to be able to input how there should be broader management of the stocks. The success lies in the stakeholders working together and being able to manage their own resources. That is probably the best way forward.

[20] **David Rees:** There is a question of historical rights. What is the Countryside Council for Wales's view on historical rights? We have had a response from the Deputy Minister, which we will ask him about later. What is your view on the situation with historical rights, as we are not sure about managing stocks and so on?

[21] **Dr Gubbay:** Like many elements of the common fisheries policy, they have been around for rather a long time. There is no harm in bringing forward consultations, exploring them, seeing how we can improve things and bringing them up to date. That is probably about as far as I could go on that.

[22] **Julie James:** Could I follow up on something that you said about the regional advisory councils? This is all new to me; I have not been around to have much experience of fisheries, although I have been around a long time with regard to other things. It seems to me that the regional advisory councils are not terribly regional, in that they are very big. You say in your paper that there is an issue about who the majority of stakeholders are on those councils and, therefore, whether they are going to be able to take a balanced approach. Could you elaborate on that?

[23] **Dr Eno:** The regional advisory councils were set up in a separate regulation following the last review of the common fisheries policy. In fact, CCW, along with many others, quite actively promoted the idea. We undertook a feasibility study in the Irish sea, and we felt that it would be a good way forward to look towards developing a strategic management plan of fisheries for whole seas. They were adopted across the whole of the European Union area, and, given that they had to be adopted at a feasible level, they are quite large. The one that is relevant to Wales is the north western waters regional advisory council, which extends down the whole of the west of the UK and Ireland. Partly due to some of the work that we did previously, it was split up into four sub-regions, one of which is the Irish sea. So, at the moment, the north western waters RAC has a working group on the Irish sea. It has progressed and matured as time has gone on, and it also has some interesting working groups, such as one on marine spatial planning.

[24] The size of the advisory council is aligned with biological interests. The CFP regional advisory councils are quite closely aligned with biological regions, as opposed to geographical regions. At the moment, you mainly have fisheries stakeholders and other stakeholders, such as environmental non-governmental organisations. However, we strongly believe that the CFP and the marine strategy framework directive, which is also suggesting a regionalisation approach—although the regions there are to do with political boundaries rather than with biological boundaries—should be better aligned. You could better integrate the decisions overall—not just manage the fisheries resources, but also the natural resources that are beyond fisheries. So, that would be a positive way forward. Would you like to say a bit more about the marine strategy framework directive?

[25] **Dr Gubbay:** Yes. It would be really helpful if these regions were the same. Unfortunately, they are not. The marine strategy framework directive regions are even larger,

but we are required to have good environmental status in the waters of the marine strategy framework directive. There is going to be a lot of overlap. The work of the fisheries RACs will contribute to good environmental status, but they are operating on a different regional level. However, we are where we are, and it is important to say that breaking it down to the regional level has been helpful, rather than it being simply at a European level.

[26] **David Rees:** Are the RACs dominated more by the larger fishing organisations? Our fisheries are inshore, so have smaller fleets, but are the RACs dominated by the larger fleets?

[27] **Dr Eno:** What you tend to find is that each member state has an allotted number of seats for the fisheries sector. Given that the UK is one of the member states, it is inevitable that you will have, mainly, the larger fishermen's federations—the National Federation of Fishermen's Organisations and the Scottish Fishermen's Federation, although the Welsh federation also has a seat and can attend.

[28] The larger federations must deal with the offshore and inshore fleets, so you may not hear that the Clyne fishermen's association or the Cardigan bay fishermen's association are sitting on the advisory councils, but they are represented through the others. We have submitted evidence that there should be some sort of training for the people involved in the inshore fisheries groups in Wales, so that they are more used to making an input to the broader advisory councils, so that the voice of Wales can be heard through trained-up stakeholders and to make the voice of inshore fisheries more prominent. If you look at the Irish sea, the majority of it is inshore, whether it is on our side or on the Irish side.

[29] It depends on the advisory council; some advisory councils are not regional, which is why the name is changing from regional advisory council to advisory council, so that there is a pelagic council and high-seas council. Obviously, they will be dominated by offshore interests, but it is changing; there is a proposal to bring in an aquaculture advisory council, which will consider inland issues as well as the sea.

[30] **Julie James:** As we have started to talk about the difference between the inshore and offshore fleet, I note that we have had a statement from Wales Environment Link saying that the regulation should have clearer visions for realignment of the fleet. We have had much evidence on the fact that the Welsh fleet is mostly inshore, and the problems associated with that. Do you want to say something about whether you think that there is a need for a vision for the fleet for the future at a UK and Wales level? That ties together with the issue that we have discussed most about in the group so far, which is quota allocation, and how you allocate quota to the inshore fleet, or not, and how that might work. Do you have a view on that? They seem to me to be interlinked; do tell me if they are not.

[31] **Dr Gubbay:** We can comment on the overall vision side, but the technical part of how you allocate quotas is not really our area of expertise. On the overall vision, it is important to set out where you want to be. In the regulation, we have maximum sustainable yield and an ecosystem approach as where we want to be—these are quite broad, vision-type statements. The challenge is to put that into some detail and explain what we mean by that. With regard to the ecosystem approach, we have already mentioned strategic environmental assessment, which could be a practical thing that sets your vision and takes it one step down from a broad statement. So, having a clear idea of what we want the fleet to look like and how much it should be supported are all important things with regard to future planning, as are multi-annual plans and long-term planning. We have supported all of that in our submission. I cannot talk about quotas, I am afraid.

[32] **Dr Eno:** There was more emphasis in the Green Paper, compared with the current regulation, on the differentiation between inshore and offshore. On the whole, inshore fleets tend to be smaller, so they could be better aligned with the interest inshore. There is room for

them to have allocated rights to particular stocks. We have said a little about it in relation to our response to the Green Paper but, on the whole, our interests are to do with ensuring that the environment is sustainably exploited.

1.30 p.m.

[33] **David Rees:** To take that on, one of the things that you mentioned at the beginning was data collection and science, and when you talk about quotas, it all seems to be based upon data collection and science. What problems do you envisage with that, both inshore and in other areas?

[34] **Dr Gubbay:** There are lots of areas where it would be wonderful to have more data, more detail, and more focus on the Welsh fisheries, because you have to deal with the broad level when you are talking about quotas throughout the community and in specific regions. There are a number of areas where it would be really helpful. There is a new scheme that I think that you may be aware of—the vessel management scheme, or VMS—which is going to go on some of the Welsh vessels, and Claire will tell you more about that in a minute. It will be able to collect more detailed data on location, to quite short timescales. We need information not just on where vessels are, but on what they are taking, where catches have been landed, how they are linked to local communities, what the environmental implications are, and what the scope for enhancing the environment through fisheries management is—there is an endless number of questions. We would like more detail, and for the data to be more Welsh-specific; that would be very helpful. Claire, could you explain about the VMS project? That is really good.

[35] **Dr Eno:** Yes, this is one of the projects that is being tried out at the moment in the south of England, but there is also at least one boat that has been trying it out from Holyhead. It is a low-cost vessel management scheme—a tracking scheme that is about a fifteenth of the cost of normal vessel tracking schemes, and could be applied to all vessels. The thing is that, at the moment, these vessel monitoring and tracking systems are only applied to vessels over 15m in length; the control regulations said that they would be applied to those over 12m, but that still excludes most of the Welsh fleet. What is nice about this new scheme is that it is low-cost and can be applied to all vessels. I know that the Welsh Government has just purchased 20 of these, and I think that they will be applied to the scallop vessels, because the scallop season has just opened up.

[36] The scheme allows you to get real-time data. The intervals between the transponder signals can be very short—a matter of seconds. They will probably go for a couple of minutes, whereas the statutory requirement at the moment is for every two hours, and vessels can do a lot in two hours. It has the advantage that you can also put it on the gear, not just on the boat, so you can see when the gear is being deployed. That means that you can see precisely what is being caught, and link it to landings and so on. You can also set boundaries, so that it can send messages if you are about to go into a protected area, or a more restricted area. It gives much more information, and I would certainly recommend that sort of information coming back.

[37] As we said in our written evidence, we specifically encourage the collection of data, because if you are going to try to assess the effects on the environment, you have to know what is happening, and what has been taken out of the environment. At the moment, information is fairly scant, and CCW and others are trying to gather more detailed information in that respect. We have made reference to a pilot project that we are doing around Anglesey—we have called it Fish Map Môn—where we are working in collaboration with the fishermen, gathering data from them and mapping out the fishing activity they are undertaking, because we want to combine it with maps that we have of the sensitivity of the sea bed to determine whether everything that is going on is in balance with what the

environment can stand, and it probably will be. We have gone into it with a completely open mind, and are doing it in order to work with the fishermen on guidelines for management, which will totally be based on gathering the data. You will not be able to gather that data unless you have the stakeholders, the fishers, committed to it. Even if you have this new device to monitor where the vessels are, the fishermen must be completely signed up to that.

[38] **David Rees:** Therefore, you will get extra data, but you will still not get all the data—for example, you will not have any information about discards. You will just know where and when they are fishing, but until they land, you will not have a clue as to what they have caught. Is that right?

[39] **Dr Gubbay:** There are many interesting developments in terms of remote technologies, such as cameras on board to see what is in nets and on decks, and acoustic methods. A lot of techniques are being trialled because, ultimately, fisheries management and enforcement are down to a few things. They are down to fishermen wanting to support those measures and having an appropriate and cost-effective technology to deliver them. So, there are ways. The VMS was a start in that direction. There are also interesting projects on feeding back the data to fishermen so that they can see more benefit from the data collection, because it needs to be a collaborative approach, as Claire said. So, it is about collecting the data together, but also feeding data back so that the benefit is not just being seen as being drawn out of the industry. There are interesting ideas around on remote technologies and, no doubt, they will keep developing.

[40] **William Powell:** Dr Eno has already moved into the area of monitoring and policing, which I wanted to raise. Are there wider resource implications that we should be aware of in respect of enforcing this new regime?

[41] **Dr Gubbay:** I will start. The key thing with enforcement is not to go backwards. We need to ensure that the systems that we have in place continue to function and improve. As I have just mentioned, remote technologies are interesting because the resource implications are, perhaps, not as onerous as having vessels on site or overflying aircraft and so on. People are concentrating their efforts there. The other thing about enforcement is that it is one of these ‘How long is a piece of string?’ questions. Ultimately, you must have the support of the people. The word ‘compliance’ is helpful in this discussion. Compliance must go hand-in-hand with enforcement, and that is what keeps the costs at a more reasonable level, namely that people want to keep to and understand the reasons for particular regulations. So, that is a place to put in a lot of effort, which is no different from what should be happening now.

[42] **Dr Eno:** Our concern is that the environmental legislation is complied with. It is the role of the Welsh Government to enforce fisheries regulations, but, as we have put in our evidence, the links to the environmental legislation and the obligations to comply with that should be clearer, because if you are complying with the fisheries regulations, you should also be complying with environmental legislation. Fisheries will not be sustainable unless the environment is sustainable. The two are completely interlinked. It is a key time, when there is so much more integration at political levels and so on, for this legislation to come together with this move towards enforcement. Using mechanisms such as the one that will be tried—the Welsh Government has bought a number of devices to put on vessels—will make our work that much better in terms of trying to move towards determining what levels of fishing can occur and in which areas, including some marine protected areas.

[43] **Llyr Huws Gruffydd:** Yr wyf eisiau mynd yn ôl at eich cyfeiriad gynau tuag at y system monitro llongau. Yr oeddech yn dweud ei bod llawer yn rhatach, ond, er eglurder imi, yn rhatach i bwy? Hynny yw, **Llyr Huws Gruffydd:** I want to go back to your earlier reference to the VMS. You said that it was much cheaper, but just so that it can be clear, cheaper for whom? That is, who bears that cost?

pwy sy'n ysgwyddo'r gost?

[44] **Dr Eno:** I think that you will have to ask for the exact details later when you talk to them, but there is a cost to the fishermen with regard to installing this and to the enforcement body with regard to monitoring what is going on. One thing that I failed to mention, which is probably what is most exciting about this, is that it does not rely on satellite technology, it relies on mobile phone technology. That is probably what reduces the cost. On the whole, it means that it can be used in inshore waters. If a fisherman is fishing and he goes into a georeferenced area where there may be restrictions, he will get a message on his mobile phone to tell him that he has gone into that area. So, the costs are less on both sides, but I could not tell you the exact figures.

[45] **Llyr Huws Gruffydd:** Diolch yn fawr; mae hynny'n swnio fel datblygiad digon diddorol a chyffrous. Pe baech yn gallu darparu mwy o wybodaeth, byddai hynny'n fuddiol iawn. Hoffwn symud ymlaen i drafod rhywbeth mwy penodol, sef pysgod yn cael eu taflu yn ôl i'r dŵr—mae rhai cyfeiriadau wedi bod at hynny yn barod. A hoffech ymhelaethu ar y sylwadau yr ydych wedi eu gwneud? Gwn fod sôn am yr angen i greu marchnad ar gyfer y pysgod hynny, ond ni fydd hynny'n datrys y broblem; os rhywbeth, bydd yn creu mwy o alw. Efallai yr hoffech ddweud rhywbeth ynglŷn â'r dulliau posibl o sicrhau bod llai o wastraff yn y cyd-destun hwn.

Llyr Huws Gruffydd: Thank you very much; that sounds like an interesting and exciting development. If you could provide more information, that would be very useful. I would like to move on to discuss something more specific, namely fish being thrown back into the water—references have been made to that already. Would you like to expand on the comments that you have already made? I know that there has been mention of the need to create a market for these fish, but that will not solve the problem; if anything, it will create more of a demand. Perhaps you would like to say something about possible methods of ensuring that there is less waste in this context.

[46] **Dr Gubbay:** We have made some reference to article 15, which relates to the discards and the phased reduction. As a starting point, we would certainly want to see a reduction in the number of discards and a reduction in the catch. First, the catch needs to be more targeted so that you do not get the bycatch. The second step is to ensure that, if the discard policy is going to change, there are some species that we have highlighted, such as the skates and rays, which are very vulnerable, and it is important to see them returned if there is a good possibility of survival of the species, rather than creating a new market, which is the concern that you raised. So, it sounds wonderful to say that everything should be landed, but there are certainly some dangers that need to be avoided, particularly with regard to these vulnerable species.

[47] **Dr Eno:** More details need to be worked out. I have listened to discussions across the UK with fishermen and the regulators and they all feel that there is a need for more detail. In relation to Wales, skates and rays are important, as are shellfish. There is no reason why some could not be returned in a living condition. They should not be retained. There are measures in article 14 that talk about reducing the catches of unwanted organisms. That is key. If you are going to target species that you want for commercial reasons, then you should try to be more focused in your targeting. In some fisheries, there are huge discards. When we talk about discards, we do not just talk about the discard of edible fish, but about the discard of non-target species. In the past, beam trawling has been said to catch 18 times the amount of non-edible stuff as it does the target species. So, anything that makes the gear more selective is to be welcomed. Rather than trying to stop what you have already caught going back into the sea, it is better not to take it out of the sea in the first place.

[48] **Llyr Huws Gruffydd:** A ydych yn hyderus bod y dechnoleg a'r dulliau ar gael i **Llyr Huws Gruffydd:** Are you confident that the technology and the methods are

sicrhau bod modd i gyflawni hyn yn available to ensure that this can be achieved
 effeithiol ac effeithlon o safbwynt y effectively and efficiently from the point of
 pysgotwyr? view of the fishermen?

[49] **Dr Eno:** I think that that is why it is important. There is a substantial element within the regulations that talks about data collection. It is important to link the scientific data collection to the rest of the documentation to underpin the general objectives of the common fisheries policy, to make it more of an ecosystem-based approach to make it more environmentally sustainable and to reduce the impact on other things.

1.45 p.m.

[50] If you link the science, and perhaps even the financial provision for the science, to these environmental objectives, then it will spark ingenuity to find more ways of reducing the impact. Sue mentioned some initiatives that have been undertaken by fishermen to reduce discards, and the progress that has been made, especially by Scottish fishermen, is incredible. I think that that is because there is an incentive to reduce the level of discards. If they reduce the amount that is discarded, the incentive for them is that they get a better quota. So, if there are links and incentives, we can be very hopeful of finding better ways to manage this.

[51] **Julie James:** David, I know that you have another question, but we are extremely over time and our next witnesses are waiting.

[52] **David Rees:** I have a specific question about MPAs.

[53] **Julie James:** Ask it very quickly, then.

[54] **David Rees:** Going back to an earlier point on marine protection areas, I have two points. First, who identifies them? Secondly, under the Marine and Coastal Access Act 2009, marine conservation zones will be coming up—

[55] **Julie James:** That is not one question, is it?

[56] **David Rees:** Well, they are linked. The question is: what links will be put in between MPAs and the marine conservation zones, talking about ecosystems and that side of things, and will you have an input?

[57] **Dr Gubbay:** Apparently, that is in the CFP regulation. [*Laughter.*]

[58] **Julie James:** That was very naughty, David.

[59] **David Rees:** Can you answer that?

[60] **Dr Gubbay:** That is something to be decided by the Welsh Government. It is not in the CFP regulation.

[61] **David Rees:** Who decides on the MPAs, then?

[62] **Dr Gubbay:** My understanding is that the Marine and Coastal Access Act says that there should be a national network of marine protected areas, so it will ultimately be the Welsh Government that decides, after consulting with the stakeholders, and on the advice of CCW and others.

[63] **Julie James:** We have the Deputy Minister coming in later on, so we could perhaps ask him. It remains for me to thank you very much for your very interesting evidence. I am

sorry that we have run a little over time, but thank you for coming. I think that there was one item that you were going to follow up for us.

[64] **Dr Gubbay:** We will send you the Green Paper and the VMS information.

[65] **Julie James:** Lovely. Thank you very much for attending; it has been very useful indeed.

*Gohiriwyd y cyfarfod rhwng 1.47 p.m. ac 1.51 p.m.
The meeting adjourned between 1.47 p.m. and 1.51 p.m.*

**Ymchwiliad i'r Diwygiadau Arfaethedig i'r Polisi Pysgodfeydd Cyffredin:
Tystiolaeth gan Gyswllt Amgylchedd Cymru
Inquiry into Proposed Reforms to the Common Fisheries Policy: Evidence from
Wales Environment Link**

[66] **Julie James:** I extend a welcome to our next two witnesses. Thank you very much indeed for coming. You are welcome to make a few introductory remarks, and we will then go into the same kind of question and answer session that you were watching earlier. I will try to contain Members to a question each. [*Laughter.*]

[67] **Mr Clark:** I am John Clark, and I am the marine policy officer for RSPB Cymru. I also have a seat representing Wales Environment Link on the mid Wales inshore fisheries group. I am also the deputy Wales Environment Link representative on the Welsh marine fisheries advisory group.

[68] **Ms Crockard:** I am Debbie Crockard, and I am the fisheries policy officer for the Marine Conservation Society. I also sit on the North Western Waters Regional Advisory Council, and the common fisheries policy reform group for the UK non-governmental organisations.

[69] **Julie James:** Is there anything in your paper to which you wish to draw our attention in particular before we start?

[70] **Mr Clark:** Yes, if possible. Debbie is an expert on the common fisheries policy, so she will take a lead and cover some of the key points that we raise within our paper.

[71] **Ms Crockard:** First, the proposals for the new common fisheries policy released this year generally showed a real move towards a more sustainable view for fisheries. We believe that the proposals contain some welcome improvements, particularly the increase in member state jurisdiction from 6 nautical miles to 12 nautical miles, and also in the Commission's commitment to introduce maximum sustainable yields for all stocks by 2015. However, we think that they are really lacking in some areas, particularly with regard to clear linkages between conservation management objectives and the action required to deliver them.

[72] We have some main points that we would like to bring to your attention, which are our main objectives to improve the sustainability of our seas. First, reaching maximum sustainable yield by 2015 is ambitious and a fantastic objective to see in the common fisheries policy reform. We would strongly oppose any weakening of the MSY objective. It is something that we would like to see, as it is also integrated with the world summit on sustainable development. It is also in the marine strategy framework directive, so it is a really strong objective and we would like to see it kept in.

[73] The second point that we would like to raise is on regionalisation, which will be an

important part of the CFP reform. However, as the CFP reform document stands, it is very unclear how this regionalisation will be put in place, and what regionalisation actually means: will it be at the regional advisory council level or at member-state level?

[74] We would also like to promote the integration of the CFP with other European environmental policies, such as the marine strategy framework directive and the birds and habitats directives. That is mentioned in article 2.4 of the CFP reform, but we would like to see explicit reference to particular legislation that will be important in the future for fisheries management.

[75] A further point that I would like to raise, which you have probably covered quite a few times already, is overcapacity and transferrable fishing concessions. This is an area on which we have strong opinions in that transferrable fishing concessions or a type of rights-based management can work very well. Australia and New Zealand are great examples of that. However, it can be devastating when it goes wrong. The Denmark fleet went from 200 to 16 ships. The total capacity did not decrease at all; they can still catch the same amount of fish, but they are big boats that have lost their community base and the ability to maintain communities of fisheries. At the moment, that stands as the only proposed tool for addressing the issue of overcapacity in the European Union fisheries.

[76] We would also like to talk about what are termed ‘small-scale fisheries’, which would be more appropriately termed ‘low-impact fisheries’. Low-impact and high-impact fisheries are better terms, especially in Wales, as all of the fishing here is small in scale. However, we have both low-impact and high-impact fishing; scallop dredging is an example of the latter, whereas potting is low in impact. These fishing industries are different, and should be treated differently under the common fisheries policy. They have different implications for environmental sustainability and for the maintenance of the marine ecosystem.

[77] **Mr Clark:** I echo what the Countryside Council for Wales said previously about the Wales fisheries strategy. We should be encouraged that this new mechanism of management in Wales integrates the ecosystem approach to try to deliver long-term management inshore; that is encouraging in the Welsh context.

[78] **Yr Arglwydd Elis-Thomas:** Byddwch wedi clywed ychydig o'r drafodaeth flaenorol ynglŷn â'r berthynas rhwng strwythur rhanbarthol y cynghorau rhanbarthol ymgynghorol arfaethedig a rhanddeiliaid pysgodfeydd Cymru, yn arbennig y diwydiant arfordirol mewforol. Nid wyf yn fodlon, yn fy nealltwriaeth o'r datblygiadau posibl, y bydd pysgotwyr lleol ar hyd bae Ceredigion yn teimlo eu bod wedi'u cynrychioli yn briodol yn y strwythur newydd. Fel y clywsoch yn y drafodaeth flaenorol, un o'r pethau pwysicaf oll wrth weithredu cadwraeth pysgodfeydd yw cydweithrediad y pysgotwyr unigol. Hoffwn deimlo bod hynny'n mynd i gael ei dderbyn ar y dechrau fel bod pobl yn barod i ymwneud â'r system newydd.

Lord Elis-Thomas: You will have heard some of the previous discussion regarding the relationship between the regional structure of the proposed regional advisory councils and the stakeholders in the Welsh fisheries, particularly the inshore coastal industry. I am not satisfied, in my understanding of the possible developments, that local fishermen along Cardigan bay will feel that they are represented appropriately in the new structure. As you heard in the previous discussion, one of the most important things in the implementation of fisheries conservation measures is the co-operation of local fishermen. I would like to feel that that is going to be accepted at the outset so that people are willing to be involved in the new system.

[79] That was one question, Chair.

[80] **Julie James:** It was a very long one, however. [*Laughter.*]

[81] **Lord Elis-Thomas:** It is my only one.

[82] **Ms Crockard:** As I think that you have heard before, there tend to be representatives of both the small-scale and large-scale fisheries for each of the representative countries on the regional advisory councils. In terms of the Welsh fisheries stakeholders, most of the Welsh fishermen's practices are within 6 nautical miles of the coastline and generally within 12 nautical miles. One positive that will come out of the common fisheries policy reform is that there will be an increase in the jurisdiction of member states over waters of up to 12 nautical miles from the coastline. Due to historical fishing rights and the ability of different fleets to fish in different waters, that does not mean that fishermen from other states will not be allowed to fish in our waters, or in Welsh waters. However, it will mean that the Welsh Government should have greater power to put in place environmental management procedures within 12 nautical miles, which will have to be followed by all fishermen fishing in those areas, not just by the UK fishermen who would fish there.

[83] If the Welsh fishermen feel that they are not being represented sufficiently on the regional advisory councils, I would advise them to get in touch with whoever is representing the UK fisheries at the councils in which they wish to be involved and try to find out who is representing their interests and bring the issue to their attention. They can then feed that information back to the regional advisory councils. Having been to meetings of the regional advisory councils, there tends to be quite a lot of discussion, and there is a lot of input from both small-scale and large-scale fisheries, not just from the UK, but from all member states involved.

2.00 p.m.

[84] **Llyr Huws Gruffydd:** Yr wyf eisiau dod yn ôl at y mater o ormod o gapasiti yn y diwydiant. Yr ydych yn dweud eich bod am weld y sefyllfa yn cael ei thaclo yn fwy uniongyrchol a thipyn yn fwy bwriadol a phenodol yn y diwygiadau y byddwn yn eu gweld. A oes gennych chi syniadau penodol ynglŷn â sut fyddai modd gwneud hynny?

Llyr Huws Gruffydd: I want to come back to the question on overcapacity within the industry. You say that you want this situation to be tackled more directly and in a more specific way in the reforms that will take place. Do you have any specific ideas about how that could be done?

[85] **Ms Crockard:** This is to do with realigning what the fleet is actually fishing, the appropriate boats for that and how many boats are fishing. So, it is to do with aligning what we have the capacity to fish for and what there is to be fished. So, this is not necessarily focused on Wales; this is an EU problem and it may not be suitable for the Welsh approach to tackle the capacity, because it may be that Wales is perfectly aligned with what it is fishing for. However, it should be up to each member state to look at their fishing fleet and the catches that they are bringing in and to see whether there should be reductions in particular fishing industries as to the fishermen and the boats that are fishing there and what they are catching, and what they have the capacity to catch. At the moment, there are many boats with much greater power than what is needed. They can catch many more fish than they will ever be allowed to catch, in terms of quota. So, why are those boats being allowed to continue fishing, when the size of the fleet could be reduced and a much more efficient fishing industry achieved?

[86] **Llyr Huws Gruffydd:** Yng nghydestun Cymru, a oes gyda chi unrhyw syniadau ynglŷn â sut fyddai modd cyrraedd y pwynt hwnnw?

Llyr Huws Gruffydd: In the context of Wales, do you have any ideas on how it would be possible to reach that point?

[87] **Ms Crockard:** I do not know about the context of Wales, but it would be down to the stakeholders involved, the Government and those who manage the area, to look at each individual fleet and what has been caught in certain areas, and what I just outlined, which is to look at the re-evaluation of how the fleet is being put together and what it is being made up of. It would be down to the Government and the stakeholders to have a look at that.

[88] **Julie James:** Following up on that, we heard from our previous witnesses, and I know that you were listening to that, about some of the limitations of the data collection that goes along with this. Do you want to elaborate on that? You said in your paper that you thought it was one of the areas of concern.

[89] **Ms Crockard:** Data collection is a key element of having good advice for fishery management areas. At the moment, the most appropriate advice is available for only 20 stocks under the International Council for the Exploration of the Sea, and, considering ICES assess more than 180 stocks, it is a poor amount of data-rich stocks being assessed. It needs to incentivise fishermen to be involved in data collection to try to encourage them to take part in what is essentially the management of their future, to try to ensure that, next year, there is enough fish left for them to fish and to ensure that, in five years' time, they are catching more than they have ever been able to fish. That can only be done with good models and good predictions of what fish are there. Without data collection, these models are not robust. Therefore, we have to go for a precautionary approach, which may lead to fisheries being under-exploited because we do not have enough data to say exactly how much a fisherman can fish. So, if you actively involve the fishermen and try to incentivise them to take part in gear trials and collecting data, not only are they ensuring the future of their fishery, but they are helping us make better predictions for the future of the fishery as well.

[90] **Julie James:** David, do you want to ask a question?

[91] **David Rees:** You have asked the question I was going to ask, Chair. [*Laughter.*] In a sense, obviously, we are talking about fishermen possibly based in Wales, but there is the question of historical rights as well. What is your view of the current situation as regards historical rights and the impact that may have?

[92] **Ms Crockard:** As far as I am aware, historical rights are part of the treaties involved in setting up the common fisheries policy in the first place, and, as such, are very difficult even to change. That would have to come from very high up, and it would have to be agreed upon at a high level. I am not very clear on it, but as far as I am aware, it is something that is very unlikely to change. However, I could gather further information on it and get back to you on that point.

[93] **William Powell:** Before Christmas, the Commission will publish proposals for the European maritime and fisheries fund. Do you have any thoughts on the priorities and the structure that should have?

[94] **Ms Crockard:** I definitely think that the fisheries fund should be aimed at improving the sustainability of the fishing industry. So, there should be gear trials, to ensure that the industry is able to put into place more sustainable gear. It should be used to incentivise fishermen to do better. Once again, in order to collect data, fishermen should be incentivised to take part in trials in order to collect more data. That is what the fisheries fund should be used for. It should not be used for harmful subsidies, such as fuel subsidies, which allow fishermen to fish further offshore, and so on. Those subsidies have previously been put in place and have allowed the fleet to expand to its current state, where there is overcapacity and it is unable to maintain itself. As far as I am aware, the money will also probably be going towards the expansion of the aquaculture industry in the EU. I think that more money will be available for that. It is important to note that aquaculture does not mean salmon fishing.

Wales is an excellent example of mussel farming and other forms of shellfish farming, which is a positive form of aquaculture that can be used as a sustainable alternative source of protein. So, the funding should be available for areas such as that.

[95] **William Powell:** Is the fund likely to be funded centrally by the union, or will there be member state contributions?

[96] **Ms Crockard:** I am not sure about that.

[97] **Julie James:** I would like to ask you a little about the quota systems. First, will we have controls over fish that are currently not subject to a quota, and how will that affect our traditional fisheries, which are not currently subject to quotas? What are the proposals for that? Secondly, you touched on the subject of transferable quotas. Could you elaborate a little on that, please?

[98] **Ms Crockard:** In terms of non-quota species, there are no quotas on them, so, at the moment, you can generally catch as much or as little as you like of those species. It is also important to note that those species are not included in the discard ban proposed by the Commission. Several species have been left out of this current ban, which is aimed only at particular species, namely the commercial species caught in the EU. So, it will still be possible to discard those species. When fishermen catch non-target species, they will be allowed to throw them back. If they are targeting a fishery, even though it does not have a quota, we suggest that data are collected for the fisheries so that a quota system can be set up or the situation monitored, so that we are aware of how much of the species is being exploited and the sustainability of those species that are being exploited in terms of how many are being thrown back and how many are landed. It also gives an idea about the industry for them; how many should be taken out and how much profit can be made from them. If there is not a quota for them at the moment, then it would be difficult to monitor how much money is being made from them, even from an economic point of view.

[99] **Julie James:** Yes, the Deputy Minister was stringent in his worry for Wales regarding the idea of fishing opportunities being set at member-state level. He was concerned that the people who landed the small boats whose catch is sold to local restaurants and so on would be very badly affected by that, as that is the most sustainable sort of fishing.

[100] **Ms Crockard:** The best way to monitor them is to get scientific data. Without those data, they cannot be monitored and it is not possible to ensure that they are not being exploited and will not be completely fished out. The key for those fisheries, even at the member-state level, would be trying to promote the monitoring of the species and putting science in place that can deal with them.

[101] **Mr Clark:** Evidence of procurements should be an issue that is tackled by the Welsh marine fisheries advisory group and, if the consensus is in place, it should ensure that we get the data required on the non-quota species that make up the bulk of the Welsh inshore fleet's catch.

[102] **Ms Crockard:** With regard to the transferable fishing concessions, this has been put forward as a tool to tackle overcapacity. At the moment, it is generally the only tool offered to impact overcapacity. It seems a little narrow and, as I have said, sometimes it does not work. In an industry in Alaska, 75 per cent of people lost their jobs overnight when a system of transferable rights-based management was put in place in a fishery. It is certainly not something that we would want to see in the UK and Wales, especially in the low-impact sector where communities rely on the fishing. Therefore, transferable fishing concessions are, perhaps, the best opportunity for some member states, but it should not be a mandatory procedure that is put in place.

[103] **Julie James:** John, did you want to comment on it as well?

[104] **Mr Clark:** It is a key point. We already have a system of rights-based management in the UK. I do not think that it would be the right strategy to move towards these transferable fisheries concessions in Wales.

[105] **Julie James:** Even if it is the only tool on the table.

[106] **Ms Crockard:** If it is the only tool on the table and is something that gets put through, then provisions must be put in place to ensure that it does not result in larger, more powerful and profitable industries just buying out smaller ships.

[107] **Llyr Huws Gruffydd:** Yr ydych wedi cyfeirio at y goblygiadau ymarferol a'r hyn all ddigwydd pan nad yw'r system yn gweithio mewn gwirionedd. Petaech yn gallu dod o hyd i offerynnau neu enghreifftiau eraill, sut byddai modd gweithredu mewn modd amgen sydd, o bosibl, yn cael ei ddefnyddio mewn rhannau eraill o'r byd? Yr wyf yn siŵr y byddai hynny'n cyfrannu at y drafodaeth.

Llyr Huws Gruffydd: You have referred to the practical implications and what can happen when the system does not actually work. If you could find other tools or examples, how could you operate in an alternative way, possibly being used in other parts of the world? I am sure that that would contribute to the discussion.

[108] **Ms Crockard:** One thing that has come out from the commissioner, with regard to transferable fishing concessions, is to put a system in place where you could only transfer the fishing concessions between boats of a similar size or within a similar industry, which would keep the proportions of the fleet the same. The idea behind that would be that it would not decrease the small-scale industry and increase the large-scale industry; it would allow a natural reduction of each. However, again, that would be the ideal, but there will always be problems with that. It depends on each individual fishery and member state, and it would require each member state's consideration. Personally, I think that the commission should put in options for other methods of reducing overcapacity, such as asking each member state to consider setting targets for reducing overcapacity. I do not necessarily think that this should be an incentivised procedure, and boats should not be bought out to reduce the fleet, as this has previously been done and it has still not resulted in the fleets being reduced by any particular size. It should be something that is considered carefully at the member-state level for each member state.

[109] **Julie James:** I want to talk a little about the multi-annual plans that you mentioned in your submission. Will you clarify for us which level you think the multi-annual plan should cover? Are we talking about RACs, member states or regions?

[110] **Ms Crockard:** The multi-annual plans should be based at the fishery level, for each individual stock, depending on that particular stock's history in the industry. So, for example, if a stock is doing well and is on the increase, multi-annual management plans could be done on a five-year basis, with the stock being assessed on that regular basis to ensure that it is still increasing, whereas stocks that are not doing so well could be assessed more regularly.

2.15 p.m.

[111] However, the multi-annual plans have been shown to be extremely successful when there are lots of data available. So, again, the multi-annual plans depend on there being sufficient data to be able to produce models that are robust enough to deal with several years—

[112] **Julie James:** And who is responsible for that?

[113] **Ms Crockard:** At the moment, it comes through the Commission and the Scientific, Technical and Economic Committee for Fisheries—STECF. I am trying to remember all the acronyms. So, it goes through the International Council for the Exploration of the Sea and all its advice and comes out at the end. It is done at the European level for the multi-annual plans.

[114] **Julie James:** Do you think that is the right level?

[115] **Ms Crockard:** I am not sure. I think that the plans have to have input from every level. Stakeholders should have an input through the regional advisory councils. Member states should have an input to try to base our data on the most suitable level available. However, I think that would be based on a fishery-by-fishery assessment. These would have to be considered carefully for each fishery. For some, it would be inappropriate to rely only on the regional advisory councils' data. For example, you would have to have many stakeholders having an input to the management plans at all levels.

[116] **Julie James:** Is that how it links to your rights-based management tool that you were talking about earlier with the single fisheries? Do I have that right?

[117] **Ms Crockard:** Yes, that is where it would roll out at the lower level. They would have the multi-annual plans and then give them to the fishermen. However, I am not sure that rights-based management would work in this system.

[118] **Julie James:** How would you translate the multi-annual plans for the fishery into—

[119] **Ms Crockard:** They would come out in terms of advice from ICES and the quota allocated. The multi-annual plans will come out stating the quota allocated to each individual fishery for the next however many years.

[120] **Julie James:** Does anyone else want to ask anything?

[121] **David Rees:** You mentioned discards earlier, particularly in relation to the question on the non-quota stock. I do not think that a discard ban would work, and I do not see how it could be enforced. Can you see a better way of dealing with discards?

[122] **Ms Crockard:** Discards are such a huge issue right now because of all the press they have been getting. However, I think that you are right and that the issue should be considered very carefully. The approach that the Commission is taking now may not be the best method. We should be promoting not just a ban on discards, but a minimisation of how much is being caught in the first place. If you have sustainable gear, that means that you will catch fewer small cod. There is gear available now that has two ends that allow cod or haddock to escape, depending on the target fishery. A lot of the gear is available for particular sustainability needs. That gear needs to be put in place, particularly when you are trying to target one specific species. This is a lot more difficult because there is a mix of species and so on, but we should be targeting it at the source, not just landing everything. We should be trying to minimise what we are catching in the first place. Landing everything does not decrease the amount you are catching; it just means that you can see how much you are catching. You are right that the discard ban needs to be carefully considered and, perhaps, looked at in more detail to provide more tools for minimising discards in the first place.

[123] **Julie James:** I want to follow up your point about what you land. I understand your point that it is much better not to catch it in the first place, but there is an issue about how the

fishermen make their living. If they could sell what they landed, they might not need to fish so much for the target species. So, there is a commercial view that, here in Britain, we eat only about four species of fish. If we were prepared to eat more of what our fishermen caught, there would not be quite so much pressure on the target species. Do you want to comment on that?

[124] **Ms Crockard:** That is exactly what I mean, coming from a Marine Conservation Society point of view. We produce a guide every year on the range of species that people can eat. It is a very British thing to be stuck on five species and not eat anything else.

[125] **Julie James:** I thought that it was only four.

[126] **Ms Crockard:** That includes salmon, which is farmed. Many people, during a blind taste test, cannot tell the difference between cod and coley, or cod and pollack. Those are the species that we should be promoting. We have to be careful not to create a new fishery, but, asking people to diversify what they eat would take a huge pressure off a lot of our stocks. We are all trying to do that. However, we do not want to promote catching more of other fish, only to take that pressure away. If species are already being caught as bycatch, then we need to create a situation where those species are desired in the first place. That would allow us to get more data on them, as we would be collecting and landing them. That would build up the data and science collections. If the data identify that the stock is in a poor state now, improved management means that they could become well-managed stocks in the future.

[127] **Mr Clark:** The discard ban currently drafted within the proposal only targets fin fish.

[128] **Ms Crockard:** It only targets commercial stocks, yes. It is a gradual ban over three years that targets only specific commercial species. It does not cover all species: it does not cover shellfish, sharks or rays; it only covers tuna, cod, haddock, and whiting. Those are the species that the discard ban targets. At the moment, species that are discarded and mutilated are still going to be allowed to be discarded. It will not result in a decrease in the bycatch species that we have, as it stands. It should be reconsidered from every point of view.

[129] **Julie James:** Would you like to add anything on any matters that we have not covered sufficiently today?

[130] **Ms Crockard:** I would promote the maximum sustainable yield. I know that it comes across as an ambitious target, but it is one that must be met for the common fisheries policy as well as under several different legislations. If we can ensure that we reach maximum sustainable yield, it will mean that there is more fish. Economically, the fisheries will be allowed to continue and grow, and the fisheries will be allowed to expand. That covers all social aspects, and means that we can keep our fisheries going and maintain our ecosystems. That is definitely something that we would wish to happen.

[131] **Julie James:** Thank you very much for attending. If the committee has further questions, I hope that you will not mind if we send them to you. Thank you for your very comprehensive evidence.

*Gohiriwyd y cyfarfod rhwng 2.23 p.m. a 2.25 p.m.
The meeting adjourned between 2.23 p.m. and 2.25 p.m.*

**Ymchwiliad i'r Diwygiadau Arfaethedig i'r Polisi Pysgodfeydd Cyffredin:
Tystiolaeth gan y Dirprwy Weinidog Amaethyddiaeth, Bwyd, Pysgodfeydd a
Rhaglenni Ewropeaidd**

**Inquiry into Proposed Reforms to the Common Fisheries Policy: Evidence from
the Deputy Minister for Agriculture, Food, Fisheries and European Programmes**

[132] **Julie James:** Good afternoon, Deputy Minister. Thank you for coming to talk to us this afternoon. Would you like to start off with a short statement before we go into the question and answer session?

[133] **The Deputy Minister for Agriculture, Food, Fisheries and European Programmes (Alun Davies):** Thank you, Chair. I thank the committee for the invitation to discuss the reform of the common fisheries policy. I will start by introducing the officials that I have with me this afternoon: Stuart Evans is head of fisheries policy and Robert Floyd is the sea fisheries policy officer at the Welsh Government.

[134] On the approach that we are taking, we are in general agreement with the UK position on CFP reform. We think that the proposals are a good first step, but we require further details and, during the debate that will come on the policy, we expect to have more clarity.

[135] I will now say a little about some of our objectives, which will help committee members in their approach to this session. If I wanted to characterise Welsh fisheries, I would characterise them as being quite small-scale, inshore fisheries. It is a good industry that has potential for growth. It is also a sustainable industry, in that it operates within all the different criteria that we have established with regard to sustainability, which range from economic to environmental considerations, as well as the fish available to be caught. The industry requires a statutory framework that will enable it to flourish. We, as a Government, are seeking to create that statutory framework, which we have discussed here before, and I think that I mentioned to the committee in the summer, during our hearing at the Royal Welsh Show, that I had some legislative proposals for doing that. I can tell the committee that I will be launching a consultation on the proposals next week. I hope that the committee takes note of that and I look forward to any comments that the committee would like to make on those proposals.

[136] We have outlined a few areas in the evidence paper. We are pleased that the reform seeks to end discards, which is an issue that has rightly been high on the political agenda. Although we might have comments to make on some of the proposals, we certainly support the objective. We also support in principle the use of tradable fishing concessions in the sector, for vessels that are over 10m and that belong to producer organisations, as long as those fishing opportunities are not internationally tradable. As I said, the Welsh fishing fleet is nearly all inshore; it is unable to travel very far safely or to sail at all for a considerable period of the year, which makes it an industry that has sustainability hard-wired into it. We are concerned that some of the proposals, as tabled, do not take sufficient account of small-scale coastal fisheries. We want to ensure that there is absolute recognition of the importance of the inshore sector and that any changes made are sensitive to potential impacts on vulnerable coastal communities.

[137] One disappointment that I want to make clear to the committee now is that the regionalisation that is proposed is not regionalisation as we understand it. The current structures that look at the north-west areas are far too large and mean that the voice of the small-scale fisheries that we have in Wales is completely lost. So, if we want to see real regionalisation, it is the Welsh Government's view that that should happen on the basis of something like the Irish sea area. I will leave it there for committee members to ask any questions.

[138] **Julie James:** Thank you, Deputy Minister, for that overview of objectives and principles. One of the things that we have heard in our evidence session this morning from a number of conservation-focused agencies is their desire to see an explicit link between the fisheries policy and the various marine directives, such as the sea and fisheries habitats directives, the marine conservation directive and so on.

2.30 p.m.

[139] I was at a committee meeting this morning talking about the energy policy for Wales, in which the issue of marine conservation and the exploitation of our marine environment for energy was also mentioned. Do you have a view on how those are linked together and how the Welsh Government will sail its way through the current morass?

[140] **Alun Davies:** They need to be integrated and to fit together well. The whole of this policy area operates within a statutory framework that is established by the marine strategy framework directive and the birds and habitats directives. So, the regulations that we are looking at will exist within that framework. If the group asks whether there should be a declaratory statement on the face of that, I have to say that I am completely relaxed about it. However, I am not relaxed about what the regulations do, which is probably more important than a declaratory statement at the beginning of any set of new regulations. We need to look at integration. The group may remember that I spoke at the committee meeting at the Royal Welsh Show about the need to integrate our current statutory framework for fisheries in Wales. I think that we have 200 pieces of legislation governing fisheries in Wales. A review is taking place of all that legislation, which we will complete during the term of this Assembly.

[141] All this work happens within our established statutory framework, as the Chair has pointed out. Welsh Ministers, like others, are bound by the obligations in European legislation. I am happy to be bound by that legislation, which is good legislation that creates a positive framework in which we are able to grow and develop our industry in Wales. The point that I would always want to come back to is that, in Wales, we have an industry that is a sustainable means of using the resources available in the marine environment around our coasts. This is not the industrial-scale fishing that you might see in the media and reported elsewhere. These are small-scale inshore fisheries that are a part of the communities that they serve, and they do not provide the challenge to that legislation that the fisheries industry in other places might.

[142] **William Powell:** In your letter of 19 October, you indicated your intention to remove historical rights as they had previously existed. I want to ask a two-part question. First, what impact assessment has there been of the implications of those rights as they currently exist? Secondly, do you see the pursuit of this going forward as part of the common fisheries reform or more via bilateral agreements with individual member states?

[143] **Alun Davies:** I do it using Welsh legislation. I do not believe that we need to seek any further legislative authority. We can do it in the Assembly via secondary legislation. I very much see this as Welsh legislation running parallel to the overall process. The point that I have tried to make is that the Welsh inshore fleet needs space to enable it to flourish. I am launching a consultation next week on this, and I do not want to prejudge its results.

[144] I am clear about what the Welsh Government's policy objective should be here, namely to enable a small inshore fishery fleet to flourish. We propose to do that by removing historical fishing rights, which have existed for some time, in the 0 to 6 mile area. There are other issues with the 6 to 12 mile area, which would require the sort of engagement that you were discussing in terms of bilateral arrangements, possibly with individual member states in

the European Union, and the consent of the Commission. If it is the view of the Assembly or the Government that we need to go in that direction, we can do that and we can initiate that work. I have no difficulty with that, but, at the moment, we are looking at doing something different—the protection of the fleet within the 0 to 6 mile area. The impact analysis that you asked for is something that will happen as part of the consultation, but we do not have that yet. We will report to the group on the impact analysis as part of the consultation—I give you that undertaking this afternoon. I hope that the group will itself contribute to the consultation, if it sees fit to do so, and if the group would wish to scrutinise the secondary legislation when it is published and available, we would be more than happy to ensure that that is able to happen as well.

[145] **William Powell:** As you say, this initial wave of withdrawing rights is, basically, a domestic Welsh issue, but have you as yet had any scoping discussions with the UK administration, or indeed with any of the other devolved administrations, about how this might develop?

[146] **Alun Davies:** We have not had any formal discussions on this yet. Regarding relationships between the UK administrations, I have had a series of very good meetings with the Parliamentary Under-Secretary for Environment and Fisheries, Richard Benyon, over the last few weeks. I attended the fisheries Council of Ministers in Luxembourg two weeks ago, and we have had a series of discussions around the concordat, which the group is aware of, and on which I think it has expressed some views. I am positively seeking agreement with the UK administration on that at the moment, and I hope to be able to sign that concordat later this month. If I am able to do so, I will certainly write to the group and inform you of that. If the agreements that we have with the UK Government are not pinned down in the way that I hope that they will be, I will inform you of that. The conversations that I would like to have with the other UK administrations cover all sorts of areas, including the wider common fisheries policy, and we are moving on to discussions on quota next month. I anticipate speaking to my counterparts in the other UK administrations, in possibly as early as two weeks' time, but certainly before the December fisheries council. I will be writing to Richard Benyon again in the next few weeks, outlining the approach that the Welsh Government is taking to fisheries policy in the coming months, and I will be inviting him to Wales to take part in more detailed discussions about the direction of travel of our policy—not simply in terms of historical rights, but also other issues.

[147] **William Powell:** That is good news. I understand that he has made an informal indication of his readiness to come to speak to us.

[148] **David Rees:** Have you had any discussions with other EU regions, asking whether they have they have got rid of historical rights, and whether that has been of any benefit to them, particularly in managing their stock and fisheries inshore?

[149] **Alun Davies:** No, I have not had any formal conversations with Ministers from any other member state, at a regional or national level. I am looking at the moment—and this is something that we need to discuss within Government—at the approach to wider bilaterals within the European Union. We need a clear protocol of understanding with our colleagues in the UK as to how we do that, and at the moment I am not confident that we have that understanding—not because of any particular reason of political difficulty, but because we simply do not have that at the moment. When we have that, I will be more confident about having those conversations.

[150] **David Rees:** To take the questions in a different direction now, one of the bits of information that we have had from our earlier speakers was on the science of data collection. What is the Welsh Government's position on data collection, and the processes involved? How can you produce a scientific vision of how to manage fisheries inshore?

[151] **Alun Davies:** The Welsh Government is in favour of data collection, shall I say.

[152] **David Rees:** I would hope so.

[153] **Alun Davies:** We are in favour of it, and we need to do it. Let me say this: Members will be aware of the system of data collection for registered buyers and sellers, and the registration of landings. In Wales, I think that it is fair to say that this is unfinished business. We need to strengthen our data collection to understand the size and the nature of the industry. I think that that is a fair way of putting it. We are currently putting together proposals to do this. At the moment, the ratio of buyers to sellers works reasonably well in England and Scotland, because they have large-scale fish auctions and so on. We do not have that in Wales—we do not have a single fish auction in Wales. We are looking at work being done in Burry Port, which might develop into some sort of virtual auction, but that is very much work in progress. So, we do not have the structures in place in Wales whereby we can capture the information as they do in other parts of the United Kingdom. That is partly down to historical reasons, such as the management of the under-10m fleet. We are putting in place something that we are calling RBS plus—I hope that by the time it is up and running, we will have a more attractive name for it. Nonetheless, we are looking to put this in place to capture data about landings, so that we can describe and understand the nature of the industry in more detail.

[154] On other matters, during the summer recess, I visited Fish Map Môn, which is a fantastic project on Anglesey, as the name suggests. It is trying to map the species that would be available in sea fisheries around Anglesey—I hope that I am describing this correctly; I may need technical assistance. I hope that the project will be a great tool that will enable us to understand the inshore fisheries of Wales in more detail over time. It is an expensive option, and it is not something that we will be able to deliver across the whole of Welsh territorial waters, certainly not during this Assembly. However, we hope to take this project forward to enable us to better understand the fisheries.

[155] As for what is available in the waters around Wales, it is clear that there is a requirement to strengthen data capture. Given the nature of fisheries in the past, we simply have not required this level of information. What we are trying to do now, if you like, is to put in place the management structures for the under-10m fleet that are in place elsewhere for the big sector fleets. That means moving very quickly, in some ways, to get to a standard of data collection with management tools that simply did not exist before. We have the resources available to do that in a controlled and structured way. We have the executive and legal competence necessary to do that, so I am confident that, as the Assembly moves on, we will be able to report to you a strengthening in our understanding of what we have in our waters along with a strengthening in the management of that.

[156] **David Rees:** Earlier this afternoon, CCW informed us of the vessel monitoring system used on ships to identify their location. It stated that the Welsh Government is funding some of it, so I assume that your department will know about it. There was also the question of getting the fishermen to help and incentivising them to do so. Has the Welsh Government looked at ways in which it might want to incentivise the fishermen to help to collect the data? One problem is that you might know where fish stocks are, but unless we have the support of fishermen with regard to the discards, we will not know exactly what is being caught. Is the Welsh Government considering some form of incentive for fishermen to help with data collection?

[157] **Alun Davies:** Have we anything in place at present, Stuart? It is not something that I have discussed.

[158] **Mr Evans:** We do not have anything by way of incentive. There have been opportunities through the European fisheries fund, and there have been some small-scale pilot projects to look at that, but it is very much early days. We are only just beginning to see the outputs from those projects, so it will take another six months or so to see the full benefits.

[159] **Alun Davies:** I attended a stakeholder group meeting in Aberystwyth over the half-term recess, and I discussed many of these issues with representatives of the fishing community. Incentivisation tends to come about where there is a requirement to persuade or cajole people to do something that they would not necessarily wish to do. I did not feel, nor do I feel still, that we need to do that with the fishing community. Certainly, the discussions that we had in Aberystwyth last week were positive and good. I sensed from those in the fishing community that they want to improve data collection because, at the end of the day, it is a key way of managing fisheries and managing the quota that is available to us.

2.45 p.m.

[160] So, it is in everyone's interest to make this work. I can understand the point of view that has been expressed to you. The inshore tracking systems that we have are very good, very effective and they work well. Unless I am provided with advice to the contrary, my view is that we should continue with the processes that we have at the moment, whereby we work with the industry. I do not feel that there is any resistance from the industry at the moment with regard to that approach.

[161] **David Rees:** Collecting data takes time and time usually comes at a cost. Are you looking to offer any form of support for that?

[162] **Alun Davies:** It will take time for us to develop the records in a way that is robust and accurate. I would not say that it will take time because of difficulties, except that we do not have accurate and robust historical records on which to base our management approach. That is the hard reality of where we are. Establishing that track record will take many years so that we have a means of understanding how the industry is performing in different years. Establishing a track record takes some time. The resources that we have available are there to deliver it, but we do not have all of the necessary resources to do it immediately. That is what I am trying to say.

[163] **Mr Evans:** In terms of what you said about time, we are working with the industry to design a system that will make recording data easier for fishermen, who work in difficult conditions. We are trying to come up with as simple a system as possible for them to record those data so that they can return them to us as quickly as possible.

[164] **Llyr Huws Gruffydd:** Bu i David sôn yn gynharach am bysgod yn cael eu taflu yn ôl, a hoffwn ofyn cwestiynau ar y pwnc hwnnw. Yr ydych yn dweud yn eich papur bod y Llywodraeth yn cefnogi'r awydd i roi terfyn ar daflu pysgod yn ôl, ond yr ydych hefyd yn dweud bod gennych bryderon ynghylch ymarferoldeb gwahardd taflu yn ôl, yn enwedig mewn pysgodfa gymysg. A hoffech ymhelaethu ychydig ar y sylwadau hynny?

Llyr Huws Gruffydd: David mentioned discards earlier, and I would like to ask questions on that point. You say in your paper that the Government supports the desire to end discards, but you also say that you have concerns regarding the practicality of banning discards, particularly in mixed fisheries. Would you like to expand on the comments that you have already made?

[165] **Alun Davies:** Yes, I would, if I may. The best way to avoid discards is to avoid catching the fish in the first place. That is more easily done if you are somewhere on the North sea, or wherever, and you have the equipment to understand the fish that you are

seeking. We are not in that position in Wales. We have a mixed, small-scale fishery. Nobody believes that it is a good idea to throw back dead or dying fish. We need to work with the industry to ensure that the kit available on fishing vessels does not catch undersized fish, for example, in the first place. We need to develop a far stronger partnership between the scientific community and the industry to ensure that we have the gear and techniques that reduce discards wherever possible. Where it is not possible to come up with a technique or a method of working that reduces or eliminates discards, we will need to address a regulatory approach. However, at the moment, small-scale fishing, such as that which we see around the shores of Wales, is a sustainable fishery by its very nature. That is, sustainability is hard-wired within it. I would not want to see strong regulation at the moment in relation to that sort of fishery, because I do not think that that is what is needed to support the fishery at the moment, either in terms of the industry or the populations available within Welsh inshore waters. Is that a fair description?

[166] **Mr Evans:** Yes.

[167] **Llyr Huws Gruffydd:** A oes gennyh farn ynglŷn â'r ffaith bod y gwaharddiad ar daflu pysgod yn ôl yn gyfyngedig i rywogaethau penodol? A hoffech weld hynny yn cael ei ehangu?

Llyr Huws Gruffydd: Do you have an opinion regarding the fact that the ban on discarding fish is limited to certain specific species? Would you like to see that expanded?

[168] **Alun Davies:** It is something that affects the sector of vessels over 10 metres long more than it affects many fisheries in Wales. So, it is not an issue that I will address as a major priority for this Government, because it would affect the Scots, for example, far more than it would affect us. We are looking to ensure that we have the gear and the kit in place to avoid discards wherever possible, and that we have efficient techniques in place to understand what fish are available to be caught by particular vessels at particular times in particular places. There are 460 registered ports around the coast of Wales, many of which will operate for 120 or so days a year, and they do not have the capacity to carry the tonnage that some of the big trawling vessels would have elsewhere. So, we are talking about an industry that is significantly different in its structure from that of which exists in the deep seas. So, while I recognise that discards are an important issue politically, philosophically, and in terms of what we are trying to do, it is probably not a priority for the Welsh fleet.

[169] **Llyr Huws Gruffydd:** Mae gennyf un cwestiwn arall, gan ein bod wedi ei godi yn flaenorol hefyd. Fel yr ydych wedi dweud, nid oes pwrpas taflu pysgod yn ôl sydd wedi marw neu yn marw, ond mae cwestiwn wedyn ynglŷn â datblygu marchnad ar gyfer y rheini fel bod modd i bysgotwyr Cymru gael budd economaidd o'r sefyllfa. Yr wyf yn tybio bod hynny yn rhywbeth y byddech yn awyddus i'w weld yn datblygu. A allech rannu rhai syniadau ynglŷn â sut mae mynd ati i wneud hynny?

Llyr Huws Gruffydd: I have one more question, as it was raised previously. As you said, there is no point throwing back fish that are dead or are dying, but there is then the question of developing a market for those so that Welsh fishermen gain an economic benefit from the situation. I presume that that is something that you would be keen to develop. Could you share some ideas as to how to go about doing that?

[170] **Alun Davies:** At the moment, the CFP is a priority because it is happening, and because we have to respond to it and be part of that debate. Clearly, it will establish the statutory and policy framework for the future of the industry and the fleet in the coming years, so that is what we have to respond to at the moment; that is the policy context of which we need to be a part. For me, the long-term future is for a growing, robust, successful and profitable industry that sustains communities from Llŷn down to the south Wales coast. I want to see the industry being able to develop onshore facilities as well as facilities for the

offshore catch. I think that we have great opportunities in Wales to grow the industry. We are discussing and hope to take forward conversations in Government within the next few weeks about how we will plan the future development of the industry. We have the 2008 strategy, which would be useful for you to look at if you have not done so. That strategy remains the driving vision of Government—we have not amended it in any significant way since then, but it is time to do so.

[171] We have launched a number of different initiatives, such as the Burry Port initiative, which I would very much encourage Members to visit if they have not already done so. A fishing hub has been established in Burry Port that seeks to bring together different communities and different people to create a critical mass whereby we can create an almost auction-like environment within that hub. I want to see that grow and I want to see that replicated elsewhere.

[172] I want to see us being able to add value to the products that are currently being produced. There was a debate in the Chamber yesterday about the dairy industry, and, in many ways, there is a very similar job to be done in the fisheries industry in terms of looking at the supply chain. For example, one of the biggest mussel fisheries in the United Kingdom is in Wales, in the Menai straits. How many of you have eaten Menai straits mussels?

[173] **Julie James:** I have.

[174] **Alun Davies:** I know that you have.

[175] **David Rees:** I do not eat mussels.

[176] **Alun Davies:** You get out of that, then. It is a fair question and it is a fair answer. As a nation, we do not eat fish in the same way as we eat meat, and so on. We have opportunities to develop the market at home in Wales and elsewhere. I opened the scallop fishery in Cardigan bay this week. We have environmental issues there, which have to be managed. I have read the evidence, recently, in the papers that have been given to me. I am confident that we are able to have a fishery there, that it is environmentally sensitive and that the Government will be able to meet all its international environmental obligations. However, again, we have a fishery there that we can promote, and which can help develop a much stronger industry in the future. So, we have a number of different opportunities to develop the fisheries. We have discussed cockles before, and how we want to approach that. The Chair has buttonholed me on a number of occasions, as did a Plaid Cymru Member in a different life, about the future of the cockle fisheries in Carmarthenshire. Those are areas where I want to see us develop and take the industry forward. So, I am in an optimistic mood about the future of the industry and am committed to making this industry a robust, successful and profitable one. It might well be that, if we are developing further papers, and taking a strategy forward on this, we will bring that back to you for you to examine before we take any decisions.

[177] **David Rees:** To come back on the discards, you have mentioned that you felt that that was not really in the interests of the Welsh industry, where your focus is, but, clearly, it has an impact on the ecosystem. Therefore, it is important that you have a view on this, because it does come down the line, and I hope that you will take a view on this.

[178] **Alun Davies:** We will take a view on it, but in terms of driving policy, for us, there may be other priorities to protect and enhance the place of Welsh fisheries and the Welsh fishing fleet. However, I recognise—this is what I was trying to say earlier—intellectually and politically, the priority of discards. I do not, for one moment, want to leave you with the impression that I do not recognise that it is an important issue for the overall policy. However, in terms of a Welsh fleet, there are other areas where I would seek to place a greater priority.

[179] **Julie James:** To follow that up, I have a further question about the discards and the overall fishing opportunities. You expressed some disquiet, the last time that you spoke with us, about the whole issue of the control of fishing opportunities for non-quota species and how they might be divvied up from the member-state level down to the regional level. Could you say whether you have got any further in your thinking on that?

[180] **Alun Davies:** This goes to the heart of some of the conversations that I have been having with the UK administrations on the concordat. We are in active negotiation with our colleagues in other parts of the United Kingdom. It might be more useful for me to write to committee when those negotiations are completed, otherwise I might mislead the committee. I think that we are very close to agreement on how we are able to divide up the non-sector, non-quota species in our control. We do need to have more robust data collection, as we discussed earlier, in order to inform the process. I am discussing at the moment, with Richard Benyon, the areas where we can perhaps find common cause and go forward on that. As I said, I think that we are very close to agreement. At the moment, I do not know the form of that agreement, because there are a number of different elements to it that need to come together. I have been seeking a floor for availability of quota for Welsh fisheries, and I remain committed to seeking a guarantee of some description to enable us to have the space to catch different species. That is in active discussion. We are also looking at how we manage that. It may well be that, for a period, we will have a Wales-England management approach, if that makes more sense, rather than simply ploughing ahead with our own approach in Wales. I hope that I am taking a pragmatic view of what is best for the industry, rather than a dogmatic view of us doing what we have the right to do. So, at the moment, I feel that we are close to agreement. We have had a number of face-to-face discussions, telephone conversations and discussions at official level. It has been intense over the past month or so, and I hope that the conversations that we are having will bear fruit.

3.00 p.m.

[181] Chair, I will write to the committee, certainly before Christmas, to say where we are on that. That will give the committee a level of certainty I would feel uncomfortable giving today because I might inadvertently mislead Members.

[182] **Julie James:** That would be very kind, Deputy Minister. William, do you want to follow that up?

[183] **William Powell:** Very briefly, I want to go back to the issue of discards that David developed. Deputy Minister, will you consider having a specific conversation with the Minister for Business, Enterprise, Technology and Science on this issue, particularly as it relates to the national food and drink action plan? I am not quite sure whether that comes under your remit or hers. I am also thinking about the food tourism strategy, which I think falls to Mrs Edwina Hart's department. I think that there is scope for integrating this issue at that level and, possibly, it could bear some fruit. It could be a useful initiative more widely.

[184] **Alun Davies:** I think you are absolutely right on that. Do not in any way misinterpret my comments this afternoon as being in any way a diminution of this Government's commitment to ending the practice of discards. Do not misunderstand that at all. There is no way the current system can be justified. We are looking at how we deal with that, practically. I am trying to focus my remarks this afternoon on the Welsh inshore fleet. Largely, those are the sort of fisheries we have responsibility for.

[185] With regard to other issues, in trying to answer the question from Llyr Huws Gruffydd earlier, I was talking about putting the fisheries in the context of overall policy and an overall strategic approach. You are absolutely right that food tourism is the responsibility

of my colleague Mrs Hart, but we are aware that food tourism can occur only where there is a successful food industry. Earlier, I tried to make the comparison with the dairy sector, in that we have to look at where the Government intervenes in the supply chain. What is the role of Government in this? I do not want to get too philosophical on a Thursday afternoon, but we need to consider what the Government's role is in intervening in the supply chain, either in terms of regulation by legislation or by intervening as we do with process marketing grants to add value to the supply chain and to products and processing to enable producers to have added-value products and to derive greater profit and profitability as a consequence.

[186] We are having those discussions at the moment. You are absolutely right that it is an area of policy where we probably need to place greater focus. One of the conversations I have been having recently with colleagues and officials is about how we learn lessons and deliver best practice. I think that Hybu Cig Cymru is fabulous. It delivers great things for the Welsh red meat sector. As I said yesterday in the Chamber, it is model that I think we can use for the dairy sector. We could be looking at taking different sectoral approaches for different aspects of the overall food industry in Wales. Let us look at how we do that. At the moment, I do not feel that I am in a position to deliver direct proposals to you, but that is my direction of travel. I hope that, in the coming few months, we will be able to flesh that out a bit and come back to the Assembly, and perhaps to this committee, with harder proposals for taking that forward.

[187] **Julie James:** May I move you straight on to the issue of the inclusion of aquaculture, given that we are talking about Welsh food and the food industry generally, and ask you to comment a bit on your feelings about the inclusion of aquaculture? That obviously includes freshwater inshore fish as well as the various sea fisheries.

[188] **Alun Davies:** Our view is that aquaculture should be the responsibility of member states, rather than a responsibility of the European Union. We believe that we are in the best position to develop it as part of the wider strategies that Members have already discussed. So, at the moment, we agree with the United Kingdom position on that. We do not have any disagreement at all with the UK position on that matter. We are looking to progress discussions with the Commission on that. So, it is something where we can see real potential for growth. I mentioned the issue about the Menai strait mussels earlier, but you could also look at trout farms, oysters and sea bass availability around Wales. There is great potential for us to develop an industry that sustains local communities and provides food tourism as well as a great, almost emblematic, contribution to Wales. It is something that we would see as being very much a part of our overall food strategy, but we recognise that the European Union currently has a competence and an interest there. Our view is that this area is best left to member states to take forward.

[189] **David Rees:** I want to come back to the fishery side and the question on overcapacity. I assume that overcapacity is mainly focused on the larger fleets. What are your views on overcapacity in relation to the Welsh fleet and, perhaps, beyond that?

[190] **Alun Davies:** I do not believe that overcapacity is an issue for Wales. As I said, we have a small fleet that may be at sea for 120 days a year. It is not an issue of overcapacity. The size of the boats means that it is an intrinsically sustainable industry.

[191] Previous decommissioning schemes have not worked because the vessels that had been decommissioned have been replaced over time, either through direct replacements or because of increasing capacity in other vessels. We know that the transferable fishing concessions have been seen as a way of combating overcapacity elsewhere, but it should not be seen as a method to prevent overfishing. Essentially, if you are going to look at reducing the overall take, it can only be dealt with by reducing the total allowable catches where evidence exists that current exploitation levels are simply not sustainable. I have not seen any evidence of that in Welsh waters, and I do not believe that there is any evidence. We will

continue to work with stakeholders across Wales to ensure that we have vessel restrictions in place that will achieve our objectives of having viable and sustainable fisheries over time.

[192] **David Rees:** I assume that you are having discussions with your UK counterparts on overcapacity and how it could be worked out, because I would have thought that it would be one of the deal breakers in the agreement,.

[193] **Alun Davies:** Yes.

[194] **Julie James:** Deputy Minister, you spoke a little about your concerns about the regional advisory councils and the size of the region involved. You implied that our voice could be stronger. Do you want to expand on that for the committee?

[195] **Alun Davies:** Yes. Discussions are ongoing on regionalisation with the UK Government. I mentioned in my introduction that I thought that the current regionalisation does not provide realistic regionalisation. Of course, the term ‘region’ is much exercised in Wales, because we do not like to be called one. However, looking at it in the European Union context, the region in this case is from the north of Scotland down to the Bay of Biscay. It is a region of considerable size and, in the view of the Welsh Government, it does not mean that you can have effective regional control and management tools. It would be far better for us to see a regional approach that would take, for argument’s sake, the Irish sea as a region, from Scotland to Northern Ireland and down past our waters here. You would have a fair number of Governments involved—the administrations of Northern Ireland, the UK, Scotland and Wales, as well as the Isle of Man—in having real discussions about an area where we can place management tools that will work effectively and where we can understand those waters in far more detail—I was going to say far more depth [*Laughter.*] That is the sort of regionalisation that we would like to see. We currently have regionalisation on a European Union basis, but it is not regionalisation as we would understand it here.

[196] **Julie James:** We heard some evidence this morning about the need to develop the capacity of some of the participants in the regional councils. My understanding is that some of them have smaller committees—there is one for the Irish sea, for example—and we heard concerns about the capacity of some of the participants to have a proper say, and the need for capacity development or skills development. Do you have a view on that, Deputy Minister?

[197] **Alun Davies:** The only observation that I can make on that is that the inshore fisheries that I seek to emphasise here do not get a fair look-in in current arrangements, simply because of their size. When you have a regional operation that covers such a wide range of fisheries, inshore matters rarely get discussed, and certainly do not get discussed in detail and given the time that is required. I would like to see that area broken down far more. As regards your direct questions about the capacity of participants, I do not have any information on that.

[198] **Julie James:** Regarding this committee’s particular remit, which is to look at specific proposals to change the regulations that we are looking at, I take it, Deputy Minister, that you want to look at the proposals to strengthen the role of regional advisory councils, and you would want something on the institutionalisation of these smaller sub-committees, or whatever they are called—working groups, I think. Is that a fair summation?

[199] **Alun Davies:** It is fair. The paper that I gave to committee outlines the direction of travel for the Welsh Government, and we have four key issues there. Perhaps the most important is the fourth—that is always the way with these things, is it not? What is the purpose of policy? The purpose of policy has to be to sustain the small-scale inshore fisheries that we have around Wales, and if you establish that as your objective, then everything else flows from it. If this committee was to make a single recommendation, I would ask it to

consider using that as a criterion against which to judge all the proposals that then flow from the common fisheries policy and the proposals of the European Commission. Once we do that, we will understand the impact on Wales and our fisheries. My strong belief is that the statutory framework that will exist when this reform is agreed is one that has to strengthen the ability of the Welsh inshore fleet, not only to survive, but to flourish. That is certainly my objective in policy.

[200] **David Rees:** Under the Marine and Coastal Access Act 2009, we will have marine conservation zones, and this morning's session on energy in the Environment and Sustainability Committee highlighted some of the issues with those. How will the CFP impact upon the way those zones operate, particularly those that cover inshore fisheries? What impact might the policy have upon that?

[201] **Alun Davies:** The inshore fisheries operate within the overall statutory framework. That is a given. In terms of other marine planning issues, I would hesitate to engage in that because it is the responsibility of my colleague John Griffiths, and if I started to discuss that, I would have to go upstairs and face him afterwards.

[202] **David Rees:** Obviously, you have discussions with him on these points. I would have thought that this would have some impact on that.

[203] **Alun Davies:** Clearly so. When I hear some of the debates and discussions around these matters, you sometimes seem to have the creation of confrontation, if you like. You either have this, or you have something different; you either have conservation, or you have successful fisheries. I reject all of that, for the reasons that I have already given to the committee. Our inshore fisheries in Wales have sustainability hard-wired into them because of the way they operate and because of the nature of the industry. We understand that.

3.15 p.m.

[204] On the wider marine conservation areas that you have raised, the delivery of the policy area is my colleague's responsibility. In fact, I was talking to him about bovine TB as I left my office to come here today. We talk regularly, formally and informally, about these matters. However, to date, I have not come across an issue where there is a significant difficulty that means that we need a more formal process. Possibly, the closest that we came to that was the decision that I took this week over scallop fishing in Cardigan bay, where there has been some controversy in the past and where there are issues about the conservation area in Cardigan bay. It is certainly our intention, on the fisheries side, to open up as much of Cardigan bay as possible for scallop fishing, but to do so in a way that conforms to the established environmental directives and legislation that govern the way in which we operate. We recognise that there may be issues, such as reefs on the sea floor, that are not compatible with a scallop fishery. So, where we believe that such topography exists on the sea floor, we will close the fishery and we will do so in a way that seeks to ensure that there is no potential for damage to it.

[205] I believe that that system is currently working effectively and we have fishery enforcement mechanisms in place to allow for that. We have discussed and recently debated that. So, at the moment, I do not see any conflict between the different objectives of policy. I would say to the committee that John Griffiths is probably in a better position than I am to discuss the detail of marine planning. I do not seek to speak on his behalf.

[206] **Julie James:** I will move on to my final question—I do not know whether other Members want to ask anything else; I have not had any indication—about enforcement and the suggestions that there should be a new European maritime and fisheries fund and that states or regions that repeatedly fail to comply would have their support removed. Do you

have a view on the structures and priorities of the fund and its operation?

[207] **Alun Davies:** The Chair is ahead of me on this issue. As far as I am aware, these proposals will be published at the end of the month.

[208] **Julie James:** I am talking about the fund that has been trailed, if you like. There has been some publicity about what that fund might be, has there not?

[209] **Alun Davies:** There has been speculation, shall we say. As politicians, we all live on speculation—both about ourselves and our friends. However, in terms of where we are at the moment, I anticipate that the Commission will publish its proposals by the end of November. I do not really feel comfortable about commenting in any detail on the speculation, which we have all seen and are all aware of. My point to the committees is that whatever shape the fund takes, we deeply hope that it will encourage sustainable fisheries and sustainable aquaculture.

[210] **Julie James:** That is a very nice note on which to end—

[211] **David Rees:** I have one more question.

[212] **Julie James:** David always spoils things at the last minute with a complex question. *[Laughter.]*

[213] **David Rees:** We have, in a sense, already discussed this. The level of detail contained in the proposed legislation has been questioned. Indeed, you have even said that there remain some areas of concern. Have we discussed all of those areas of concern, or are there any other areas of concern that we need to discuss, given the lack of detail in some of the proposals?

[214] **Alun Davies:** I think that we have discussed everything in the time available to us, David.

[215] **David Rees:** What would you raise if you were given the opportunity?

[216] **Alun Davies:** You are perhaps giving me the opportunity to hang myself, which is not an opportunity that I will avail myself of on this occasion. *[Laughter.]*

[217] **Julie James:** In fact, Deputy Minister, I was about to ask you whether there was anything that you would like to add to what has been going on, but David beat me to it. It remains for me to thank you for coming to give evidence to the committee today and for your varied suggestions. I have visited Burry Port, but I want to discuss the possibility of the committee doing that as well. Thank you very much to you and your officials.

[218] **Alun Davies:** Thank you very much.

*Daeth y cyfarfod i ben am 3.19 p.m.
The meeting ended at 3.19 p.m.*