



To: Anne Freeman

Cc: Neil Hornby

1st January 2021

Via e mail

Dear Anne,

I should of course now be writing to you on behalf of NUTFA and the under ten fleet in the UK to arrange meetings to discuss the allocation of the promised windfall of quota [“Thousands and thousands of tons” G. Eustice] that would once and for all have allowed the government to address the inequity and unfairness of the allocation of access to fishing opportunities perpetrated on the under ten fleet over many decades.

Instead we are now looking at returning to potentially scrabbling for the scraps from the table and having to continue to argue to avoid the larger scale sector from further inflating their allocations, apparently now in support of being able to offset their continuing rate of discards.

I do not intend to dwell on the outcomes of the deal, apart from the quota issue, other than to question the rationale for the continuing access to the 6 – 12 mile zone by elements of the European fleet.

It was helpful to have Nigel Gooding’s excellent resume of the negotiated deal the other day despite the inherently negative outcomes for the catching sector.

The thrust of Article FISH 9[1] is that in the case of withdrawal or reduction of access, compensatory measures should be commensurate to the economic and societal impact of the change in the level and conditions of access to waters. Such evidence shall be measured on the basis of reliable evidence and not merely on conjecture and remote possibility.

I do not know whether those responsible for this climb down simply did not recognize the impact of european fishing effort in the 6 – 12 mile zone but please be assured that it has an ongoing and significantly detrimental effect, on the ability of fish to move into inshore waters [there were 17 Belgian beam trawlers on the 6 mile line from Hastings to Brighton in the days before Christmas] and by effectively trapping the inshore passive gear fleet into the 6 miles on the basis that any gear laid outside of that line stands a good chance of being towed away.

The key sentence in FISH 9 [1] is “.....in the case of withdrawal or reduction of access, compensatory measures should be commensurate to the economic and societal impact of the change in the level and conditions of access to waters.....”.

Nigel was very clear during the telecom that from the evidence he had, the EU can quite happily fish all the stocks it needs to fish outside of our 6-12 limit. He went on to say that there was no reason at all for them to have access to fish in the 6-12 to meet their fishing opportunities. He finished on this subject by saying that any losses by the EU in these circumstances would be minimal or very low to minimal in his judgement and that one would expect that any compensation for societal loss to be very small in those circumstances.

I therefore struggle to see any good reason for delaying the withdrawal of access to the EU fleet to the 6-12 mile zone as what compensation may or may not be necessary would be extremely small bearing in mind the need for such impact to be measured on the basis of reliable evidence and not merely on conjecture and remote possibility.

I do not make this statement casually. It is abundantly clear that the catching sector has not come out of this deal well, in fact quite the contrary. As you know, a major red line wrt Brexit was the reclamation of the 6-12 mile zone and we have not even been able to attain that single goal. Unless the UK government is going to continue to roll over on almost every fisheries related demand then drawing a [red] line in the sand by removing access to the EU fleet to the 6-12 would at least give us some hope.

I will be writing to you under separate cover with regard to fisheries management elements but from my own knowledge together with the testimonies of many experienced inshore skippers, if we have to wait 5.5 years for any change [and any subsequent substantive change appears to be very doubtful on full reading of the Agreement] then we may as well not bother as there will be insufficient resources left after that period to sustain the inshore fleet based on current and past observations.

Returning to the matter in hand, the allocation of additional fishing opportunities, I do not hope need to reiterate how the under ten sector arrived at the current situation in this regard.

There was a general, albeit now clearly over optimistic hope that the promised very significant uplifts in quota would be sufficient to allow government to once and for all balance the books more fairly with respect to under ten allocations and importantly without needing to rob Peter to pay Paul.

The over ten sector has benefitted massively from the decision to secure their current allocations based on FQA's, and in doing so further cementing the privatization issue, despite the now Secretary of State stating whilst in his previous role as Fisheries Minister that; "As we depart from relative stability and have new fishing opportunities coming in, I do not think it makes any sense at all to compound the injustice of the FQA system."

It is also the fact that new gains are largely for pelagic and North Sea species [Norway Pout, Horse Mackerel, Hake, Sprat] that are unsuitable for the under ten sector.

I am sure that there will be numerous and vocal claims for access to the additional quota, especially in light of the loss of the previously normal swapping mechanism utilised by the PO's with their counterparts in the EU.

So our first concern is to ask that due recognition is paid to the historic inequity in allocations between the sector and non sector prior to any decisions being made, especially in the immediate term as allocations made, even on a temporary basis have a habit of generating longer term expectations.

Secondly, and despite government not now having the flexibility in allocation terms that would have come from a more generous outcome in this respect, we would ask that government keep to their word in relation to levelling up, as much as possible, with those stocks in those areas that are relevant to the under ten sector.

And finally I would respectfully remind you of the content and thrust Section 25 of the Fisheries Act 2020 when considering all of the above.

We look forward to the application of genuinely objective and transparent social, economic and environmental criteria, not least in that common sense alone should lead those responsible for allocations to recognize that the vast majority of the under ten sector naturally meet those criteria in their daily work.

At the same time, the majority of our sector use selective fishing gear and techniques that have a reduced impact on the environment through using less energy and causing less damage to habitats than their larger mobile gear brethren.

Please make no mistake, since the implications of the deal became clearer for under ten operators, I have had the full gamut of calls from skippers around the country. Mostly raging at the failure to keep promises made [the SoS recognized this when stating that we had not got as much as we had hoped for], to grown men nearly in tears at the loss of what they had anticipated in terms of levelling up allocations that would keep their businesses going and give them some hope for the future.

The additional quota promised was considered by many to be the last chance to redress past iniquities and provide a more secure future for the under ten fleet. In light of what has occurred, it is absolutely vital that the under ten sector is the main beneficiary in this respect if they are to actually survive and prosper, along with the coastal communities they support and who support them.

Yours sincerely,

Jerry

For NUTFA

W: www.nutfa.co.uk

E: jeremypercy@gmail.com

T: 01437 751357

M: 07799 698 568