

**Date:** Wednesday 5 December 2001  
**Time:** 2.00pm to 5.15pm  
**Venue:** Committee Room, National Assembly Building

## **FISHERIES**

### **SALMON AND FRESHWATER FISHERIES REVIEW**

#### **Purpose**

1. To provide the Agriculture and Rural Development Committee with a revised draft of the Assembly response to the report of the Salmon and Freshwater Fisheries Review Group into salmon and freshwater fisheries legislation. Members of the committee were provided with copies of the Review Group Report in February 2000 and considered an initial draft response on 16 May.

#### **Recommendations**

2. That the Committee consider the revised draft of the Assembly response and approve publication.

#### **Background**

3. At its meeting on 16 May, the Committee agreed to publication of the response to the Review Group report subject to the views of the Committee being taken into account. Subsequently the report of the Committee proceedings prompted further comments on the then draft response from a number of AMs and other interested parties. In addition the Environment Agency (Wales), who will implement many of the recommendations in the Report, sought additional funding.

#### **Discussion**

4. The revised draft ([click here](#)) incorporates responses to the Committee discussion on 16 May as well as other comments subsequently received:

**Recommendations 39 & 40 (page 34).**

## Mixed stock fisheries

39. *The phase out of mixed stock salmon net fisheries in England and Wales should be accelerated, and to achieve this compensation should be offered to netsmen to encourage them to leave these fisheries on a voluntary basis as soon as possible.*

40. *The Government should provide substantial pump-priming funds to launch compensation arrangements designed to accelerate the phase out of mixed stock salmon net fisheries on a voluntary basis, and should take the lead in setting up these arrangements.*

### **Accept in principle**

The initial draft response stated:

*"The National Assembly for Wales has yet to form a view on the need for an accelerated phasing out of mixed stock net fisheries. We have a number of important heritage net fisheries in Wales and we will want to consult fully with those directly involved in such fisheries before taking a final view on netting generally."*

This response was taken by some to mean that the Assembly and the Environment Agency had plans to phase out netting. In particular there was concern that this would affect heritage fisheries such as coracle fishing. For the avoidance of doubt, the response has been amended to read:

*"The National Assembly for Wales supports the principle of phasing out mixed-stock fisheries. However there are no operational mixed stock fisheries in Wales and therefore these recommendations do not affect the livelihood or heritage values associated with existing net fisheries. Before taking a view on any future proposals from the Environment Agency for changes to net fishing practices the Assembly will consult with all interested parties."*

### **Recommendations 41 & 42 (page 34).**

41. The Government should continue to press the Irish government, by all available means, to take all practicable measures to reduce the impact of the Irish drift net fishery on English and Welsh salmon stocks.

42. The Government should continue to do its best to ensure that NASCO sets quotas for the West Greenland and Faroe Islands salmon fisheries at the lowest achievable level.

### **Accept Both**

We have drafted an additional explanatory paragraph explaining why the Assembly accepts these

recommendations:

*"The National Assembly for Wales is concerned at the impact, on Welsh fisheries, of mixed stock fisheries off Ireland and the high seas, and will become directly involved in discussions with the Irish Government and NASCO about measures to reduce the impact."*

**Recommendation 105 (page 34).**

**Regulating exploitation of salmon**

*105. Powers to introduce Net Limitation Orders should be removed; in their place the Environment Agency should have the power to limit net licence numbers through byelaws. These powers should specifically provide for licence numbers in a net fishery to be reduced immediately where this is necessary for conservation purposes. Byelaws limiting numbers of net licences should remain in force for not more than ten years, with the exception of those relating to the phase-out of mixed stock fisheries.*

**Accept in part**

Following receipt of further representations from interested parties on netting issues we have added an additional sentence which covers Net Limitation Orders:

*"The National Assembly for Wales agrees that under future legislation byelaws should be used to limit numbers of salmon and sea trout net licences, and that such byelaws should be able to reduce licence numbers immediately where this is necessary for conservation purposes. It is not convinced, however, that byelaws limiting net numbers should only apply for 10 years, provided that they contain provisions for regular review. **Any proposals for change will be subject to public consultation.**"*

**Recommendation 10 (page 28)**

*10. The Environment Agency should expand its efforts to develop fisheries and promote angling in urban areas, to improve access to angling for the disabled and to promote angling among young people. Government should provide additional funding for these purposes.*

On 16 May the Minister was asked why this recommendation on the development and promotion of angling in urban areas and for disabled and young people was being accepted only in part. ***The response is only accepted in part because it is felt that this recommendation should apply throughout Wales not just the urban areas. The Assembly response reflects this.***

**Recommendation 100 (page 30)**

*100. If any powers are considered necessary to control access to freshwater habitats for conservation purposes they should be contained in general environmental legislation.*

The Minister was asked if it was possible to introduce a close season on fishing to protect rare nesting birds. *Such a measure, if deemed appropriate, would have to be considered under environmental legislation and would be for the Minister for Environment to consider.*

## **Compliance**

5. At this stage these are simply recommendations for consideration by the National Assembly and upon which it can comment under powers contained in section 33 of the Government of Wales Act 1998. If any of the recommendations are accepted and require policy or legislation changes then these will be covered by separate submissions and compliance issues will be taken in to account at that time. There are no issues of regularity and propriety. The Assembly Compliance Office has seen this advice and is content.

## **Financial Implications**

6. A number of the recommendations will require changes to primary legislation. If the draft response were agreed there would be some staffing implications including the need, eventually, to set up a bill team. DEFRA would be in the lead, but there will be some additional work for the National Assembly for Wales Agriculture Department. This can be accommodated within the Agriculture Department's planned administration costs budgets. None of the recommendations concerning salmon and freshwater fisheries legislation would have direct financial implications for the Assembly.

7. The draft budget, announced by the Finance Secretary on 18 October includes grant-in-aid of £800k for each of the years 2002,2003 and 2004 for the Environment Agency. These resources will enable the Agency to take forward action on the Review Group recommendations and will also support the Agency's Objective One project application in support of elements of the Nautilus Study into Inland and Sea Fisheries in Wales. The Agency will receive a remit letter which will highlight that the additional grant in aid is to be used specifically for the implementation of recommendations contained within the Review.

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