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# Consultation on Inshore Fisheries and Conservation District Boundaries

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## Introduction

Inshore fisheries management in England and Wales is currently the responsibility of Sea Fisheries Committees (SFCs). The Marine and Coastal Access Bill (the Bill) includes measures to reform inshore fisheries management and the protection of the marine environment.

The Bill proposes replacing SFCs in England with newly created Inshore Fisheries and Conservation Authorities (IFC authorities). In Wales the management of inshore fisheries will become the responsibility of the Welsh Assembly Government. Defra, the Welsh Assembly Government and others are working together to ensure that the new arrangements in relation to both England and Wales work effectively.

The aim of this consultation is to seek your views on the establishment of IFC district boundaries and to gather your perspective on our proposals for which local authorities might be included within each IFC district.

In considering your response to this consultation there are a number of important points to bear in mind:

- The Bill itself is still subject to Parliamentary scrutiny and approval and could change. However, our discussions with stakeholders have indicated that the numbers of IFC authorities is an important issue for them so we are seeking your views now;
- We recognise that there are a number of boundary and other changes that are impending, for example the creation of a new Cornwall Unitary Authority, and we have tried to consider these when framing our consultation proposals. We will continue to do so in our work going forward; and
- This consultation looks only to get your views on which local authorities should fall within newly created IFC districts and how many districts there should be. This is the first stage in an ongoing process of consultation and we are therefore looking to gather your views and additional evidence to support our work going forward. The exact seaward and landward boundaries and where lines should be drawn in estuaries will be dealt with through future consultation, once we have

drafted the more detailed Orders necessary to create each new IFC authority and its associated district.

We are also seeking some early input and your views on the numbers of local authority representatives that should sit on **each IFC authority**. Presently SFCs are funded by constituent local authorities with whom they negotiate a voluntary levy. Sometimes these arrangements have resulted in insufficient funding for the full range of services expected of them. Some local authorities have opted out of contributing to their local SFC altogether.

We would like to hear your initial thoughts on this issue. Again, we will use this as input to draft up the more detailed Orders establishing each IFC authority. These draft Orders will be subject to further consultation later in the year.

## **Establishing the numbers and make up of IFC districts**

### **Overview of our approach, options and the accompanying Impact Assessment**

The accompanying Impact Assessment

([www.defra.gov.uk/corporate/consult/inshore-fisheries/index.htm](http://www.defra.gov.uk/corporate/consult/inshore-fisheries/index.htm)) sets out the anticipated costs and benefits of three approaches in respect of establishing IFC authority boundaries.

The first of these sets out a base line for measuring the two options upon which we wish to seek your input. This baseline assessment is for no change to present boundaries other than those required by the Welsh Assembly Government's decision to take the management of inshore fisheries in house.

We are not consulting on this baseline approach because the Bill requires that every local authority with a coastline form part of an IFC district and for it to contribute to the running and financing of that IFC authority. You will see from the Impact Assessment that for the baseline position there are, among other things, some gaps in coverage (for example on the Bristol Channel). There are also some instances where local authorities have opted out of contributing to the local SFC. This baseline approach would not address these anomalies and we consider that it is not an option.

A map and description of current SFCs district boundaries are set out in Annexes A and B respectively.

That said we are heedful of the need to minimise the amount of disruption and associated costs in setting up IFC authorities and their districts, whilst still delivering the policy objectives envisaged in the Bill. We have therefore developed two possible options upon which we would like to hear your views (we of course welcome other suggestions for other possible variations):

- **Option 1** – Create 10 IFC authorities and districts, aligning new IFC district boundaries with local authority boundaries in England and to address the existing gaps in coverage.
- **Option 2**- Align new IFC authority boundaries with local authority boundaries and create 6 large IFC districts. This option would also address the current gaps in coverage.

## **Our assessment of the options**

Previous reports have considered the need to reform district boundaries and therefore the number of districts. In 2002, English Nature commissioned a report entitled '**Inshore Fisheries Management in England and Wales: Facing up to the challenges of the 21<sup>st</sup> Century**'. This report set out a case for fundamental reform of the inshore fisheries management system, including a rationalisation of inshore fisheries districts. This was followed by the Bradley Review in 2004, which proposed that the 12 SFCs in England and Wales might be reduced to 6.

### **Option 1 – Creation of 10 IFC districts aligned to local authority boundaries**

Option 1 proposes the creation of 10 IFC authorities and associated districts:

- North West;
- Northumberland;
- North Eastern;
- Eastern;
- Kent and Essex;
- Sussex;
- Southern;
- Devon and Severn;
- Cornwall; and
- Isles of Scilly.

Further details of which local authorities would belong to each IFC authority and district can be found in Annex D and the accompanying Impact Assessment.

This option would see some changes to boundaries from those of the existing SFCs in order to address the issues highlighted earlier. This option if adopted, which ensures that upper tier and unitary local authorities with a coastline are included in an IFC district, would see the following changes to existing SFC boundaries:

- adjustments to North Western, North Wales and Cumbria boundaries;
- adjustments to Devon and Cornwall boundaries;
- adjustments to Southern and Sussex boundaries;
- adjustments to Sussex, Kent and Essex boundary;
- adjustments to Eastern and North Eastern boundaries; and
- closing the gap in coverage in the Bristol Channel.

We consider that Option 1 represents the minimum changes required to ensure that IFC district boundaries are established in a way that will ensure that IFC authorities can deliver their new duties as set out in the Bill. We welcome your views on this.

## **Option 2- Creation of 6 IFC districts aligned to local authority boundaries**

This option seeks to maximise the possible benefits derived from a smaller number of large districts. We are seeking your views on the advantages and disadvantages of creating a smaller number of districts. Under this option, 6 larger IFC districts would be created:

- North West;
- North Eastern;
- Eastern;
- South Eastern;
- Southern and Western; and
- Cornwall and the Isles of Scilly.

Further details of our proposals on which local authorities would belong to each IFC authority and district can be found in Annex E.

Option 2 is based on the assumption that there will be generic costs and benefits associated with the creation of larger districts and that the benefits may outweigh the costs. These generic costs and benefits, which include improvements in staff career structures, culture change and increased opportunities to harmonise byelaws and consistency of enforcement, are set out in Annex C.

This option ensures that upper tier and unitary local authorities with a coastline are included in an IFC district so that each new IFC authority can deliver its new duties as set out in the Bill. We welcome your views on this.

## **Numbers of local authority representatives on each IFC authority**

The Marine Bill White Paper originally proposed that the total number of committee members on any IFC authority committee should be no more than 15. However, the actual number of committee members sitting on any IFC authority does not appear on the face of the Bill. The detail of this will be set out in the Orders referred to earlier in this consultation.

In order to further develop the evidence base for making decisions about establishing the number of local authority members that may sit on any IFC authority we are seeking your views in this consultation to help us to develop the draft the Orders. As we indicated above, these Orders will be subject to further consultation.

## **Consultation questions**

You are welcome to give your views on any aspect of the proposals in this consultation but we would like you to consider the following questions in particular:

- Q1. Do you have any comments on how representation of local authorities should work where there are many local authorities feeding into one IFC district?
- Q2. Do you have comments on what the maximum number of committee members sitting on any one IFCA should be? It would be helpful if your views could be given on a district-by-district basis

- Q3. Do you have any comments on how representation of local authorities should work where there are more than 7 local authorities within one IFC district?
- Q4. Do you have comments on any proposed boundary changes or changes to local authority structure that could affect the proposed IFC districts?
- Q5. How well do you think our current proposals for aligning IFC district boundaries with those of local authorities would tackle existing gaps in inshore fisheries management?
- Q6. Do you have any comments on the impacts of establishing 6 IFC districts?
- Q7. If larger districts are created, are those suggested here the best configuration?
- Q8. Do you have any comments on the impact on inshore fisheries enforcement of establishing 6 IFC districts?
- Q9. Do you have any comments on the environmental impact of establishing the proposed IFC districts?
- Q10. Do you have any comments on the social impact of establishing IFC districts as proposed?
- Q11. Do you have any comments on the economic costs and benefits of establishing IFC districts as proposed?

## Responding to this consultation

Please send comments by **22 April 2009** to:  
Inshore Fisheries (IFCA implementation team)  
Area 2C, Nobel House,  
17 Smith Square,  
London, SW1P 3JR

Email: [IFCABoundary.Consultation@defra.gsi.gov.uk](mailto:IFCABoundary.Consultation@defra.gsi.gov.uk)

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In line with Defra's policy of openness, at the end of the consultation period copies of responses we receive may be made publicly available through the Defra Information Resource Centre, Lower Ground Floor, Ergon House, 17 Smith Square, London SW1P 3JR. The information they contain may also be published in a summary of responses.

If you do not consent to this, you must clearly request that your response be treated confidentially. Any confidentiality disclaimer generated by your email system will not be treated as such a request. You should be aware that there are circumstances in which Defra will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations.

The Information Resource Centre will supply copies of consultation responses to personal callers or in response to telephone or email requests (tel: 020 7238 6575, email: [defra.library@defra.gsi.gov.uk](mailto:defra.library@defra.gsi.gov.uk)). Wherever possible, personal callers should give the library at least 24 hours notice of their requirements. An administrative charge will be made to cover photocopying and postage costs.

This consultation has been prepared in line with the Government code of practice that is available from the Department for Business, Enterprise and Regulatory Reform at <http://bre.berr.gov.uk/regulation/consultation/>.

Comments or complaints about the consultation process (as opposed to comments about the issue, which is the subject of consultation) should be addressed to:

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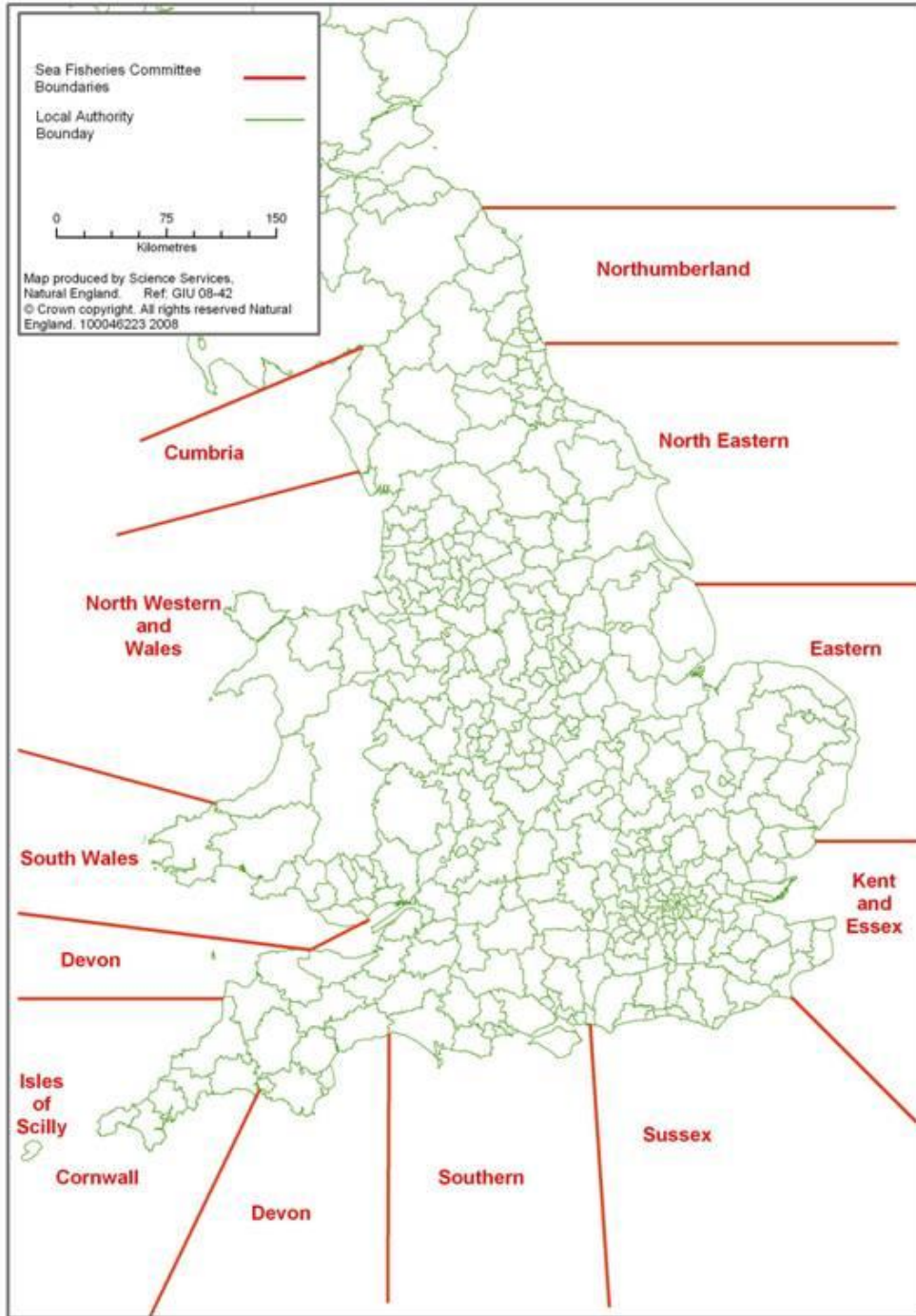
## Impact Assessments

Impact Assessments accompanying this Consultation Paper can be found at [www.defra.gov.uk/corporate/consult/inshore-fisheries/index.htm](http://www.defra.gov.uk/corporate/consult/inshore-fisheries/index.htm)

This consultation exercise has been approved by the appropriate Minister.

# Annex A

## Map of Sea Fisheries Committee districts in England and Wales



## Annex B Sea Fisheries Committees and contributing local authorities

SFC district	Local authorities contributing to SFC district	Current boundaries
Northumberland	North Tyneside Metropolitan Borough Council. Northumberland County Council	South Pier of River Tyne to Scottish border.
North Eastern	Durham County Council East Riding of Yorkshire Council Hartlepool District Council Kingston Upon Hull City Council Lincolnshire County Council North East Lincolnshire District Council North Lincolnshire District Council North Yorkshire County Council Redcar and Cleveland Borough Council South Tyneside Metropolitan Borough Council Sunderland City Council	Donna Nook to South Pier of River Tyne.
Eastern	Lincolnshire County Council Norfolk County Council Suffolk County Council	Dovercourt to Donna Nook (RAF control tower just south of Humber Estuary).
Kent & Essex	Essex County Council Kent County Council Medway Towns Council Southend-on-Sea Borough Council Thurrock Borough Council	Dungeness to Dovercourt, Harwich.
Sussex	Brighton & Hove City Council East Sussex County Council	West: a line drawn along the Western Side of the road bridge

SFC district	Local authorities contributing to SFC district	Current boundaries
	Kent County Council West Sussex County Council	leading from Langstone to Hayling Island and continuing from the southern extremity of the bridge to the flagstaff of Hayling Island Coastguard Station.  East: a line drawn south-east from the old lighthouse at Dungeness.
Southern	Bournemouth Council Dorset County Council Hampshire County Council Isle of Wight Council Poole Borough Council Portsmouth Council Southampton Council	Devon/Dorset border to centre of Hayling Island. Includes all the waters around the Isle of Wight, the Solent, Langstone Harbour, Portsmouth Harbour, Southampton Water, the Hamble, Poole Harbour, Portland Harbour and part of the Fleet.
Devon	Cornwall County Council (currently including Caradon, Restormel, Carrick, Kerrier, Penwith and North Cornwall District Councils but will be a whole unitary authority as of April 2009) Devon County Council Plymouth City Council Torbay Council	North Coast – Countisbury Cover (Devon/Somerset border) to Marsland Mouth (Devon/Cornwall border), including Lundy Island. In the Bristol Channel the district extends northwards from a line drawn equi-distant between the north coast of Devon and the coast of South Wales.  South Coast – Rame Head to Lyme Regis (Devon/Dorset border)
Northern North Western & North Wales	Blackpool Borough Council Ceredigion County Council Conwy County Borough Council	Haverigg Point, Cumbria to Cemaes Head, Ceredigion.

SFC district	Local authorities contributing to SFC district	Current boundaries
	Cumbria County Council Cyngor Sir Ynys Mon/ Anglesey County Council Denbighshire County Council Flintshire County Council Gwynedd County Council Lancashire County Council Metropolitan Borough of Sefton Metropolitan Borough of Wirral	
Cumbria	Cumbria County Council	Inner Solway Firth to Haverigg Point
Cornwall	Cornwall County Council (currently including Caradon, Restormel, Carrick, Kerrier, Penwith and North Cornwall District Councils but will be a whole unitary authority as of April 2009)	Marsland Mouth (Devon/ Cornwall border) to Rame Head.
Isles of Scilly	Isles of Scilly	6 miles from baselines around the island group.

## **Annex C**

### **Generic monetised and non-monetised costs and benefits that could arise from amending existing boundaries**

There are generic monetised and non-monetised costs and benefits that may arise from amending existing boundaries.

#### **Generic Costs**

##### **Loss of 'localness' and local accountability**

Local stakeholder engagement and local input to decision-making and local accountability will be key strengths for IFC authorities. Local accountability on committees may be diluted to an extent if districts were bigger.

Moving to larger districts may present problems in terms of difficulties for representatives of their sector if one person has to cover a very large geographical area. For example, it may be difficult for one person to adequately represent the interests of thousands of anglers across a wide area.

There would be increased costs in terms of travelling to committee meetings and thus potentially problems getting people to attend which will in turn affect the quality of committee decisions. In addition, fishermen who are committee members may have more difficulty taking a day off work due to travel time rather than half a day for a local meeting.

In some areas, local people have a very strong sense of local identity and may therefore be strongly opposed to districts becoming larger.

##### **Loss of local authority links and/or commitment**

Relationships with local authorities are in some cases particularly close. For example, the North East SFC has a very strong relationship with East Riding Authority with links in areas including finances, accommodation, IT systems and HR and legal advice.

##### **Difficulties in harmonising byelaws**

Districts made up of two or more existing SFCs may be under pressure to harmonise rules and relax a stricter byelaw with potentially negative impacts for the marine environment. There could be considerable work required to

harmonise byelaws. There are also considerable cost implications, which could include survey work, staff time and publicity costs. It is important to note that changing districts would not require byelaws to be changed. Transitional provisions in the Bill provide for existing byelaws to be retained for the same discrete areas that they currently cover. Any harmonisation of byelaws that is felt to be appropriate could take place over a long timescale.

### **Impacts on staff**

Personnel employed by SFCs are under contract to their local committee on local authority terms and conditions, there would be a need to meet all legal requirements for consultation etc before changes take place.

Significant work related journey times within their districts – due to a combination of distance, lack of arterial roads and congestion. However if sub-offices were introduced this may solve the problem.

If districts are bigger, fisheries officers may have to travel greater distances and work away from home more often, leading to reduced job satisfaction and potentially higher staff turnover and therefore skills loss.

### **Generic Benefits**

#### **Staff and career structure**

Better professional career development may occur by having bigger organisations with more opportunities for exposing staff to a variety of fishing sectors and allowing them to develop specialist roles.

#### **Culture change**

Having fewer authorities may improve collaboration with the Marine Management Organisation and Environment Agency and it may lead to more effective data sharing and drive efficiency savings through the better utilisation of expensive capital assets. It may be easier for such organisations to rationalise and standardise enforcement approaches and the use of byelaws that are a key tool for controlling fishing activity.

If there were fewer organisations, others such as nature conservation organisations and angling groups may be better able to put sufficient resources into IFC authority committees. Currently, larger committees within an

organisation, sometimes makes it difficult for the organisations to have enough effective input to all aspects of operation.

Districts have different approaches to issues such as strategic planning, performance management, obtaining funding, staff recruitment and how they manage health and safety issues. Larger districts may make the adoption of elements of best practice from each area into new districts easier and a more common approach to such issues could lead to improvements in working practices and possibly cost savings.

### **Harmonisation of byelaws**

Larger organisations may give rise to better pooling of expertise on byelaws and a more effective and coordinated approach to attaining legal advice when drafting byelaws. There may be greater clarity for stakeholders about how byelaws operate across boundaries.

### **Enforcement**

Current enforcement levels take account of a huge range of factors including resources available, fishing intensity, geography and local knowledge. It would theoretically be possible to devise a centrally agreed 'right' level of enforcement, perhaps using a risk based structure that takes account of key variables in an area and derives a particular level of enforcement.

The Bill will put in place a framework to encourage more coordinated enforcement between the Marine Management Organisation, IFC authorities and the Environment Agency.

### **More consistency in size of districts**

SFCs are in some cases under pressure to take on a representational role for the inshore sector, which complicates their statutory function as managers of inshore fisheries. More consistency in the size of districts could result in more objectivity both in how committees vote, and in how enforcement activity is undertaken.

## Annex D

### Option 1 – Creation of 10 IFC districts aligned to local authority boundaries

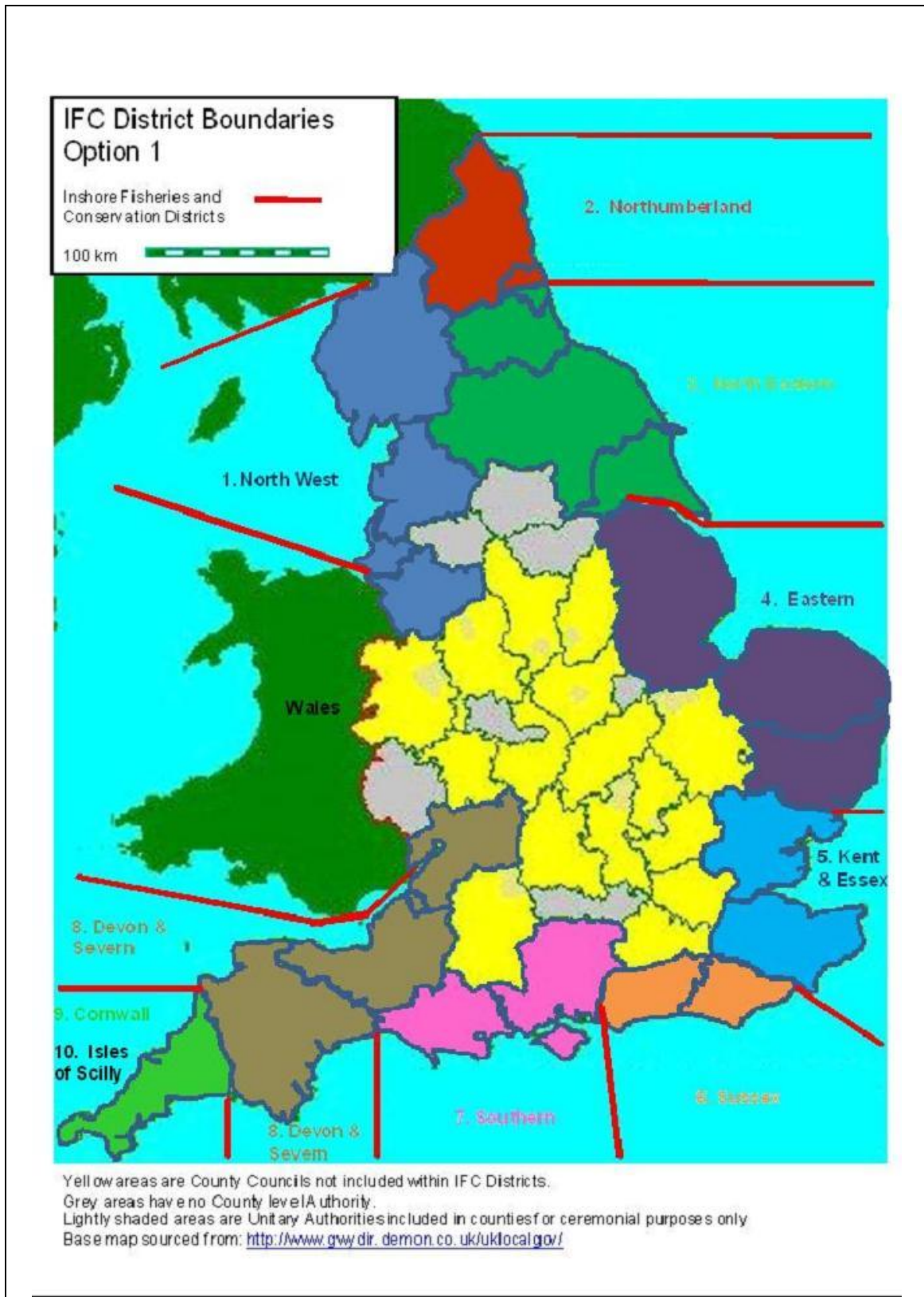
This option would see some changes to boundaries from those of the existing SFCs the changes required are set out in the accompanying Impact Assessment. However, it would further the requirements of the Bill addressing the issues highlighted earlier.

Suggested name of IFCA	Proposals on local authorities to be included within IFC District
North West	Blackpool BC (Unitary) Cheshire East Council (Unitary) Cheshire West and Chester Council (Unitary) Cumbria County Council Halton BC (Unitary) Lancashire County Council Knowsley MBC, Liverpool City Council St Helens MBC, Sefton MBC Warrington BC (Unitary) Wirral MBC
Northumberland	Northumberland County Council North Tyneside Council
North Eastern	Durham Unitary Authority East Riding of Yorkshire Council Hartlepool District Council (Unitary) Hull City Council (Unitary) North Yorkshire County Council Redcar and Cleveland Borough Council (Unitary) South Tyneside Metropolitan Borough Council (Unitary) Sunderland City Council (Unitary)
Eastern	Lincolnshire County Council Norfolk County Council Suffolk County Council North East Lincolnshire Council North Lincolnshire Council
Kent and Essex	Essex County Council Kent County Council Medway Council (Unitary) Southend-on-Sea BC (Unitary) Thurrock Council (Unitary)
Sussex	Brighton & Hove City Council (Unitary) East Sussex County Council

Suggested name of IFCA	Proposals on local authorities to be included within IFC District
	West Sussex County Council
Southern	Borough of Poole (Unitary) Bournemouth BC (Unitary) Dorset County Council Hampshire County Council Isle of Wight Council Portsmouth City Council (Unitary) Southampton City Council (Unitary)
Devon and Severn	Bath & North East Somerset Council (Unitary) Bristol City Council Devon County Council Gloucestershire County Council North Somerset Council (Unitary) Plymouth City Council (Unitary) Somerset County Council South Gloucestershire Council (Unitary) Torbay BC (Unitary)
Cornwall IFCA	Cornwall Unitary Authority
Isles of Scilly	Council of the Isles of Scilly

## Annex D1

### Map of suggested districts for 10 IFC authorities



## Annex E

### Option 2- Creation of 6 IFC districts aligned to local authority boundaries

Suggested name of IFCA	Proposals on local authorities to be included within IFCA District
North West	Blackpool BC (Unitary) Cheshire East Council (Unitary) Cheshire West and Chester Council (Unitary) Cumbria County Council Halton BC (Unitary) Lancashire County Council Knowsley MBC Liverpool City Council St Helens MBC Sefton MBC Warrington BC (Unitary) Wirral MBC)
North Eastern	Durham Unitary Authority East Riding of Yorkshire Council Hartlepool District Council (Unitary) Hull City Council (Unitary) North Tyneside Council (Unitary) North Yorkshire County Council Northumberland County Council Redcar and Cleveland Borough Council (Unitary) South Tyneside Metropolitan Borough Council (Unitary) Sunderland City Council (Unitary)
Eastern	Lincolnshire County Council Norfolk County Council North East Lincolnshire Council North Lincolnshire Council Suffolk County Council
South Eastern	Brighton & Hove City Council (Unitary) East Sussex County Council Essex County Council Kent County Council Medway Council (Unitary) Southend-on-Sea BC (Unitary) Thurrock Council (Unitary) West Sussex County Council

Suggested name of IFCA	Proposals on local authorities to be included within IFCA District
Southern and Western	Bath & North East Somerset Council (Unitary) Borough of Poole (Unitary) Bournemouth BC (Unitary) Bristol City Council Devon County Council Dorset County Council Gloucestershire County Council Hampshire County Council Isle of Wight Council North Somerset Council (Unitary) Plymouth City Council (Unitary) Portsmouth City Council (Unitary) Somerset County Council South Gloucestershire Council (Unitary) Southampton City Council (Unitary) Torbay BC (Unitary)
Cornwall and the Isles of Scilly	Cornwall Council (Unitary) Council of the Isles of Scilly

# Annex E1

## Map of suggested districts for 6 IFC authorities

