

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

FISHERIES BILL [*LORDS*]

Sixth Sitting

Tuesday 15 September 2020

(Afternoon)

CONTENTS

New clauses considered.
New schedule considered.
Bill, as amended, to be reported.
Written evidence reported to the House.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Saturday 19 September 2020

© Parliamentary Copyright House of Commons 2020

This publication may be reproduced under the terms of the Open Parliament licence, which is published at www.parliament.uk/site-information/copyright/.

The Committee consisted of the following Members:

Chairs: STEVE McCABE, † SIR CHARLES WALKER

Bonnar, Steven (*Coatbridge, Chryston and Bellshill*) (SNP)

† Bowie, Andrew (*West Aberdeenshire and Kincardine*) (Con)

† Butler, Rob (*Aylesbury*) (Con)

† Coutinho, Claire (*East Surrey*) (Con)

† Duffield, Rosie (*Canterbury*) (Lab)

† Fletcher, Katherine (*South Ribble*) (Con)

† Goodwill, Mr Robert (*Scarborough and Whitby*) (Con)

† Jones, Fay (*Brecon and Radnorshire*) (Con)

† Morris, James (*Lord Commissioner of Her Majesty's Treasury*)

† O'Hara, Brendan (*Argyll and Bute*) (SNP)

† Owatemi, Taiwo (*Coventry North West*) (Lab)

† Peacock, Stephanie (*Barnsley East*) (Lab)

† Pollard, Luke (*Plymouth, Sutton and Devonport*) (Lab/Co-op)

† Prentis, Victoria (*Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs*)

† Smith, Cat (*Lancaster and Fleetwood*) (Lab)

† Wild, James (*North West Norfolk*) (Con)

† Young, Jacob (*Redcar*) (Con)

Rob Page, *Committee Clerk*

† **attended the Committee**

Public Bill Committee

Tuesday 15 September 2020

(Afternoon)

[SIR CHARLES WALKER *in the Chair*]

Fisheries Bill [Lords]

2 pm

The Chair: Members will be aware that the Committee was adjourned a little early this morning, because a mistake had been made on how we dealt with new clause 2. The Minister was invited to move the new clause when in fact the shadow Minister should have been invited to do so. That led to understandable confusion. I therefore propose to rerun the decision on new clause 2.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): On a point of order, Sir Charles. May I seek clarity on why the vote is being rerun? Will the Chair confirm that it was orderly to put the question on new clause 2, for the Minister to move new clause 2 and for the Conservative MPs in the room to vote for new clause 2? The disorderly part was that the Conservatives did not spot that the new clause was a Labour amendment that they had moved and voted on. The confusion arose, therefore, because they were not following the amendment paper sufficiently. Is that correct?

The Chair: It would be easy for me to deflect blame on to colleagues, but I should accept a large amount of it myself. I apologise. I, primarily, should have spotted it, and for that I apologise to the Committee. I also apologise for having to let you go 20 minutes early, which probably means that we will have to stay 20 minutes later this afternoon. The key point is that I did not invite Labour to move the new clause, and for that I apologise. I hope that that is acceptable to the shadow Minister and to colleagues.

We will try to get it right this time. Does the shadow Minister wish to move new clause 2 formally?

Stephanie Peacock (Barnsley East) (Lab): No.

The Chair: We have now seen the back of new clause 2.

New Clause 3

SEA FISH INDUSTRY AUTHORITY: POWERS IN RELATION TO PARTS OF UK

‘(1) The Fisheries Act 1981 is amended as follows.

(2) In section 2(1) (duties of the Authority)—

- (a) after the third “of”, insert “(amongst other things)”,
- (b) delete the words “as a whole”.

(3) After section 3 (powers of the Authority), insert—

“(none) The Authority may exercise its functions separately and differently in relation to—

- (a) the sea fish industry in different parts of the United Kingdom,

(b) sea fish and sea fish products landed in different parts of the United Kingdom,

(c) sea fish and sea fish products trans-shipped in different parts of the sea within British fishery limits adjacent to different parts of the United Kingdom.”’—
(*Brendan O’Hara.*)

The primary purpose of this new clause is to give the Sea Fish Industry Authority greater flexibility to exercise its functions separately and differently in different parts of the UK. It inserts a new clause into subsection 3, which will enable the Authority to do this.

Brought up, and read the First time.

Brendan O’Hara (Argyll and Bute) (SNP): I beg to move, That the clause be read a Second time.

The Chair: With this it will be convenient to discuss the following:

New clause 4—*Sea Fish Industry Authority: delegation of functions*—

‘(1) The Fisheries Act 1981 is amended as follows.

(2) After section 3A (exercise of functions in relation to different parts of the UK etc.), insert—

“3B Delegation of functions

(1) The Authority may authorise any other person to exercise on its behalf such of its functions and to such extent as it may determine.

(2) The Authority may give to any person authorised under this section to exercise any of its functions—

- (a) financial assistance (by way of loan, grant or guarantee),
- (b) other assistance including assistance by way of the provision of property, staff or services, for the purposes of those functions.”

(3) The giving of authority under this section to exercise a function does not—

- (a) affect the Authority’s responsibility for the exercise of the function, or
- (b) prevent the Authority from exercising the function itself.”’

This new clause inserts a new clause which will allow the Authority to authorise any other person to exercise on its behalf any of its functions to the extent determined by the Authority. It will also allow the Authority to give any such person financial and other assistance to do so.

New clause 5—*Sea Fish Industry Authority: accounts and reports*—

‘(1) The Fisheries Act 1981 is amended as follows.

(2) In section 11 (accounts and reports)—

(a) after subsection (2) insert—

“(2A) The statement of accounts must specify the total amount of income received in the financial year from levies imposed under section 4 in relation to sea fish or sea fish products landed in Scotland or trans-shipped within the Scottish zone.”,

(b) after subsection (7) insert—

“(7A) The report must include details of how income received from levies imposed under section 4 has been applied in the financial year in respect of each part of the United Kingdom by the Authority in exercising its functions including in particular details, in respect of each part of the United Kingdom, of how the income has been applied by the Authority in—

- (a) promoting the efficiency of the sea fish industry in that part,
- (b) promoting the marketing and consumption of, and the export of, sea fish and sea fish products relating to that part.”’

This new clause is intended to ensure that the Authority reports how income received from the levies it imposes has been applied in respect of each part of the United Kingdom.

New clause 6—*Sea Fish Industry Authority: plan relating to allocation of Scottish levies*—

(1) The Fisheries Act 1981 is amended as follows.

(2) After section 11 (accounts and reports), insert—

“11A Plan relating to allocation of Scottish levies

(1) Before the start of each financial year, the Authority must—

(a) prepare a plan setting out—

(i) an estimate of the total amount of income that the Authority expects to receive during the financial year from levies imposed under section 4 in relation to sea fish or sea fish products landed in Scotland or trans-shipped within the Scottish zone (‘Scottish levies’), and

(ii) a description of how the Authority proposes to apply that income in the course of exercising its functions, and

(b) refer the plan to the committee appointed under paragraph 16(A1) of Schedule 1 (‘the Scottish committee’) for approval of the Authority’s proposal mentioned in paragraph (a)(ii).

(2) If, as a result of relevant regulations, the Authority estimates that the total amount of income that it expects to receive from Scottish levies during a financial year is greater than the total amount of income that it received from Scottish levies during the previous financial year, the Authority’s plan prepared under subsection (1) for the financial year must include a statement describing how the Authority proposes in particular to apply the additional income from Scottish levies in the course of exercising its functions.

(3) For the purposes of subsection (2)—

(a) ‘relevant regulations’, in relation to a financial year, means—

(i) regulations made by the Authority under section 4(2) during the previous financial year, and

(ii) regulations which the Authority expects to make, and to be confirmed by the Scottish Ministers, under section 4(2) during the financial year,

(b) the total amount of income received by the Authority from Scottish levies during a previous financial year is the total amount of such income as recorded in the Authority’s accounts kept under section 11(1) in respect of that year.

(4) The Authority—

(a) must publish a plan prepared under subsection (1) as soon as reasonably practicable after receiving the Scottish committee’s approval as mentioned in subsection (1)(b), and

(b) may publish the plan in such manner as it considers appropriate.

(5) The Authority must, as soon as reasonably practicable after publishing a plan under subsection (4)—

(a) send a copy of the plan to the Scottish Ministers, and

(b) lay the plan before the Scottish Parliament.

(6) The Authority must have regard to each relevant plan—

(a) in the exercise of its functions, and

(b) in particular, in authorising any other person under section 3B to exercise any of its functions on its behalf.

(7) A person who is authorised by the Authority under section 3B to exercise any of the Authority’s functions must have regard to each relevant plan in the exercise of those functions.

(8) In subsections (6) and (7), ‘relevant plan’, in relation to the exercise of a function, means—

(a) the latest plan published under subsection (4), and

(b) any earlier plan published under that subsection in so far as it contains a proposal mentioned in subsection (1)(a)(ii) (or, as the case may be, in subsection (2)) to apply income during the financial year in which the function is being exercised.”.

The primary purpose of this new clause is to ensure the Authority sets out an annual plan that outlines how it intends to apply the levy income it expects to receive. This plan must make comparison to the levy income of the previous year and where the levy income is expected to be higher detail how the Authority proposes to apply the additional income from Scottish levies.

New clause 7—*Sea Fish Industry Authority: committee for Scotland*—

(1) The Fisheries Act 1981 is amended as follows.

(2) In schedule 1 (the Sea Fish Industry Authority), in paragraph 16—

(a) before sub-paragraph (1) insert—

“(A1) The Authority must appoint a committee for the purpose of assisting the Authority in the exercise of its functions in relation to the sea fish industry in Scotland.

(A2) The committee is to consist of or include persons who are not members of the Authority.

(A3) The Authority must consult the committee on the exercise of its functions in relation to the sea fish industry in Scotland.”.

(b) in sub-paragraph (1), before “committees” insert “other”,

(c) in sub-paragraph (2), for “such committees” substitute “committees appointed under this paragraph”.

This new clause’s new provisions require the Authority to appoint a committee for the purpose of assisting the Authority in the exercise of its functions in relation to the sea fish industry in Scotland. They additionally require the consultation of this committee on the exercise of the Authority’s functions in relations to Scotland.

New clause 8—*Sea Fish Industry Levies: powers in relation to Scotland and the Scottish Zone*—

(1) The Fisheries Act 1981 is amended as follows.

(2) In section 4 (levies)—

(a) in subsection (2), for “Ministers” substitute “appropriate Ministerial authority”,

(b) in subsection (7), for “Ministers” substitute “appropriate Ministerial authority”,

(c) after subsection (8) insert—

“(8A) In this section, ‘appropriate Ministerial authority’ means—

(a) in relation to sea fish or sea fish products landed in Scotland or trans-shipped within the Scottish zone, the Scottish Ministers,

(b) in any other case, the Ministers.”.

(d) in subsection (9), after “order” in both places where it occurs insert “of the Ministers”,

(e) after subsection (9) insert—

“(9A) Any order of the Scottish Ministers—

(a) under subsection (2) is subject to the negative procedure,

(b) under subsection (7) is subject to the affirmative procedure.

(9B) Before laying a draft Scottish statutory instrument containing an order under subsection (7) before the Scottish Parliament, the Scottish Ministers must consult—

(a) the committee appointed under paragraph 16(A1) of Schedule 1, and

(b) such other persons as they consider appropriate.”.

(3) In section 14 (interpretation of Part 1), in the definition of “the Ministers”, in paragraph (c), after “with” insert “(except in the case of an order under section 4(2) or (7))”.

(4) In schedule 2 (Sea Fish Industry Levies)—

(a) for “Ministers” in each place where it occurs substitute “appropriate Ministerial authority”,

(b) after paragraph 3 insert—

“4 The Scottish Ministers must, before making an order confirming any regulations, consult—

(a) the committee appointed under paragraph 16(A1) of Schedule 1, and

(b) such other persons as they consider appropriate.

5 In this schedule, ‘appropriate Ministerial authority’ has the same meaning as in section 4 of this Act.”’

The primary purpose of this new clause is to devolve, to the Scottish Ministers, the control of the Scottish aspects of levies imposed by the Authority. Currently, levies imposed by the Authority require confirmation by the relevant Ministers for England, Wales and Northern Ireland with the agreement of the Scottish Ministers. The new clause intends to ensure that levies imposed in relation to Scotland require confirmation by Scottish Ministers.

New clause 9—Sea Fish Industry Levies: definitions relating to Scotland and the Scottish Zone—

‘(1) The Fisheries Act 1981 is amended as follows.

(2) In section 14 (interpretation of Part 1), after the definition of “the Ministers” insert—

“‘Scotland’ and ‘the Scottish zone’ have the same meanings as in the Scotland Act 1998 (see section 126(1) and (2) of that Act);”’.

This new clause inserts a new clause which makes consequential new clause to section 14 (interpretation of Part 1) of the 1981 Act by inserting definitions of “Scotland” and “the Scottish zone”.

Brendan O’Hara: I cannot hope to compete with the excitement of new clause 2 with new clauses 3, 4, 5, 6, 7, 8 and 9, which are in my name and those of my hon. Friends the Members for Coatbridge, Chryston and Bellshill and for Edinburgh North and Leith (Deidre Brock).

The main purpose of the new clauses is to give the Sea Fish Industry Authority far greater flexibility when exercising its functions separately and differently in different jurisdictions of the United Kingdom. The long-held view of the Scottish Government and of many in the sector is that Seafish, because of how it is constituted, is not sufficiently flexible to meet the needs of the entire sector. It therefore requires radical reform.

I believe that Seafish has an intrinsic flaw in attempting to represent the entirety of the United Kingdom while operating in a policy area that is wholly devolved. In trying to represent the whole UK fishing industry, Seafish is viewed by many as providing insufficient support for the sector in Scotland, which all too often results in poorer and unsatisfactory marketing and promotion of Scottish seafood.

The main objective of this group of new clauses is to devolve control over both the funding and the executive powers of Seafish to Scottish Ministers. The new clauses would also devolve control over the Scottish aspects of the fishing levy, giving Scotland a key role in deciding how that share of the money is spent. We believe that that new model would provide much greater flexibility to Seafish and enable it to exercise functions separately and differently in different parts of the UK. The new clauses would also increase transparency in requiring Seafish to report the income of receipts from the levies it imposes and how those are applied in each part of the UK.

As I have often said, not only is fishing devolved, but there is no standardised version of fishing across the UK. With an aggregated coastline of 20,000-plus miles, the UK contains a whole host of different fishing interests and practices. From England’s south coast to the most northerly point of Shetland, the industry is multi-layered, complex, nuanced and often localised. Given that there is no single fishing industry pursuing a common, clear set of shared objectives, and no fewer than four separate and distinct national Governments looking after the industry in their respective jurisdictions, it seems absurd that we have a one-size-fits-all fishing

authority charged with securing a sustainable, profitable future for all parts of the industry. How can Seafish practically offer regulatory guidance and service to the industry for catching, aquaculture, processing, importers, exporters and distributors of seafood, as well as looking after restaurants and retailers in such a complicated, differentiated and entirely devolved industry?

This Bill gives us the perfect opportunity to reform the current system and ensure that the levy is better used to promote the range and quality of Scottish seafood, both at home and abroad. If Scotland were able to take investment decisions, we would be able to support the industry properly by promoting the quality and excellence of Scottish seafood products. It would also allow us to maximise the benefits of Scottish provenance, which is vital when marketing abroad. Whether it is our salmon, oysters, scallops, langoustines, crab or whatever else, the promotion of the product as Scottish gives it added value, and its provenance is a guarantee of quality, which is exactly what our producers need.

With these new clauses, we are not seeking to undermine Seafish—far from it. We are seeking only to improve how it works and ensure it works better in the future for the huge variety of Scottish fishing industries. By supporting this change, the Government would allow Seafish to promote all of Scottish fishing, from the east to the west and the north coasts and the northern islands. We believe it would work. Right now, Seafish does not work well for Scotland, and it should. With your permission, Sir Charles, I will seek to push the new clause to a vote.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Victoria Prentis): Seafish is a UK body, and Ministers in each Administration have a shared and equal responsibility for it. These new clauses affect the interests of three other fisheries administrations, so I have corresponded with my colleagues across the devolved Administrations about them.

My colleagues in Wales and Northern Ireland and I agree that Seafish is undertaking valuable work, and do not agree with the new clauses. The current model works well, in that it has the ability to deliver or fund bespoke services in each Administration, but in many cases it delivers UK-wide work. That is partly because of efficiencies of scale, but also because the supply chains across the UK are similar and have similar challenges and opportunities. A particular concern is that the new clauses do not consider the impact that the changes would have in each region on the viability of Seafish, given the additional and costly burdens they would add. I am not convinced of the need to legislate on all these matters.

It is open to all the fisheries administrations to consider how Seafish serves us across the UK and across the UK industries, but I feel that the new clauses pre-empt the findings of the reviews that we are about to undertake. I therefore ask the hon. Member for Argyll and Bute to withdraw them.

The Chair: Mr O’Hara, do you have anything to add?

Brendan O’Hara: Not specifically, but I seek to press the new clause to a Division.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 1, Noes 10.

Division No. 10]**AYES**

O'Hara, Brendan

NOES

Bowie, Andrew

Butler, Rob

Coutinho, Claire

Fletcher, Katherine

Goodwill, rh Mr Robert

Jones, Fay

Morris, James

Prentis, Victoria

Wild, James

Young, Jacob

Question accordingly negated.

Luke Pollard: On a point of order, Sir Charles, which I raised with the Minister prior to the sitting, I believe that she may have inadvertently misled the Committee in one of her earlier remarks. She was responding after I had raised the issue of Seafish issuing faulty and unsafe guidance on personal locator beacons and lifejackets. When replying to me, the Minister said that those difficulties did not exist, but Seafish officials have subsequently confirmed that the video in question, which advised faulty lifejacket practice, should not have been produced or issued, and has now been removed.

As that is a safety issue, I would be grateful if the Minister, who I believe was given incorrect guidance through no fault of her own, could correct the record and, in particular, work with colleagues in the Department for Transport to issue a maritime information note, to ensure that any fishers who heard that faulty guidance will know that it has been corrected.

The Chair: I am sure that the Minister would like to respond.

Victoria Prentis: The hon. Gentleman raised part of his point of order with me earlier, and I said that I would write to him when I have got to the bottom of the situation. As I said earlier, I was aware of the issue and that Seafish has worked collaboratively with the Maritime and Coastguard Agency on it. I was told that the MCA is satisfied that Seafish has taken all necessary steps. I am also aware, however, that the MCA is issuing a safety bulletin to alert all marine users to the importance of following manufacturers' guidelines, particularly when retrospectively fitting a personal locator beacon into a personal flotation device. I will write to the hon. Gentleman further, but I would like to make clear that that is the current position as I understand it.

The Chair: Thank you, Minister.

New Clause 10**DUTY TO CO-OPERATE**

'(1) A fisheries policy authority must co-operate with other fisheries policy authorities in the preparation and application of the JFS and any SSFS, the licensing of fishing boats, enforcement against illegal fishing activity, the determination and distribution of fishing opportunities and the prevention of discards.

(2) A fisheries policy authority may share information with another fisheries policy authority for the purpose of discharging its duty under subsection (1).—(*Stephanie Peacock.*)

This new clause would place a duty to co-operate on all fisheries policy authorities in carrying out their functions under this Bill; and would provide for the sharing of information between fisheries policy authorities.

Brought up, and read the First time.

Stephanie Peacock: I beg to move, That the clause be read a Second time.

New clause 10 would establish a duty to co-operate among all fisheries policy authorities in carrying out their functions under the Bill, and would allow them to share information to ensure that they are working efficiently and co-operatively. The Government have already opposed the creation of a dispute resolution mechanism, which would have been used to ensure that disagreements between fishing authorities did not reach an impasse. The new clause would provide for a duty of co-operation in the absence of a dispute resolution mechanism.

The Government have consistently described the Fisheries Bill as a framework Bill to establish the parameters under which the industry will operate. As the Committee will be aware, that function has been fulfilled for a number of decades by the common fisheries policy. Whatever concerns hon. Members may have had about the CFP—I am aware that concerns have been raised on all sides of the House—there is no doubt that it provided a settled framework for fisheries. When the structures of the CFP are removed, it is important that the framework that replaces it is robust and consistent.

The new clause therefore seeks to place an obligation on fisheries policy authorities to co-operate with other fisheries policy authorities in preparation for and the application of the joint fisheries statement, any Secretary of State fisheries statement, the licensing of fishing boats, enforcement against illegal fishing activity, the determination and distribution of fishing opportunities, and the prevention of discards. Those are all crucial points that must be settled collaboratively as the UK seeks to forge a new future for its fishing industry outside the EU.

Without a duty to co-operate between among the different sectors of our fishing industry and the different parts of the UK, we could face a scenario after 31 December whereby different fisheries authorities, the Marine Management Organisation and different devolved Governments each set different regulations or pursue different priorities in relation to the fishing industry and the marine environment. That would lead to a fracturing not just of the industry but of the broader framework that the Bill is designed to establish for UK fisheries.

Opposition Members welcome the Bill and the aim of establishing a framework and clear objectives for the future of the industry. However, without co-operation across the industry and the different parts of the UK, any framework would be fractured, making it all but redundant, and making it infinitely more difficult to achieve the Bill's objectives. Therefore, if the Government oppose the new clause, I would be grateful if the Minister could set out how they intend to ensure that different stakeholders and constituent parts of the UK's fishing industry work collaboratively to meet the objectives in the Bill.

2.15 pm

Victoria Prentis: The new clause is unnecessary because, in addition to existing processes, the Bill already contains provisions for lots of co-operation among the authorities. The four fisheries policy authorities have a strong track record of working collaboratively to develop fisheries management policy. That will be further strengthened through a new memorandum of understanding developed

[Victoria Prentis]

as part of the UK fisheries common framework, which will set out how the authorities will continue to work closely together in the future. The Bill includes the shared fisheries objectives, and clause 2 and schedule 1 require the authorities jointly to prepare and produce a joint fisheries statement. Clause 10 requires fisheries authorities to exercise their functions in accordance with the policies in a JFS, Secretary of State fisheries statement or fisheries management plan. As many of the stocks are mobile, that will of course require a great deal of co-operation among the authorities.

Let me turn to the sharing of information. Again, a lot of that happens currently, and principles around data sharing will be incorporated in the MOU. Within the Bill, the scientific evidence objective also includes a requirement for fisheries policy authorities to work together on the collection and sharing of scientific data. The JFS will include policies to support the achievement of that objective.

I therefore ask that the new clause be withdrawn.

Stephanie Peacock: I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 11

HIGHLY PROTECTED MARINE AREAS FOR ENGLAND

(1) The Secretary of State must publish a plan to designate Highly Protected Marine Areas for England.

(2) Before publishing a plan under subsection (1), the Secretary of State must carry out a public consultation.

(3) The plan in subsection (1) must be published by 31 December 2021.—(Luke Pollard.)

This new clause would require the Secretary of State to carry out a consultation and publish a plan to designate Highly Protected Marine Areas for England.

Brought up, and read the First time.

Luke Pollard: I beg to move, That the clause be read a Second time.

New clause 11 relates to highly protected marine areas for England. This picks up on a running theme of contributions from the Labour Benches throughout these proceedings in relation to what happens next with the Benyon review of highly protected marine areas and what the next steps are.

The oceans treaty, which I have mentioned a number of times during the Committee's discussions and which the Government have signed up to, seeks to protect 30% of the world's oceans by 2030, and the UK Government have signed up to protect 30% of the UK's waters by 2030 as well. The oceans treaty signs us up for full protection, which is in effect no-take zones for our fisheries' waters, and it seems that the Government's intention is to move marine protected areas into highly protected marine areas, thus creating no-take zones in what are largely MPAs as they currently stand.

The Benyon review, published over the summer, made a really important contribution to the start of the debate by setting out the value of highly protected marine areas and what the purpose was. Importantly

for the Bill, Benyon also set out very clearly that fishers must be involved with the discussions around the designation of highly protected marine areas—and indeed, with you sitting in the Chair, Sir Charles, that should involve commercial fishing and also recreational fishing at the same time. It is important that we understand what Richard Benyon has proposed in his report, but also that it was only a first step in how highly protected marine areas can be created.

The new clause seeks to require that the Secretary of State publish a plan to designate highly protected marine areas, and before that plan is published, the Secretary of State should carry out a public consultation. Taken together, that should all be published by 31 December 2021, which is a realistic timeline for that work to be done. Indeed, at the conclusion of that, as the Committee will note, we have only eight years left for 30% of the UK's waters to be highly protected marine areas, if the Government are to hit the commitment that they have signed up to in the UN's oceans treaty. I am sure that Conservative Members would not want to breach a treaty in relation to this and would want to maintain the rule of law. This is a plan for how to do that.

It is important that we include input from fishers in how we designate highly protected marine areas. The Government have so far not responded to the Benyon review in a way that sets out a timetable for what follows next. They have said that the findings are interesting and they will take time to consider them, as I expect the Minister will say when she gets to her feet, but they have not set out a timetable.

The Government chose earlier in the Committee to whip their MPs against Labour's sensible amendment to ban supertrawlers over 100 metres from fishing in marine protected areas. We know that a Greenpeace investigation has revealed that in the first six months of 2020, supertrawlers spent more than 5,500 hours fishing in these protected areas. If we mean to safeguard these vulnerable habitats, it is important that steps are taken to exclude not only supertrawlers, but trawlers with gear that is especially damaging to our oceans, which include electric pulse trawlers and trawlers that drag nets along the sea bed in particular.

I have, in a number of remarks, encouraged the Minister to start an honest conversation with fishers about how highly protected marine areas will be designated, what their input will be in that and how they will be compensated, encouraged or recompensed for the exclusion of fishers and certain types of fishing from those marine areas. When the Minister gets to her feet, I suspect she will say that this is not necessary because she has a cunning plan for highly protected marine areas that she will shortly be publishing, but I would be grateful if she could answer a few questions.

Which marine protected areas does the Minister feel that fishers will be able to fish in in 10 years' time and which ones does she not? Will it be an assumption that all MPAs will be no-take zones, as the policy signed up by the former Environment Secretary, the right hon. Member for Surrey Heath (Michael Gove), suggested? Will there be a phased approach to introducing no-take zones in marine protected areas?

For instance, will the Minister seek to restrict bottom trawling in those areas, or will she be taking the advice of the former fisheries Minister, the right hon. Member for Scarborough and Whitby, who, when speaking about

supertrawlers in the debates last week, spoke about fishing only in the water column? Will there be a stepped process to bring that about? Can she set out what the journey is between now and 2030?

There is a strong rationale for being clear with the fishing industry, coastal communities and those who seek to protect our marine environment about how these highly protected marine areas will be established in England in particular, although I appreciate that the commitment the Government have given is on the protection of UK waters.

Mr Robert Goodwill (Scarborough and Whitby) (Con): I am pleased that the hon. Gentleman mentions supertrawlers, because I have been thinking about this quite a lot over the weekend. I recall when I was in Portavogie I saw a ship—not a supertrawler—having a couple of feet lopped off its prow in order to meet the recommendations. Does he not think that just banning boats over 100 metres would result in a proliferation of boats of 99.9 metres and that we need to be more intelligent in the way we manage fisheries in that regard?

Luke Pollard: I agree with the key point the right hon. Gentleman makes because, as a west country MP, I see an awful lot of dumpy boats around the west country that have been adjusted to be as broad as they possibly can while still coming under the designated length, be that 10, 12 or 14 metres or whatever. I share his concern about retrofits to fishing boats; in particular, he will know of my concern about retrofits to boats that do not come with the latest stability features, so that the retrofitting not only avoids certain fisheries regulations, which is the point he is making, but also potentially poses a greater safety risk to the lives of the crew, if they were to go over, and of those volunteers tasked with saving them in such an event.

I take the point that the right hon. Gentleman makes. However, when it comes to banning supertrawlers, although I know that the amendment that Labour tabled mentioned supertrawlers over 100 metres, he will be aware that there is a debate about whether a supertrawler at 90 metres is also sufficiently sized. To a certain extent, that is a moot point, because as he will know the oceans treaty that his Government have signed up to effectively seeks to ban all extractive activity in marine protected areas by 2030, working on the assumption that marine protected areas will be the ones that would become highly protected marine areas. I hope there is a strong case for that status being given to Wembury bay, around the coast from Plymouth. The Minister will know it. It has a beautiful diverse marine environment, and would be an effective highly protected marine area; it does not necessarily enjoy all the protections of other classifications at the moment. There is some wiggle room there.

The key point of the new clause is to seek clarity from the Minister and the Government on the journey ahead. My fear is that we will not see a clear plan produced, or a part two of the Benyon review. I would like Richard Benyon recommissioned to start a part two, because the questions of how an area is designated, and how commercial and recreational fishers are included in the process, are essential. The UK Government must not renege on their 2030 treaty obligations because they did not put in the advance work, and we must not have a rush to

designate in the lead-up to 2030 that does not adequately take into account the livelihoods of fishers, who otherwise could have been supported for a period through re-zoning of fishing activity. That is the purpose of the new clause. I look forward to hearing what the Minister has to say about it.

Victoria Prentis: The Government are pushing internationally for a global target of protecting 30% of the ocean by 2030. We were pleased to read the report on highly protected marine areas from the independent review panel, chaired by Richard Benyon. I have also enjoyed some fairly lively meetings with stakeholders, to listen to their views about the recommendations of the review. As we have said, the Department for Environment, Food and Rural Affairs is working closely with other Government Departments and is considering its response to the report's recommendations. We will publish that response in due course. I am unable to give a better timetable than that, I am afraid, but work is ongoing. The Government are interested in the proposals for highly protected marine areas. In the Secretary of State's recent speech on environmental recovery, he announced his intention to pilot highly protected marine areas.

To answer some of the hon. Gentleman's questions, all extractive activities are not compatible with the aims for the areas. The review panel did not make specific recommendations on pilot sites. The review recommended that the Government consider social and economic factors when identifying sites, in order to minimise any negative effects for stakeholders, and it also recommended transparency, as well as early, continuous and, of course, honest engagement with a range of stakeholders when considering highly protected marine area sites. If the Government do decide to introduce HPMA's, we will work with our arm's length bodies and stakeholders to identify where the pilots should be, and will consult honestly and frankly with those affected as soon as we can before designation. If we decide to go down the HPMA route, we will certainly carry out a full public consultation before putting any pilots in place. I ask that the new clause be withdrawn.

Luke Pollard: I am afraid I did not get the answers that I was looking for from the Minister with regard to a commitment and a timetable. I am grateful for the commitment she has given on consultation, but I will push the new clause to a vote.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 5, Noes 10.

Division No. 11]

AYES

Duffield, Rosie	Pollard, Luke
Owatemi, Taiwo	
Peacock, Stephanie	Smith, Cat

NOES

Bowie, Andrew	Jones, Fay
Butler, Rob	Morris, James
Coutinho, Claire	Prentis, Victoria
Fletcher, Katherine	Wild, James
Goodwill, rh Mr Robert	Young, Jacob

Question accordingly negatived.

New Clause 12

PLASTIC WASTE PRODUCED BY FISHING ACTIVITIES

“(1) The Secretary of State may make regulations to control the creation and disposal of plastic waste in all areas of the UK’s Exclusive Economic Zone except for Scotland, the Scottish zone, Wales, the Welsh zone, Northern Ireland and the Northern Ireland zone during fishing activities.

- (2) Regulations under this section may make provision—
- (a) to prohibit the disposal of plastic items while at sea;
 - (b) to require plastic items to be disposed of at specified onshore processing facilities;
 - (c) to require the amount of plastic waste produced during fishing activities to be recorded;
 - (d) to prohibit the use of certain categories of plastic item during fishing activities;
 - (e) to require the holder of a licence to fish granted under this Act to publish a plan for the reduction of plastic waste if the annual value of the fish landed by the licence holder exceeds £1,000,000.

(3) Regulations under this section are subject to the affirmative procedure.”—(*Stephanie Peacock.*)

This new clause would enable the Secretary of State to make regulations to control the creation and disposal of plastic waste in England and in English waters during fishing activities.

Brought up, and read the First time.

2.30 pm

Stephanie Peacock: I beg to move, That the Clause be read a Second time.

New clause 12 enables the Secretary of State to make regulations to control the creation and disposal of plastic waste during fishing activities in all areas of the UK’s exclusive economic zone, except for the Scottish, Welsh and Northern Irish zones. The new clause, as with others we have proposed, has sustainability at its heart.

According to estimates from Greenpeace, 12.7 million tonnes of plastic go into our oceans every year. That is the same as a truckload of rubbish every minute. Of course, that cannot be solely attributed to the fishing industry, and clearly wider societal and environmental action is needed to tackle it in addition to the measures set out in the new clause, but plastic waste generated by fishing is a contributory factor. For example, an estimated 20% of fishing gear is lost at sea in the EU. Another example is the great Pacific garbage patch, which the shadow Secretary of State, my hon. Friend the Member for Plymouth, Sutton and Devonport, mentioned when the Fisheries Bill was before the House in the last Parliament.

Katherine Fletcher (South Ribble) (Con): Does the hon. Lady agree that a huge amount of the plastic in the oceans is coming from the land and running into rivers? The new clause is well intentioned, and I completely share the hon. Lady’s aim to reduce plastic in the environment, but it may create a bigger burden on an industry whose contribution is de minimis to the plastic that is floating around in the ocean.

Stephanie Peacock: If the hon. Lady had been listening to my speech, she would have noted that I just said that of course the fishing industry cannot be fully responsible, but it can play its part. Statistics highlighted by The Ocean Cleanup conservation group show an area of floating rubbish totalling 79,000 tonnes, most of which

is abandoned fishing gear and other plastic waste. Clearly the UK is not responsible for all fishing gear lost at sea in the EU, or for plastic waste in the Pacific, but there is no reason why we should not set the standard and be world leaders in tackling plastic waste in our own waters.

We have an opportunity with the Bill and with the new clause to tackle this problem and to make an important contribution to broader efforts to protect our environment. The new clause is not radical, nor would it damage the industry or constrain or tie the Government into any particular course of action. I urge the Government to accept the new clause.

Victoria Prentis: Tackling the scourge of plastic pollution in the ocean is a priority for the Government and for me personally. While the proposed new clause rightly recognises the importance of tackling plastic pollution, it is not necessary in the Bill because it replicates existing legislation.

The Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1998 prohibits the disposal of plastic items at sea, including fishing gear. Adequate disposal facilities are already required under the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003. Under the Merchant Shipping (Prevention of Pollution by Garbage from Ships) Regulations 2020, larger vessels are required to complete a garbage record book to record waste and complete a garbage management plan to minimise, collect, store, process and dispose of garbage.

Clause 38(4) already provides a power to make regulations for a conservation purpose, which can cover the design and use of sea fishing equipment and the retrieval of lost or discarded sea fishing equipment. There is already a very full legislative framework that regulates the disposal of plastic waste, including fishing gear, from fishing vessels, without the need for this new clause. I recognise why it might have been thought that the new clause was necessary, but given the plethora of legislation in the area, we need to work on enforcement, not legislation. I ask the hon. Member to withdraw the motion.

Stephanie Peacock: As the Minister points out, we need to work on enforcement, which is clearly not working. I am disappointed that she will not accept the new clause, but I am happy to beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 13

ENFORCEMENT OF LICENCES

“(1) A Minister of the Crown must, before the end of the period of 6 months beginning with the day on which this Act is passed, and annually by the 30 November every year thereafter, lay before Parliament a statement containing the policy of Her Majesty’s Government in relation to the—

- (a) routine patrolling of waters within British fishery limits, and
- (b) enforcement of the requirements under sections 14(1) and 16(1).

(2) Before making a statement under subsection (1), the Minister must consult—

- (a) the Scottish Ministers,

- (b) the Welsh Ministers, and
- (c) the Northern Ireland department.

(3) The statement under subsection (1) must include a declaration of whether, in the Minister's opinion, the United Kingdom has sufficient resources to undertake the actions mentioned in subsections (1)(a) and (1)(b).

(4) If, in the Minister's opinion, the United Kingdom does not have sufficient resources to undertake the actions mentioned in subsections (1)(a) and (1)(b), the Minister shall, within 30 days of making the statement, publish a strategy for acquiring such resources.

(5) A strategy published under subsection (3) must be laid before both Houses of Parliament.

(6) For the purpose of this section "sufficient resources" includes—

- (a) an appropriate number of vessels,
- (b) an appropriate number of personnel, and
- (c) any other resource that a Minister of the Crown deems appropriate."—(Luke Pollard.)

This new clause requires a Minister of the Crown to outline the Government's policy in relation to the patrolling of British waters and enforcement of fisheries licences, and, in the event of the UK not having sufficient resources, requires publication of a strategy for them.

Brought up, and read the First time.

Luke Pollard: I beg to move, That the Clause be read a Second time.

New clause 13 would do exactly what it says on the tin: licence enforcement. Enforcement matters. Fishers need to know that everyone will be playing by the rules, because that is not always the case at the moment. That is an important part of the grumbles and gripes that I have heard from fishers over the past few years. Although they are playing by the rules, they can see others who are not and who are getting away with it, be they other British fishers or foreign fishers operating in UK waters. That legitimate concern is why enforcement matters.

As we discussed earlier, we know there are gaps in enforcement and other problems. We do not have enough ships or aerial assets to enforce what we currently have, let alone deal with territorial disputes in the future. Enforcement is important because it acts as a deterrent as well as an opportunity for prosecution and investigation. I am sure the Minister was using a fishing boat tracking app on her phone last weekend—if she does not have one, it is well worth getting, because it is great fun—and saw a French trawler being intercepted by enforcement active in the English Channel and escorted into Plymouth to face questions about whether it was properly licensed or responsible for overfishing. I want to see more such examples of the enforcement of regulations—not necessarily the escorting into port—to ensure that the same standards are applied to foreign and UK boats, that there is a high degree of probability that enforcement action will happen while boats are at sea, and that prosecution will follow if they are found in breach of any of our rules.

Mr Goodwill: Does the hon. Gentleman agree with his predecessor, Elliot Morley, who came to Whitby and announced that, in his view, every single British fisherman was breaking the rules? Subsequently, it was only Mr Morley himself who was convicted of an offence.

Luke Pollard: I take the point, although it is brave of any Conservative MP to talk about rule breaking at the moment.

Returning to the issue at hand, rather than the game playing, it is important that we look at this issue. That is why in proposed new clause 13(6) we say that there must be "sufficient resources" available for proper enforcement, including

"an appropriate number of vessels...an appropriate number of personnel, and...any of other resource"

that is needed, such as new aerial assets and drones, as we have discussed. Joining together our Royal Navy assets, coastguard assets, the enforcement activities of the devolved nations, electronic monitoring systems, automatic identification systems and other electronic tracking systems gives us the ability to track vessels as well as giving us a better understanding of the reality at sea. That is important.

Frequently, in regulatory terms, there has been an idea that when a fishing boat leaves port some of the rules will not be enforced, even if it undertakes activities incorrectly. As we have seen, there is an appetite among fishers, coastal communities and the people we represent to ensure that fishing activities at sea are legal, sustainable and fair when distributed between British and foreign boats in our waters. At the moment, that is not the view of many fishers in the west country. There seems to be a bias towards prosecuting British boats rather than foreign boats that are potentially in breach. I encourage the Minister to look at the enforcement priorities of the authorities when she has a moment.

All of those who feed into enforcement need to ensure that people are playing by the rules; I do not think people are doing that at the moment. There needs to be sufficient enforcement of the standard that we want. As we become a newly independent coastal state, the message about our values and enforcement that we send now will be one that we are judged against in the future. I want the Government to use the powers that they already have and have had for many years—not new powers that may be afforded to them by any negotiations—to ensure sufficient enforcement of our marine laws, to make sure there is no bias in favour of prosecuting British boats at the expense of rule-breaking foreign boats in our waters, and that we have a higher standard regime for safety enforcement.

Many non-departmental bodies that the Minister has in her remit have an important role in sending messages about stability tests, proper training and wearing lifejackets, as well as the issues that she spoke about relating to discards and other matters. I am keen to hear what the Minister has to say.

Victoria Prentis: In England, enforcement of fisheries legislation is a statutory function of the MMO. A copy of the MMO's annual report must be laid before Parliament and there is scrutiny of what enforcement is being carried out. Although it is good to have encouragement from the hon. Gentleman in this area, I would like to reassure him that there is no need for that encouragement, as this is an issue we take very seriously. Parliamentary questions about enforcement are regularly asked in both Houses, and senior leaders of the MMO have given evidence to the Select Committee on Environment, Food and Rural Affairs. There is a great deal of scrutiny of their activities.

Since the UK voted to leave the EU and become an independent coastal state, the Government have taken significant steps to ensure the UK can enforce the new

[Victoria Prentis]

fishing rights. Those include—with respect to England via the MMO—doubling the number of warranted enforcement officers to over 100, chartering two offshore commercial vessels in addition to the Royal Navy Overseas Patrol Squadron, and procuring 140 aerial surveillance flights for the period of January to March 2021. Those increases in resources are the result of the latest requirement assessment, based on the MMO's compliance and enforcement strategy, which has been published on gov.uk.

Elsewhere in the United Kingdom, enforcement of fisheries legislation is devolved. It is and will continue to be for each devolved Administration to decide how best to control its waters. DEFRA and the MMO work with fisheries administrations from the devolved Administrations to utilise available resources, in partnership with the Ministry of Defence, Department for Transport and other agencies. This ensures that UK Government Departments are increasingly joined up in maximising our maritime capability, including fisheries protection. Given that we feel this new clause duplicates policy and procedure, I ask that it be withdrawn.

Luke Pollard: I am grateful to the Minister for setting that out. I agree that there has been a great deal of scrutiny, but that scrutiny has found enforcement gaps, enforcement problems and a lower number of interventions and hours at sea. There is more work to be done there, but on the basis that we have discussed this and the Minister can be in no doubt that there is a better job to be done than is done already, I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 14

EXPERT ADVISORY COUNCIL ON FISHERIES

“(1) The Secretary of State must establish a body called the Expert Advisory Council on Fisheries for the purpose of exercising the functions in subsections (4) to (6).

(2) The Expert Advisory Council on Fisheries shall consist of as many people as the Secretary of State considers appropriate.

(3) Before appointing any person to the Expert Advisory Council, the Secretary of State must consult with—

- (a) the other fisheries policy authorities;
- (b) inshore fisheries and conservation authorities;
- (c) fishing industry representatives;
- (d) representatives of the 10m and under fishing sector;
- (e) recreational fishing representatives;
- (f) environmental organisations;
- (g) fish processors;
- (h) port representatives;
- (i) local government representatives; and
- (j) any other such organisations as the Secretary of State considers appropriate.

(4) The Secretary of State must have regard to the advice of the Expert Advisory Council on Fisheries before—

- (a) publishing or amending a Secretary of State fisheries statement,
- (b) making or withdrawing a determination of fishing opportunities under Section 24, and
- (c) making any regulations under this Act.

(5) The Secretary of State shall publish the Expert Advisory Council on Fisheries' assessment, for a calendar year, of the state of UK fisheries, including—

- (a) current stocks and their sustainability,
- (b) species distribution within the Exclusive Economic Zone,
- (c) the status of employment and skills in the fishing industry,
- (d) the take-up of fishing industry job opportunities by school and college leavers,
- (e) present total catches and future projected total catches, by both volume and monetary value, and
- (f) the economic and social value and impact of the fishing industry on coastal communities.

(6) The first annual assessment under subsection (5) shall be published within 12 months of this section coming into force, and each subsequent assessment must be published within 12 months of the previous such assessment.

(7) For a calendar year, no determination may be made under section 24 until the annual assessment under subsection (5) has been published for that year.” —(Stephanie Peacock.)

This new clause would place a duty on the Secretary of State to establish an Expert Advisory Council on Fisheries, and would provide for the Council's membership and functions.

Brought up, and read the First time.

Stephanie Peacock: I beg to move, That the Clause be read a Second time.

As we have said on a number of occasions throughout our discussion of the Bill, it is important that Government policy is led by science and expert opinion, and that the industry and coastal communities have the opportunity to have their voices heard. The new clause will place a duty on the Secretary of State to establish an expert advisory council on fisheries, on which the industry and coastal communities will have a strong voice. The National Federation of Fishermen's Organisations has said it supports the establishment of a consultative group comprised of appropriately qualified authoritative fisheries experts to inform policy decisions and ensure proper accountability. It has also said:

“The inclusion on the Advisory Council of fisheries experts would guarantee that sustainability issues are fully considered.”

An advisory council would be an invaluable source of knowledge of our UK fishing industry and marine environment, helping to guide policy and promote collaboration between central Government, fisheries authorities, industry, scientists, conservationists and other key stakeholders. As has been mentioned multiple times during the Committee, the fishing industry is a naturally variable industry. It is important that fishing policy and authorities are informed by expert opinion and scientific data, and that the industry is involved in decisions on its future at every step of the policy-making process. The aim of this simple Opposition amendment is to bring all expert stakeholders together, and I hope it can carry the support of Members from across the House. I know that Conservative Members have voiced their support, so I hope the Government will give the new clause serious consideration.

Victoria Prentis: In keeping with the commitments in the 25-year environment plan and the fisheries White Paper, I assure the Committee that we already work closely and collaboratively with our fishing industry, scientists and environmental stakeholders to make sure our fisheries are managed in a sustainable way. The White Paper noted our intention to work in greater partnership with the industry. Our commitment to listening

and working collaboratively with the industry and stakeholders feeds into policy development in a flexible and proportionate way. A national one-size-fits-all engagement structure would not, we feel, be in keeping with the needs of different fishing communities. Committing to a prescriptive advisory structure at this stage could limit the development of fisheries management. I believe the new clause is unnecessary and ask that it be withdrawn.

Stephanie Peacock: I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 15

FISHING CO-OPERATIVES

(1) The Secretary of State must promote co-operatives within the fishing industry, in England, and such promotion may include—

- (a) offering financial assistance for the creation or development of fishing co-operatives within the following aspects—
 - (i) landing;
 - (ii) catching; and
 - (iii) processing;
- (b) establishing bodies to provide practical support and guidance for the development of new co-operatives; issue guidance on the practical steps which can be taken pursuant to establishing a new co-operative.

(2) Financial assistance under subsection (1) may be given by way of grant, loan or guarantee, or in any other form.

(3) An organisation shall be recognised as a fishing co-operative if—

- (a) it is either—
 - (i) registered with the Financial Conduct Authority as a co-operative; or
 - (ii) constituted under the Co-operative and Community Benefit Societies Act 2014, and
- (b) it operates in a sector of the fishing industry described in subsection (1)(a).—(*Stephanie Peacock.*)

This new clause would require the Secretary of State to provide financial assistance, establish support and issue guidance in order to promote co-operatives in the fishing industry in England by—for example—offering financial assistance, establishing support bodies or issuing guidance.

Brought up, and read the First time.

Stephanie Peacock: I beg to move, That the Clause be read a Second time.

New clause 15 speaks to the long history of co-operatives and co-operation in our fishing industry. It would require the Secretary of State to provide financial assistance, establish support and issue guidance to promote co-operatives in the fishing industry in England. This could include, for example, offering funds, establishing support bodies or issuing guidance to co-operative businesses.

As has been said repeatedly in this Committee, the obstacles faced by small-scale operators in the last 10 years require urgent redress. The new clause gives us a chance to do just that. Existing co-operative structures in the industry allow fishers to pool risk and access bigger markets; at the same time, they enable those in the sector to work closely together to protect the long-term financial and environmental sustainability of our seas. Fishing co-operatives can play a vital role in minimising competition for already depleted and diminishing stocks where they allow structures of management and control

to be agreed between fishers. That helps to secure the future of our industry. Co-operatives simply offer a greater degree of control to the smaller operators, who need it.

Labour's new clause would require the Government to boost the growth of co-operative businesses in the sector by supporting existing co-operatives to grow and by helping new co-operatives to start up. I hope that the Government will support the new duties that the new clause would place on the Secretary of State. In doing so, they will show that they recognise the good done by co-operatives across this country and the faith they have in smaller operators, who represent the future of our UK fishing industry.

Victoria Prentis: This clause is not necessary because funding and guidance are and will continue to be available for a variety of fishing activities in England, as we discussed this morning. The Government made a manifesto commitment to maintain funding for the sector, and we will replace the European maritime and fisheries fund with new domestic scheme from 2021.

We are not sure that it is helpful to focus on co-operatives. Not all fishermen want to be members of broad collective groups or organisations, and in our view it would not be appropriate to single out one form of organisation over others. In addition, it is unclear what relationship this proposed co-operative model would have to the producer organisations and fishermen's associations that already work throughout England. I therefore ask that the new clause be withdrawn.

Stephanie Peacock: I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 16

"Fishing industry skills strategy

(1) Within 1 year of this section coming into force, the Secretary of State must publish a strategy for skills, employment and economic regeneration for the fishing industry.

(2) Before publishing a strategy under subsection (1), the Secretary of State must consult with—

- (a) the Scottish Ministers;
- (b) the Welsh Ministers;
- (c) the Northern Ireland department;
- (d) representatives of the fishing industry;
- (e) any other person the Secretary of State considers appropriate."

This new clause would require the Secretary of State to publish a fishing industry skills strategy.—(Stephanie Peacock.)

Brought up, and read the First time.

Stephanie Peacock: I beg to move, That the Clause be read a Second time.

During the Committee stage of the previous version of the Bill, the matter of skills was discussed on a number of occasions. I fear that without this new clause the Bill will have nothing to say about skills for our coastal communities, and too little to say about the economic regeneration of those communities and the fishing industry.

We live in a rapidly changing world where new technologies and systems are transforming industries and changing the world of work. The Government

[Stephanie Peacock]

intend that the Bill will establish a framework for fisheries for decades to come, but it also presents an opportunity to future-proof the industry and equip it with the means to adapt to an ever-changing world. Producing a skills strategy would present the industry and our coastal communities with a real opportunity for to do just that.

The new clause has the potential to create opportunities in parts of our country that have long been held back. It would encourage new entrants into the sector, people with innovative ideas that could help to rejuvenate the industry, make it adaptable to market changes and bring prosperity back to coastal towns and villages. It could help to end the brain drain from coastal areas and create exciting new opportunities, growing our fishing industry and creating a new greener economy.

Over the last few months, I have spoken with representatives of the fishing industry. Many of them have expressed the fear that the industry is failing to attract younger generations, so I hope that the Government support this new clause in recognition of the fact that action needs to be taken to address the skills shortage and the people shortage in fishing, which have a real impact on the local economies of seaside towns and villages.

We should take every opportunity to fundamentally change the prospects of our coastal communities. I believe that new clause 16 would be an important part of that approach.

Luke Pollard: I rise in support of what my colleague, the shadow Fisheries Minister, has just said. There is a glaring gap in the skills and workforce strategy when it comes to fishing. That was highlighted in the discussion of the previous Fisheries Bill, when a Minister said that fishing is an unskilled profession. Technically, for immigration purposes, that may be the classification that fishing has been placed in by the Home Office, but I would challenge any Fisheries Minister or former Fisheries Minister, or any Tory Back Bencher who has been unfairly put on a Bill, to try fishing at sea and then say it is unskilled.

We do need a workforce strategy for fishing. That means that we need to look at how we can encourage new entrants into the area, and encourage fishing to be a career of choice for our young people in coastal communities. At the moment, those people going into fishing for the very first time—I have spoken about this issue before—tend to be related to someone who is already in the sector, particularly a father or an uncle. That means we have very strong fishing families and fishing communities, but we are missing an opportunity to provide new employment for young people in our coastal communities that makes fishing a career of choice.

That is why this fishing industry skills strategy is an opportunity that I would encourage the Minister to take up. Even if she does not accept the new clause, we need to take this opportunity; if not, the promises made by those advocating Brexit in our coastal communities may not be delivered, and we may continue to see the decline of our industry and smaller and smaller workforces. This is an opportunity to grow the workforce, and to provide fishing as a career of choice and opportunity for our young people.

Mr Goodwill: Is the hon. Gentleman aware that the Whitby town bid includes a marine academy, which will encompass Whitby Fishing School and also teach other skills? That is just the type of innovation we need to bring people into the industry.

Luke Pollard: I agree entirely. Plymouth's plan for fish has a similar focus on marine skills, and again, if the hon. Member for Waveney were here, he would no doubt be talking about the skills in the Renaissance of the East Anglian Fisheries project. What is happening here, though—this is a good example—is that the responsibility for workforce is being shifted to local authorities and local initiatives, and is not part of a national strategy. If it is happening in certain communities, we can presume that it is not happening in others, and sharing best practice, though important, is no substitute for a national lead that would create such a strategy and make skills workforce development easier for people to undertake.

Victoria Prentis: We can all agree that attracting skills and talent is crucial to realising our ambitions for a thriving modern fisheries sector. Seafish undertakes a great deal of work promoting careers, as well as safety training, in the seafood sector, which includes providing a range of training courses and materials for new and more established members of the industry. It also established the Young Seafood Leaders Network in October 2018 to share best practice and innovation and develop leadership skills.

However, bringing new entrants into the industry remains a challenge. A Seafish study from July 2019 showed that many young people see jobs in seafood as low-skilled, unexciting and focused on handling fish. In response to this, Seafish has developed a range of materials to help improve understanding of the range of employment opportunities that exist, including case studies of women in the industry.

In England, we are closely engaged with the recommendations made in the Seafood 2040 strategic framework. That initiative includes the delivery of a single, cross-sector seafood training and skills plan, aiming to support businesses in the seafood supply chain and recruit and retain workers with suitable skills. Helping safeguard the industry's future by encouraging new entrants is very important, and we will be looking at how we can best encourage that as part of our work to reform the fisheries management regime.

The funding powers in the Bill, contained in clause 35 and schedule 6, will allow the Government to support the reorganisation, development and promotion of fishing. That will really benefit commercial communities, and will also support training for those who fish. Given all that, I ask that the hon. Lady withdraw the motion.

Stephanie Peacock: I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 17

PROCUREMENT OF SUSTAINABLE FISHERY PRODUCTS

“The Secretary of State must lay before Parliament, within 12 months of this Act being passed, a strategy for increasing sustainable fish procurement in the public sector.”—(*Stephanie Peacock.*)

Brought up, and read the First time.

Stephanie Peacock: I beg to move, That the Clause be read a Second time.

Labour's new clause 17 requires the Secretary of State, 12 months after this Bill has been passed, to lay before the House a strategy for increasing sustainable fish procurement in the public sector. The clause would support both fishers and our marine environment.

Some £2.4 billion is spent each year on food and catering services for the public sector. As has been mentioned multiple times during the debate on this Bill, in the UK we export most of what we catch and import most of what we eat. The new clause would help grow a home market for sustainable UK-landed fish.

Our British fish, 80% of which is exported, is currently subject to the uncertainties of the global market. During the covid-19 pandemic, our fishers were left struggling to make a living as export markets were shut and prices for UK products fell through the floor. A strategy for increasing sustainable fish procurement in the public sector would hopefully increase domestic demand for sustainably caught UK fish such as hake, haddock, coley, mackerel and crab. That would give a much-needed boost to the UK fishing industry.

The UK public sector could showcase the public benefit by buying sustainably caught fish. That, in turn, would support the recovery of UK fish populations that are depleted. As I have already stated, recovering all UK fish stocks would allow 30% more fish to be landed by UK fleets, creating 10,000 more jobs in fishing and associated industries such as localised processing and transport. Those jobs would be in some of the areas that have suffered declining wages and have had fewer job opportunities over the past 10 years, including Cornwall, the east coast of England, west Wales and northern Scotland. Our new clause would directly link public buying with the aims of the Fisheries Bill—in particular, sustainability and the national benefit objectives—ensuring that Government policy is joined up.

Public sector caterers are required to serve fish with certain standards of sustainability, set out in the Government buying standards. However, compliance with those standards is poor. A Department of Health and Social Care report published in 2017 showed that only half of hospitals were meeting the basic food standards, and that was confirmed by sustained research in 2018. What steps are the Minister's Department taking to increase compliance with the Government's buying standards so that basic food standards are met?

New clause 17 would place a duty on the Secretary of State to publish a strategy for increasing sustainable fish procurement in the public sector, to ensure not only that the current sustainable buying standards are met but that public bodies promote world-leading sustainable British fish.

Luke Pollard: This is a really important new clause, and I hope the Minister thinks strongly about adopting it. We do not eat enough local fish, and it was universally agreed on Second Reading that we need to eat more. As part of that, we need to buy more local fish. The public sector—the UK's largest fish buyer—has the potential, as the national caterer, to buy more local fish.

Marine Stewardship Council certification of UK stocks is not as high as we would like it to be, and the opportunity to have more sustainable fish stocks should

also mean the opportunity for more Government procurement. It seems odd that, at the moment, the fish eaten in our prisons, Government offices, schools and hospitals is frequently foreign fish because our own fish do not adhere to the sustainability standards. I am sure the Minister wants to change that.

If the UK Government were to lead by example and set an objective as part of the procurement report that the shadow fisheries Minister set out, they would also encourage more private sector buyers to buy more British fish, because that would support domestic infrastructure for processing and the onward distribution of fish in the UK.

On Second Reading, I challenged UK supermarkets to buy more British fish, and asked them to write to me to set out how they planned to do so. I fear that the supermarkets' monitoring of parliamentary debates may be a little faulty, because not a single one has yet put pen to paper to set out how that might happen. Hopefully, the Minister will set out how the Government intend to buy more British fish, and at the same time will encourage UK supermarkets, which could, after the lead of the UK Government, provide the biggest boost for our domestic fishers.

At a time when international markets are disrupted—they could be disrupted further, given what may follow the no-deal Brexit that we seem to be heading towards—the ability for UK supermarkets and the UK public sector to buy more British fish would be enormously helpful.

Victoria Prentis: We are in no doubt, on both sides of the House, that we want everybody to buy more British fish. The Government have a manifesto commitment on that:

“When we leave the EU, we will be able to encourage the public sector to ‘Buy British’ to support our farmers and reduce environmental costs.”

Our future policy will undoubtedly reflect that commitment.

The hon. Member for Barnsley East referred to the existing guidance—the Government buying standards for food and catering services. That is mandatory, and if she has examples of non-compliance, I encourage her to let me know very shortly. The Government are determined to create an environment where our farmers and food producers are supported in accessing public sector contracts and providing outstanding home-grown produce to high environmental standards. That helps to meet wider Government policy objectives, such as supporting local communities, encouraging healthier diets and improving sustainability.

3 pm

One such example is the Crown Commercial Service, which is developing a new food procurement system for food produce. The pilot will look at how the new system can improve the supply of and access to local produce by making the market more accessible to small and medium-sized enterprises and enabling the public sector to buy more food. I therefore ask for the clause to be withdrawn.

Stephanie Peacock: The Government should put their money where their mouth is, but the clause does not even ask them to do that. It simply asks for a report on how we should buy more fish and use the Government's significant buying power to procure British fish. On that basis, I will press the clause to a vote on whether we should support British fish and buy more.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 5, Noes 9.

Division No. 12]

AYES

Duffield, Rosie	Pollard, Luke
Owatemi, Taiwo	
Peacock, Stephanie	Smith, Cat

NOES

Bowie, Andrew	Morris, James
Butler, Rob	Prentis, Victoria
Coutinho, Claire	Wild, James
Fletcher, Katherine	Young, Jacob
Jones, Fay	

Question accordingly negatived.

New Clause 18

REPORT ON UK DISTANT WATERS FISHING FLEET

(1) The Secretary of State must at least once a year lay before Parliament a report on the commercial health and economic sustainability of the UK distant waters fishing fleet.

(2) Each report must assess and address the following matters—

- the number and profitability of boats operating in the English distant water fleet;
- distant waters fishing opportunities currently available to and taken up by English boats;
- prospects for securing new or improved distant fishing opportunities; and
- progress on negotiations between the UK and other independent coastal states or regional fisheries management organisations to secure existing new or improved distant fishing opportunities.

(3) The first report must be laid before Parliament within six months of this Act being passed.

(4) For the purposes of this section, “the UK distant waters fishing fleet” includes any British fishing boat which—

- is more than 24 metres in length; and
- operates outside of UK fishery limits.’—(*Luke Pollard.*)

This new clause requires the Secretary of State to report annually to Parliament on the commercial health and economic sustainability of the UK distant waters fishing fleet.

Brought up, and read the First time.

Luke Pollard: I beg to move, That the clause be read a Second time.

This brief new clause would require the Government to publish a report into the distant water fleet. On a recent visit to Hull, I spoke to a number of fishers from UK Fisheries who are part of that fleet.

It may be useful for new Committee members to understand what a distant water fleet is. Historically, the UK fished in distant waters, especially around Iceland, Norway, Greenland and other places. It was in those waters that we developed a taste for the white fish that still makes up the vast majority of our imports, and from which the white fish for fish and chips largely still comes. As those nations took back control of their own waters and pushed our boats out of them—as part of the cod wars that I am sure all hon. Members are familiar with—distant water fishing opportunities declined,

and with them, sadly, many of our fishing ports that relied on the distant water fleet, especially along the east coast in places such as Hull and Grimsby.

A small distant water fleet remains. The Minister knows that I want more fishers to land their fish in UK waters. Whether they are UK boats or UK flagged boats, if they are using any quota that has been given to the UK, I want that fish to be landed in UK ports. Notwithstanding that, the new clause seeks to encourage the Minister to ensure that in the negotiations taking place with our EU friends, the quota available for the distant water fleet that is currently UK flagged still has the opportunity to continue fishing in those waters.

In the Norway-EU agreement, for instance, the UK has approximately 50% of the available quota. Norway has said: “Brexit is your problem to sort out. We’ve allocated our quota to you guys. You sort it out between you.” That is perhaps fair-minded of it and not unreasonable, but in making the case for a distant water fleet to preserve that quota, I would be grateful if the Minister confirmed, first, that that is part of the fisheries negotiations; secondly, that conversations are taking place with the distant water fleet; and thirdly, that the Minister and her Department have had opportunities to encourage the distant water fleet to genuinely build an economic link with UK ports, particularly on the east coast, and ensure that it is not just flying a UK flag for convenience and that it is landing more fish.

Victoria Prentis: The Government are holding formal negotiations with Norway and the Faroe Islands and engaging in discussions with other relevant countries, such as Iceland and Greenland. The UK is close—very close—to agreeing a fisheries framework of agreements with Norway and the Faroe Islands. Those agreements will provide a framework for the annual negotiations on fishing opportunities and access.

The Marine Management Organisation already reports on a large amount of the information sought by the new clause, including data on catches, quota uptake and value. I note the desire of hon. Members to be further informed about negotiations, and although I understand that, I should say that the negotiations are fluid at the moment. We will, of course, inform the House as soon as we can.

A report as specific as that sought by the new clause would be unlikely to deliver much gain at the moment, in the context of those extremely fluid, live negotiations. Reporting would be required on a likely minimum of 200 UK vessels of more than 24 metres in length that fish in non-UK waters. There is also ambiguity in the new clause about assessing commercial health and economic sustainability, which I think would be very difficult to action in practice. I therefore ask that the motion be withdrawn.

Luke Pollard: I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

New Clause 19

REPORT ON FISH CAUGHT IN UK WATERS BUT LANDED ABROAD

(1) Within 12 months of this Act being passed and annually thereafter, the Secretary of State must lay before Parliament a report stating—

- (a) what fish have been caught within the UK Exclusive Economic Zone but landed at ports outside the United Kingdom, Isle of Man, Guernsey or Jersey; and
- (b) why such fish were not landed at a port in the United Kingdom, Isle of Man, Guernsey or Jersey.’—(Luke Pollard.)

Brought up, and read the First time.

Luke Pollard: I beg to move, That the clause be read a Second time.

The new clause, which is consistent with the case made by Labour Members in Committee, would create an evidence base for the missing fish that our coastal ports are denied when it is landed in foreign ports. We know that Conservative MPs have voted down Labour’s jobs in coastal communities amendments, favouring the landing of fish in foreign ports rather than British ports. That does not create jobs in Grimsby, Hull, Plymouth, Newlyn, Portavogie and elsewhere.

The new clause seeks to understand how much fish caught under a UK quota is being landed in foreign ports. As set out by the shadow fisheries Minister, my hon. Friend the Member for Barnsley East, for every job at sea, there are 10 jobs on the shore. Landing more fish in our coastal communities creates more jobs in them, and creates the opportunity for more fish to be sold in the UK, supporting our domestic industry. The report proposed by the new clause, which would only create the evidence base for missing fish, would hopefully inform that debate.

When the Government voted against the jobs in coastal communities amendment that would have required two thirds of fish caught under a UK quota to be landed in British ports, I told the Minister that that would not be the end of the matter. Indeed, she should expect Labour to continue campaigning for the creation of jobs in coastal communities, especially given the jobs crisis that they face in particular. The new clause would create an evidence base, and it is hard to disagree with the merit of that. The promise of more jobs that was made to our coastal communities—with Brexit and with more fish being landed—can be realised only if more fish is actually landed.

Although the Minister and I are perhaps not on exactly the same page on the negotiations, she has a wee advantage over me as she knows what is going on—I hope so, anyway. But whether or not we get more fish, we still need to focus on creating support for our domestic industry. The new clause would require Ministers to produce a report setting out how much fish caught in our exclusive economic zone is landed in ports outside the United Kingdom, the Isle of Man, Guernsey and Jersey, and to investigate why that fish was not landed in ports in the United Kingdom. To realise the benefits of landing more fish in the United Kingdom, we need to strengthen that economic link. It is important that Parliament has a voice on the public asset test.

I am grateful for the evidence that has been submitted even though we did not have an evidence session, and I note that the Clerk has been busy forwarding it to the Committee. Some of the evidence arrived after the objectives were debated by the Committee, so we have not had a chance to integrate it all fully, but one particular point is worth highlighting. Professor Richard Barnes, of Lincoln University, correctly points out in

his submission that assuming that fish are already a public asset is incorrect, and that there is nothing about that in the Magna Carta, as many people think there is. There is nothing about it in international law necessarily—not that that is relevant here. He states:

“FQAs do not establish...stewardship responsibilities”, and that fish are in effect private property through quota. He goes on:

“Establishing that fish are a public asset would be a critical first step in establishing a stewardship framework for fishing in the UK. It would create an opportunity for engagement in ongoing debates and decisions about how best to manage a valuable public good.”

It is a shame to miss out on that evidence. Are fish to be a public asset? The Minister voted down that amendment, but in effect she said that fish should be one and should be managed in that way. If so, an important part of the evidence base is to have an understanding of how much of that public asset derives an economic benefit to the UK and how much of it is deriving a considerable economic benefit to our European friends. We have no such understanding simply because Ministers have not yet chosen to use the powers they already have, whether in primary legislation or through licensing.

Should the Minister be thinking about adjusting the requirement to land more fish in British ports through the licence, having taken note of Labour’s amendment that was defeated—seeking to introduce the policy without giving the Opposition a win, so to speak—an evidence base would be important. That is what the report seeks to achieve.

Victoria Prentis: Far from being missing, those fish are included in the statistics published by the Marine Management Organisation on the landings of fish by UK vessels as part of its annual report. The statistics include the ports and countries into which a catch is landed. Conservative Members are determined to support the UK fishing industry to get the best price for what it catches. The Government are clear that UK-registered vessels that fish against UK quota must demonstrate a link to the economy of the UK.

As I said last week, we will soon consult on proposals to strengthen the economic link to England, but those proposals will not mean that all catch must be landed into the UK, because we recognise that for some vessels it is more practical, sustainable or financially beneficial to land abroad. Our proposals do not mean that the Government will seek justification from vessel owners for their private and undoubtedly well-reasoned business decisions, which might be market sensitive and to do with the price that they can get for their catch.

The reasons why fish will be landed elsewhere relate primarily to price and market. Sometimes landing outside the UK will be necessary for safety reasons—for example, in a storm or because of mechanical issues. The new clause is not necessary, and I ask that it be withdrawn.

Luke Pollard: Will the Minister give way?

The Chair: Is the Minister giving way?

Victoria Prentis: I am not, because I have finished.

The Chair: Mr Pollard, you are welcome to carry on, of course.

Luke Pollard: I will take up that opportunity, Sir Charles.

I am grateful to the Minister for confirming that the MMO publishes those statistics. As a recent response of hers to a parliamentary question showed, however, 50% of cod catches do not have a sales note registered, so how convinced is she that the MMO has the ability to track accurately what of the UK total allowable catch is caught and landed? That is why an evidence base is important.

I do not think the Minister has given an adequate reason for why there should not be a report into fish caught abroad. We are missing fish still from our economy. We do not have a strong enough economic link. UK ports are missing out on fish that could be landed in our ports. I encourage the Minister to borrow as much Labour policy as she possibly can from our jobs and coastal communities amendment, as I suspect she will. *[Interruption.]* A set of Conservative MPs are huffing and having about the idea, but I suspect that, in the weeks and months ahead, we will see the Minister in effect cutting and pasting large parts of our amendments.

Victoria Prentis: Will the hon. Gentleman give way?

The Chair: We have found a mechanism!

Luke Pollard: I am happy to give way—it is important to do so.

Victoria Prentis: I can find no other mechanism to answer the hon. Gentleman's questions. We discussed this measure fully last week. He knows that we will consult on proposals for landing requirements. I look forward to working across the House with all those who have proposals in this area, but I will not accept that 100% of UK vessels' catch will have to be landed in the UK. Conservative Members wish to support the fishing industry, and we do that best by letting them land where they can get the best price, where that is appropriate.

Luke Pollard: I did not detect a question in that intervention, so I am not sure I can reply. However, I would not want the Minister to be under a misapprehension about Labour policy. I believe she was attempting to paint a picture that Labour were suggesting that 100% of fish should be landed under a UK quota. She will know, because I am sure she has read the new clause and no doubt seen the considerable amount of media coverage in coastal communities on it, that we have suggested that two thirds of fish caught under a UK quota should be landed in a UK port.

3.15 pm

I am sure that the Minister used the figure of 100% of fish to be landed in UK ports erroneously and was not seeking to suggest that Labour wants all fish to be landed in UK ports. Two thirds of fish landed in UK ports would create an enormous number of jobs in our coastal communities.

I am happy not to press the new clause, on the assumption that the Government will very shortly adopt Labour policy. Indeed, I encourage the Minister to go beyond Labour policy—perhaps into that negotiation zone between two thirds and 100%, which she spoke about—to ensure that we create more jobs in coastal

communities. When she does, I will be pleased to support her for a second time in adopting Labour policy, like she may have done today.

I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 20

CORONAVIRUS AND THE FISHING INDUSTRY: REPORT

“(1) The Secretary of State must, within six months of this Act being passed, lay before Parliament a report on the impact of coronavirus and coronavirus disease upon the fishing industry.

(2) The report must assess and address the effects of coronavirus and coronavirus disease upon—

- (a) the fishing industry workforce;
- (b) the supply and availability of fishery products;
- (c) demand for fishery products;
- (d) access to export markets for fishery products;
- (e) prices of fishery products, and
- (f) the commercial viability of the catching sector.

(3) In this section—

‘coronavirus’ means severe acute respiratory syndrome coronavirus 2;

‘coronavirus disease’ means COVID-19 (the official designation of the disease which can be caused by coronavirus).”—(*Stephanie Peacock.*)

This new clause requires the Secretary of State to report to Parliament on the impact of coronavirus and coronavirus disease upon the fishing industry.

Brought up, and read the First time.

Stephanie Peacock: I beg to move, That the clause be read a Second time.

New clause 20 addresses the impact of covid-19 on the fishing industry. The coronavirus pandemic has clearly caused immense disruption across different sectors of our economy, but the fishing industry has been affected by a particular set of challenges. They include a significant hit to demand for fish in key domestic and overseas markets, with the closure of the restaurant sector and many supermarket fresh fish counters during lockdown; the challenge of getting fish to market; a collapse in prices, with falls of as much as 85%; and disruption to supply chains.

Alongside those challenges, many fishers have faced labour shortages caused in part by overseas workers leaving the UK. Many small fishers were unable to adapt to these challenges, as throughout the lockdown period their quota allocation and the fish they catch remained unchanged. All of that has been exacerbated by what happened earlier this year, when many boats were grounded by storms and high winds.

The difficulties are well known to the Government. On 24 April, the Select Committee on Environment, Food and Rural Affairs heard from experts in the fishing industry, who highlighted some of the challenges. We have broadly welcomed the Government's economic support measures during the pandemic. However, in many cases, the measures have not addressed the particular challenges faced by the fishing industry, where smaller businesses often have very tight profit margins, continually reinvesting in their businesses and vessels. As Barrie Deas, chief executive of the National Federation of Fishermen's Associations, said, “broad brush” Government support left many smaller fishing businesses struggling.

The Government's £10 million fund for England's fishing and aquaculture sectors came too late, while the bounce back loan scheme, capped at £50,000, did not cover fixed costs, from maintaining boats to funding berths for charter boats in marinas and ports, which were necessary to ensure the long-term viability of businesses when they were not operating during lockdown. Cash-flow problems and ongoing costs have impacted not only fishers, but fish processing businesses and ports, with the British Ports Association finding that only 36% of UK ports are confident about their business outlook over the next 12 months.

The Government have made support for the fishing industry one of the key elements of their programme, and that has taken on even greater importance in the context of coronavirus. The new clause presents an opportunity to provide greater certainty for an important industry in uncertain times. It would require the Secretary of State to lay before the House a review of the impact of coronavirus and the coronavirus disease on the fishing industry within six months of Royal Assent.

Brendan O'Hara: Once again, I rise to speak about devolution, of which the new clause betrays a lack of understanding. There are four Governments, four Parliaments and four countries of the UK who are taking what steps they think best to tackle the coronavirus and to mitigate the economic damage from it, including in the fishing industry. Again, we have a new clause that thinks it appropriate to ask the person in charge of English fishing to make a report on the economic wellbeing or otherwise of the fishing industries in Wales, Scotland and Northern Ireland. I just make the helpful suggestion to the hon. Lady that the Labour party should consider the impact on the devolved Administrations when it puts amendments together.

Stephanie Peacock: I take the hon. Gentleman's point. If the Government are willing to accept the new clause, it might be an area that can be improved on, but the point is to try to give greater certainty and greater information to the sector as it struggles to deal with the coronavirus pandemic. Under the terms of the new clause, the report would assess and address the effects of coronavirus on the fishing industry workforce and on the supply availability of fisheries products. The new clause places no obligation on the Government to adopt any particular approach to supporting the fishing industry through these difficult times. It simply requires the Secretary of State to report to the House on the challenges that the industry faces as a result of the pandemic.

I hope the Minister will agree that the covid-19 pandemic has placed a great strain on our UK fishing industry. I hope she will support our new clause to ensure that the Government commit to monitoring the impact of covid-19 on small and big fishers across the country.

The Government need to answer key questions. What measures, if any, will they take to provide more sector-specific support to the fishing industry? What actions will they take to support jobs in coastal communities impacted by covid-19? How will they support British ports? What will the Government do to ensure that more fish caught in UK waters are landed in UK ports, providing important foods to communities hard hit by covid-19? Those are important questions. We hope that work to address those issues will take place in any case,

but I am sure the House, the fishing industry and the public would appreciate its being as transparent as possible.

Given the difficulties that the coronavirus pandemic has caused for the fishing industry, if the Government are to oppose the new clause, will the Minister clarify how they will assess the impact of the pandemic and provide support for the industry? What mechanisms will they adopt to ensure that the House, the industry and the public are updated on this work?

Taiwo Owatemi (Coventry North West) (Lab): The coronavirus pandemic shows no sign of slowing down or stopping in the immediate future. We know that the disease will, regrettably, live among us and our communities for some time to come. New clause 20 seeks to mandate that the Secretary of State lays before Parliament a report on the impact of coronavirus and the coronavirus disease on the fishing industry.

Last week at the Opposition day debate on protecting jobs and businesses, I commented on the disproportionate and devastating impact the pandemic is having on our communities. In last week's Fisheries Bill Committee, I spoke about the need to secure, safeguard and create jobs within our coastal communities, particularly at this devastating and worrying time for many of us. Our coastal communities have been severely impacted by the pandemic already, following years of austerity, as well as having to contend with the spiralling expenses of the fishing industry—this particularly affects smaller businesses with smaller vessels.

The new clause indicates to UK businesses that they are at the forefront of our minds during this really difficult time. Providing a report that outlines the impact of coronavirus on the fishing industry workforce, the supply and availability of fishery products, and the commercial viability of the catching sector in general will highlight any issues. It will give the Government and those in the fishing industry a chance to adapt and change, if that is needed to avoid bankruptcy or other financial issues that might arise. It will also mean that Parliament is given sufficient opportunity to scrutinise the Government's action—or inaction—in supporting UK fishing communities. The Minister will surely agree that that is something our constituents would want.

Victoria Prentis: While I understand that all Members of the House are very worried about the effects of covid-19 on the fishing industry, I want to assure the House that we are very carefully monitoring the impacts on the fishing and seafood sectors. The work that we are doing includes monitoring prices and demand, including landings, for UK seafood, as well as analysis of employment data. We are concerned that the new clause would require a duplication of ongoing engagement and monitoring work. The timeframe in the new clause means that it would not capture the effects of coronavirus after the next six months, which, given the seasonality of fishing, means that it would not capture the full effects, as not all of them will have worked through in the six-month period. We are also concerned about the devolution aspects.

It is definitely true that the coronavirus pandemic has shone a spotlight on the vital role that the food system plays in all our lives, which is why part one of the national food strategy is already looking at the food

[Victoria Prentis]

system in relation to the pandemic. We recognise that it is vital that everyone has access to healthy and affordable food, and the national food strategy is taking forward that work, in addition to work being done by Seafish in data gathering for its 2020 surveys, which are under way. The work is very detailed and the surveys include specific questions about the impacts of covid-19. Subsequent analysis of that data will, I believe, provide the information that is being sought.

The Bill is intended to frame our fisheries management for many years to come. While the pandemic has certainly not gone away in the way that we might have hoped six months ago, I do not think it is appropriate to legislate in a framework Bill for something such as this, when I am confident that the work hon. Members seek is being covered elsewhere. I therefore ask that the clause be withdrawn.

Stephanie Peacock: I do appreciate the Minister's remarks and all the work that the Government are doing, but I am not convinced by her argument that this new clause is a duplicate. It simply asks the Government to come back and report to Parliament, so that they are open and transparent to the public and, most importantly, so that the fishing industry can see the impact of covid-19 on its industry and the support the Government are giving. On that basis, I would like to press the new clause to a vote.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 5, Noes 9.

Division No. 13]

AYES

Duffield, Rosie	Pollard, Luke
Owatemi, Taiwo	
Peacock, Stephanie	Smith, Cat

NOES

Bowie, Andrew	Morris, James
Butler, Rob	Prentis, Victoria
Coutinho, Claire	Wild, James
Fletcher, Katherine	Young, Jacob
Jones, Fay	

Question accordingly negatived.

New Clause 21

LABELLING OF FISHERY PRODUCTS

“(1) The Secretary of State must, by regulations, ensure that all fisheries products offered for retail to the final consumer have appropriate marking or labelling to indicate—

- (a) the commercial designation of the species as currently specified by the Department of Environment, Food and Rural Affairs or its successors, and its scientific name;
- (b) the production method, in particular identified by use of the terms ‘wild caught’, ‘caught in freshwater’ or ‘farmed’;
- (c) the area in which the product was caught or farmed; and
- (d) the category of fishing gear used in the capture of the fisheries product.

(2) For the purposes of subsection (1), the area in which the product was caught or farmed is defined as follows—

- (a) for fish caught at sea, the Food and Agriculture Organization of the United Nations (FAO) catch area; and fish caught in the Northeast Atlantic, Mediterranean or Black Sea must be labelled with—
 - (i) the name of the FAO sub-area or division, and
 - (ii) a map or pictogram of the catch area;
- (b) for freshwater fish—
 - (i) the country they were caught in, and
 - (ii) the name of the river or lake they were caught in; and
- (c) for farmed fish, the country where they were harvested from the water when they reached their final size.”—
(Stephanie Peacock.)

This new clause would require fisheries products to be labelled with categories of information for the consumer.

Brought up, and read the First time.

Stephanie Peacock: I beg to move, That the clause be read a Second time.

Labour's new clause 21 would set in primary legislation the requirement to label all fish products offered for retail and to the final consumer with the origin and catch method. Retailers are reporting an uptick in demand for sustainably caught or produced food goods. The new clause would not only support the identification of sustainable fish products, but help British consumers identify and buy British fish.

As has been said multiple times in this Committee, negotiations between the EU and UK about fishing quota and tariffs are ongoing and we cannot tell at this point how they will conclude. However, the UK Government can act right now to help our UK fishing industry regardless of the outcome of the negotiations, and guaranteeing that their fish will be identifiable to UK consumers is one such action.

It should be easy to find out, when buying fish in the local supermarket, whether it is Scottish salmon, which is farmed in open net pens, or Chilean salmon, which has a lower rating for sustainability. At the moment under EU law, unprocessed fish must be labelled with the name of the species and the area in and method by which it was caught or farmed. The new clause will protect our UK fish product labelling regime from future trade deals. Last November, leaked documents showed the US's hostility to food labelling, including front-of-pack nutritional labelling and foods with protected geographical status.

We have a chance in this Bill to set labelling regulations within primary legislation, which would ensure that UK produce is distinguishable in the future. Labour's regulation would apply to all fisheries products sold in retail and catering, whether pre-packed, non-prepared or processed products. Our clause would give consumers more information about the catch method used to catch their dinner.

Under current legislation, only a general method such as trawl is needed. However, as we have discussed, a trawl can be very damaging. There is a clear difference between beam trawling and more sustainable forms of trawling such as mid-water trawling. Specific fishing gear refers to the detailed type of gear used, for example beam trawlers or purse seiners. Stating the category of fishing gear used in the capture of fisheries products would allow customers to differentiate between more

and less sustainably caught products. When they are shopping for their dinner, it should be easy to figure out whether the fish in their fish fingers or their battered fillet was caught in British waters. Labour's new clause would give British consumers more control over what they eat. Better labelling measures would lead to softer, market-based incentives for fish sustainability. If we are to have a world-leading, sustainable fisheries regime, we must act at every stage of the fish product supply chain, from net to plate.

3.30 pm

Members will be pleased to know that this is the last new clause I will move today. Before I sit down, I would like to take this opportunity to thank the Chairs—Mr McCabe and Sir Charles—as well as the Bill Clerks for everything they have done in Committee. I also thank the Minister and colleagues across the Committee for scrutinising Labour's proposed amendments.

Today has not been uneventful: Conservative MPs broke with the norm, albeit in a very specified and limited way, to back Labour's new clause 2. I hope that is a sign of things to come. I welcomed the thoughtful contributions of the former fishing Minister, the right hon. Member for Scarborough and Whitby—he is not in his place, but I want to put that on record. Of course, I also thank my hon. Friends the Members for Plymouth, Sutton and Devonport, for Canterbury, for Coventry North West and for Lancaster and Fleetwood for their passionate advocacy of the UK fishing industry, coastal communities and marine environments. It has been a pleasure to speak on the Bill from the Opposition Front Bench.

The Chair: Before we move on, I should say that there will be an opportunity for colleagues to say other nice things after new schedule 1; we have one more schedule to get through. The Minister looks perplexed. Do not worry! Worry about that later.

Taiwo Owatemi: New clause 21 seeks to support UK fishing businesses and the UK fishing industry as a whole by allowing consumers to make informed decisions about buying sustainably sourced fish. That, as Sustain mentions, will give the British public greater confidence, clarity and certainty about the quality of the UK produce they are purchasing.

One of the Bill's key aims is to restore and maintain UK fish stocks. We should be proud to label UK fishing produce, which will indicate to consumers that we are serious about restoring UK fish stocks, and maintaining them at sustainable levels. By labelling UK fishing produce caught in a sustainable way, consumers can make better choices for themselves and their families. It also creates best practice with regards to fishing activities.

The new clause would give assurances that the UK will not give in to outside interests that seek to weaken labelling regulations. I hope the Government will agree with the Opposition and support the new clause. By doing so, they would be sending a strong message to those who wish to water down our labelling regulations, as well as taking a further step in ensuring that the Bill is committed to sustainability and proper labelling practices.

Victoria Prentis: I am sorry to end on a slightly damp squib, but the new clause is really not necessary. Regardless of the outcome of the negotiations, what the new clause seeks to do is already covered by legislation. We already

comply with the European regulation 1379/2013 on a common organisation of the markets in fishery and aquaculture products, which will form part of retained EU law at the end of the transition period. The consumer information stipulated in the new clause is already required by the CMO regulation, so the proposal would simply duplicate the CMO's labelling requirements.

I completely understand, however, what the hon. Member for Barnsley East says about the importance of labelling going forward. The Government are already committed to a serious and rapid examination of what can be done through labelling to promote high standards—and, indeed, high welfare—across the UK market for fish and agriculture. We will consult on that as soon as we are able to at the end of the transition period—we feel strongly about that—and I hope we will have her support in doing so.

Sir Charles, would you rather I said my nice words later?

The Chair: Yes. We have one more bit of business to get through.

Stephanie Peacock: I jumped in too soon with the nice bits.

I thank the Minister for those comments. I understand her first point, but does her Department have plans to introduce regulations that require not just unprocessed fish but all fish products offered for retail to be labelled with where they come from and where they are caught? I urge the Government to be more ambitious on labelling, and to strengthen the labelling rules.

Victoria Prentis: May I intervene to answer the question? Fisheries and aquaculture products will continue to be labelled and marketed as before. We are rolling over the labelling and marketing provisions in the regulation, and they will become part of retained EU law. We want to give certainty to consumers and businesses, especially around alignment with existing markets, as we end the transition period. We are consulting on labelling and we are keen to do so, but any changes to the arrangements would need to be carefully considered.

Stephanie Peacock: The point of the new clause is to ensure that consumers have the information that they need to make choices, and so that they can choose sustainable fish and can buy British. On that note, I would like to vote on the new clause.

Question put, That the clause be read a Second time.

The Committee divided: Ayes 5, Noes 9.

Division No. 14]

AYES

Duffield, Rosie	Pollard, Luke
Owatemi, Taiwo	
Peacock, Stephanie	Smith, Cat

NOES

Bowie, Andrew	Morris, James
Butler, Rob	Prentis, Victoria
Coutinho, Claire	Wild, James
Fletcher, Katherine	Young, Jacob
Jones, Fay	

Question accordingly negatived.

New Schedule 1

CONSERVATION OF SEALS

PART 1

AMENDMENT OF THE CONSERVATION OF SEALS ACT 1970

1 The Conservation of Seals Act 1970 is amended in accordance with paragraphs 10 to 20.

2 For section 1 (prohibited methods of killing seals) substitute—

“1 Prohibition of the killing, injuring or taking of seals

A person commits an offence if the person intentionally or recklessly kills, injures or takes a seal.”

3 Omit section 2 (close seasons for seals).

4 Omit section 3 (orders prohibiting killing seals).

5 In section 4 (apprehension of offenders and powers of search and seizure), in subsection (1), in paragraph (c) for “seal, seal skin, firearm, ammunition or poisonous” substitute “seal, item or”.

6 In section 6 (forfeitures), for the words from “any seal or seal” to the end substitute—

“(a) any seal or seal skin in respect of which the offence was committed;

(b) any item (but not a vehicle or boat) or substance used in connection with the commission of the offence;

(c) any seal, seal skin, poisonous or explosive substance, explosive article, firearm or ammunition, in the person’s possession at the time of the offence.”

7 In section 8 (attempt to commit offence), in subsection (2)—

(a) after “poisonous” insert “or explosive”;

(b) after “substance” insert “, any explosive article”;

(c) omit “the use of which is prohibited by section 1(1)(b) of this Act”.

8 In section 9 (general exceptions)—

(a) in subsection (1)—

(i) for “2 or 3” substitute “1”;

(ii) in paragraph (a), omit “otherwise than by his act”;

(iii) omit paragraphs (b) and (c);

(b) in subsection (2)—

(i) omit “, 2 or 3”;

(ii) omit “otherwise than by his act”.

9 In section 10 (power to grant licences)—

(a) in subsection (1), in paragraph (c)—

(i) omit sub-paragraphs (i) and (iii) (but not the “or” after paragraph (iii));

(ii) after sub-paragraph (ii) insert—

“(iia) the protection of animal or human health or public safety.”;

(b) after subsection (1) insert—

(1A) Nothing in subsection (1) is to be read as authorising the grant of a licence for the purpose of the protection, promotion or development of commercial fish or aquaculture activities within the meaning of the Fisheries Act 2020 (see section 51 of that Act).”

10 In section 11 (entry upon land)—

(a) in subsection (1), omit paragraph (b);

(b) in subsection (2), omit paragraph (d);

(c) in subsection (4)—

(i) omit the words from “, or in the” to “28 days’ notice.”;

(ii) omit the words from “; and in the case” to the end;

(d) omit subsection (5).

11 Omit section 14 (orders).

12 In section 15 (interpretation), at the appropriate places insert—

““explosive article” means an article (for example, a bomb or a firework) containing one or more explosive substances.”;

““explosive substance” means a substance or preparation, not including a substance or preparation in a solely gaseous form or in the form of vapour, which is—

(a) capable by chemical reaction in itself of producing gas at such a temperature and pressure and at such a speed as could cause damage to surroundings; or

(b) designed to produce an effect by heat, light, sound, gas or smoke, or a combination of these as a result of a non-detonative, self-sustaining, exothermic chemical reaction.”;

““preparation” means a mixture of two or more substances or a solution of any substance or substances.”.

PART 2

AMENDMENT OF THE WILDLIFE (NORTHERN IRELAND) ORDER 1985

13 The Wildlife (Northern Ireland) Order 1985 (1985/171 (N.I. 2)) is amended in accordance with paragraphs 22 to 27.

14 In Article 10 (protection of certain wild animals), in paragraph (4A), for paragraphs (a) and (b) substitute—

“(a) a seal (pinniped), or”.

15 In Article 11 (exceptions to Article 10)—

(a) after paragraph (1) insert—

“(1A) Article 5(5) (as it applies to Article 10 by virtue of paragraph (1)) applies in relation to seals (pinnipedia) as if—

(a) in sub-paragraphs (a) and (b) the words “otherwise than by his unlawful act” were omitted, and

(b) sub-paragraph (c) were omitted.”;

(b) after paragraph (3) insert—

(3A) Paragraph (3) applies in relation to seals (pinnipedia) as if “or to fisheries” were omitted.”

16 In Article 18 (power to grant licences), after paragraph (3) insert—

“(3ZA) But a licence may not be granted under paragraph (3) that permits the killing, injuring or taking of seals (pinnipedia) for the purpose of preventing damage to fisheries.”

17 In Schedule 5 (animals which are protected at all times), in the table, for the entries for “Seal, common” and “Seal, grey” substitute—

“Seal	Pinniped”
-------	-----------

18 In Schedule 6 (animals which may not be killed or taken by certain methods), in the table, for the entries for “Seal, common” and “Seal, grey” substitute—

“Seal	Pinniped”
-------	-----------

19 In Schedule 7 (animals which may not be sold alive or dead at any time), in the table, for the entries for “Seal, common” and “Seal, grey” substitute—

“Seal	Pinniped”.	—(Victoria Prentis.)
-------	------------	----------------------

This new Schedule makes amendments to the Conservation of Seals Act 1970 and the Wildlife (Northern Ireland) Order 1985. The amendments would generally prohibit the killing, injuring or taking of seals, and limit the circumstances in which that can be permitted.

Brought up, read the First and Second time, and added to the Bill.

Question proposed, That the Chair do report the Bill, as amended, to the House.

The Chair: We can now have another outbreak of niceness.

Victoria Prentis: Well, we have had kind words from the hon. Member for Barnsley East, and it has been a pleasure to debate this excellent Bill with her. It gives me enormous pleasure to move it to the next stage. It sets out how we will move forward to promote sustainable fishing as we become an independent coastal state at the end of this year.

To that end, I would like to thank you, Sir Charles, and the other Chairman. I would very much like to thank the Clerk, who has managed extremely well. That is very difficult without the normal Box arrangements and without any back-up for the Clerk. I appreciate everything that he has done for us. I thank those on the Opposition Front Bench. I thank particularly all the Committee members, who have not done other things that they wished to do, because they were so determined to give this Bill their full consideration. I thank the Whips, who are both here, and who have kept us in order.

I particularly thank my private office and the Fisheries Bill team for their great work on the Bill. The Bill passes to its next stage in top-notch form, and I look forward to its becoming law very shortly.

Brendan O'Hara: May I add my thanks to you, Sir Charles, and to Mr McCabe for chairing these sittings? I also add my thanks to the Clerk of the Committee for keeping us all on track in what were sometimes very tricky situations. I am sure I am not alone in hating a double negative, and trying to vote accordingly, so I thank him.

The Minister and I did not agree on much, but she was courteous throughout, and there is no doubt that she is across her brief; I thank her for that. I thank all

Members on both sides of the Committee for the way the debate was conducted: it was co-operative and constructive; no one can doubt that it was speedy; and we conducted the business successfully. I said in my opening contribution, which feels as if it was many moons ago, that it was like getting a band back together. I trust that, like Sinatra, this will be the last time we do it.

The Chair: Last but not least, Mr Pollard.

Luke Pollard: I echo the thanks that have been given to the Clerks and the Bill team. I thank all the officials the Minister has tucked away back at the Department for Environment, Food and Rural Affairs; the MMO; Seafish; and the other authorities that have contributed to the Bill. A number of themes have been picked up, not the least of which was safety, and I know that the Minister and colleagues will continue to drive that in a cross-party way. I thank the Minister and those on the Conservative Benches who contributed to the collegiate way in which the debate was conducted.

Fishing is important to our coastal communities, and on Report we will no doubt continue the debate on how we create jobs. I thank the Committee Chairs, and I also thank the *Hansard* recorder for keeping a good record of our debates and deliberations, which I am sure will be of great use as the Bill progresses.

The Chair: I would like to thank you all for your patience, fortitude and forbearance, and I thank the Clerk. There has been some pretty ropery stuff going on from the Chair at times.

Question put and agreed to.

Bill, as amended, accordingly to be reported.

3.40 pm

Committee rose.

Written evidence reported to the House

FB06 Greener UK

FB07 North Atlantic Fishing Company

FB08 Professor Richard Barnes, Professor of International Law, Lincoln Law School, University of Lincoln

FB09 Honor Frost Foundation (HFF) Steering Committee on Underwater Cultural Heritage (UCH)

FB10 Cornish Fish Producers' Organisation (CFPO)

FB11 South Western Fish Producer Organisation Ltd

FB12 Greenpeace UK

FB13 The Joint Nautical Archaeology Policy Committee (JNAPC)