

Summary of responses to the informal 6 week consultation on the introduction of a system of electronic notification of variations to fishing licences – 12 December 2011 to 23 January 2012

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Background and Proposals

- 1.1 This informal 6 week consultation, which closed on 23 January, invited the views of stakeholders in England on our proposals for the implementation of a system of electronic notification of licence variations, which would replace the current system of paper variations.
- 1.2 EU legislation requires that all commercial fishing vessels must have a valid fishing licence and authorisation. In England, this licence is currently issued in paper format and must be produced on request to Enforcement Officers during inspection. During the quota year, numerous variations to these licences are produced and issued in paper format. This is a costly, resource intensive and time consuming process for the Marine Management Organisation and fishermen who must ensure that they keep the paper licence on board the vessel up to date.
- 1.3 The intention is to amend The Sea Fishing (Licences and Notices) Regulations 1994 No. 2813 to allow for the introduction of an electronic system of notifying licence variations. The proposed scheme would enable variations to fishing licences to be published on the Marine Management Organisation (MMO). We aim for this legislation to enter into force on 6 April 2012.
- 1.4 To ensure a smooth transition to the new process, the MMO intends to phase the system in over a 3 month period to allow vessels to familiarise themselves with the process. Implementation of this measure will be closely monitored by the MMO. Defra will carry out a review of the scheme within three years of it being implemented to ensure it is operating in a reasonable and proportionate manner.

Analysis of responses

- 2.1 **24 responses** were received in total, 13 by email and 11 by post:

Breakdown of responses:

- **5** from fishing industry organisations and businesses:

- I. NFFO
- II. Waterside Fisherman's Association
- III. Boston Fishermen
- IV. Goldfish Partnership
- V. Exmoor Coast Boat Cruises

- **19** from individual fishermen

- 2.2 A breakdown of the responses indicated 9 were in favour of the proposals; 4 broadly agreed but with certain provisions; 8 were against and 3 stated no clear position.

Concerns raised:

- computer access for those without computer
- lack of computer literacy
- lack of regular computer access whilst at sea

- whether there was any need to change current system apart from quota
- perceived costs (misunderstanding that there might be an obligation to print off variations or purchase computer equipment)
- Negative view of EU management
- carbon emissions from use of IT
- timescale of implementing scheme

Twenty two respondents commented specifically on the new measure, and gave their views. The remaining respondents did not specifically comment on the scheme. Three fishing industry organisations expressed concerns about the issue of IT access.

Brief summary of views of respondents

3.1 There was general support for the principle of introducing a system of electronic notification of licence variations (as a more streamlined and efficient system) but some concerns about the practicalities of its implementation, especially for those without computer access or computer literacy. In the responses opposing the proposed system, there was a general misconception that there might be an obligation to purchase computer equipment or print off variations at their own expense; whereas a variety of cost-free options have been proposed by Defra. No respondents have provided any specific evidence to suggest that the assumptions made in the impact assessment are incorrect. In addition, none of the responses referred to the option of appointing a nominee to access the variations.

3.2 Some respondents have misunderstood the intention of Defra's proposals and viewed them as unfavourable or problematic to those without computer access. In view of this, close liaison with the MMO in the implementation of this system, particularly in the 3 month transition period, will be necessary.

Subject Heading	Comments
Reason/ need for proposed changes	A number of respondents welcomed proposals as long overdue.
Fishermen's views on way in which licences are issued to them.	1 happy with current system apart from quota. Some complaints about quantity and relevance of variations, eg: variations about locality where they never fish, such as Greenland.
Implementation or phasing in of new scheme	1 agreed with Review after 3 years. 1 prefers retaining both options as has limited mobile phone coverage. The NFFO questioned the timescale for implementation.
Who might be affected by proposals	Main concern was related to impact on those without computers or IT literacy
Benefits of introducing electronic variations	More streamlined, convenient and cost effective system.
Fishermen's understanding of proposed measures	There were mixed reactions on this. Some respondents misinterpreted the options as obligations to obtain a computer or print out variations and expressed general concern about the potential cost,

	but objections to the proposal were mostly on the grounds of lack of computer literacy, the practicalities of computer access and how it would affect their ability to comply with variations.
Any issues which have not been identified by the IA	1 expressed concern about how false licences would be dealt with but conceded this also applied to paper system. Geographical aspect of mobile phone and internet coverage Concern about staff cuts in Civil Service Against computers on grounds of carbon emissions and ocean acidification
Comments on IA	NFFO felt timescale for implementation unrealistic and queried assumptions about costs.

3.3 The response rate for Defra on this consultation was low. The views expressed will help to resolve any issues with the replacement of the current system of paper variations with electronic notification of licence variations.

3.4 The introduction of the proposed system would also bring English fisheries in line with Scotland where this measure has been successfully introduced.

The Way Forward

4.1 It is the intention of Defra to amend The Sea Fishing (Licences and Notices) Regulations 1994 No. 2813 to allow for the introduction of an electronic system of notifying licence variations in England. Although we aim for this legislation to enter into force on 6 April 2012, the system would not go live on this date.

4.2 To ensure a smooth transition to the new process, the MMO intends to phase the system in over a 3 month period to allow vessels to familiarise themselves with the process. Implementation of this measure will be closely monitored by the MMO. Defra will carry out a review of the scheme within three years of it being implemented to ensure it is operating in a reasonable and proportionate manner.

4.3 Guidance for industry on the introduction of electronic variations to licences will be provided by the MMO once the legislation has been amended, explaining the process.

If you have any queries about the consultation or the new scheme, please contact Margaret Branson on 0207 238 6650 or email:

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