



Northern Ireland
Assembly

Committee for Agriculture, Environment and
Rural Affairs

OFFICIAL REPORT (Hansard)

Fisheries Bill: Northern Ireland Fishery
Harbour Authority

5 March 2020

NORTHERN IRELAND ASSEMBLY

Committee for Agriculture, Environment and Rural Affairs

Fisheries Bill: Northern Ireland Fishery Harbour Authority

5 March 2020

Members present for all or part of the proceedings:

Mr Declan McAleer (Chairperson)
Mr Philip McGuigan (Deputy Chairperson)
Ms Clare Bailey
Mr Maurice Bradley
Mr Harry Harvey
Mr William Irwin

Witnesses:

Mr Kevin Quigley Northern Ireland Fishery Harbour Authority

The Chairperson (Mr McAleer): The order of business has changed slightly. We are going to hear some oral evidence from Kevin Quigley, chief executive of the NI Fishery Harbour Authority (NIFHA). You are very welcome, Kevin.

Mr Kevin Quigley (Northern Ireland Fishery Harbour Authority): Thanks very much.

The Chairperson (Mr McAleer): Thanks for coming to an earlier slot than was previously planned. We really appreciate that. Kevin, do you want to take the opportunity to brief the Committee, and then members will ask you some questions?

Mr Quigley: You are very welcome. Chair and Committee members, thank you very much for inviting me here today. Please excuse me if I am out of step on etiquette. Though I am approaching eight years in post, this is my first Committee meeting.

First, I will say a bit about us. Who is NIHFA? As you will know, we are an arm's-length body (ALB) and are granted ownership of Ardglass, Kilkeel and Portavogie harbours. We are charged with improving, managing and maintaining those three busy harbours. We also have an administrative office in Downpatrick. I can say with confidence that the feedback from staff, stakeholders and our sponsor body, DAERA, all says the same thing: that we deliver well, most of the time. I can honestly say that I am proud of each of my four teams, which consistently deliver exceptionally well. I think that we are doing a good job.

We have a simple and aspirational vision, and that is to set the standard for fishery harbours by delivering excellence in all that we do. Be careful when asking me about this: I can go on for some time. Of course, we do not achieve that all the time. When we do make mistakes, we work hard to learn from them. I can say with conviction that you can be confident that this ALB is striving every day

to deliver well. That said, we do that with just 21 staff and 18 full-time equivalents. Needless to say, while we are far from inward-looking, our prime focus is on delivering our remit. We enjoy an excellent working relationship with DAERA, and we rely heavily on its support. As I say in my formal submission, the management of fisheries is outside our normal remit, and we rely on briefings from DAERA. That said, of course we do take an interest in relevant legislation, and we have our view, but we do not claim expertise, particularly me.

Operationally, we are self-funded. Our prime source of income is the levy on landings, so it is important to us that fish are landed in our harbours and that we get our fair share of that, which is just over 2%. We have a very self-interested interest in seeing our customers do well. Of course, we want our customers do well anyway, but when they are doing well, we do well too.

With regard to the legislation, we welcome the enabling legislation that transfers powers to the devolved Administrations, particularly in Northern Ireland. While I appreciate that it adds some complexity, we believe that, overall, it can deliver a better outcome for Northern Ireland fishermen, who are a very small part, as you know, of a much bigger industry, and a local focus on that will be good for the industry.

Looking forward, traditionally, the fleet from all three harbours has spent time away from home, fishing in waters right around the United Kingdom: around Scotland, on the far side of England, around the south of England and over at the Isle of Man. It seems likely that, post Brexit, the UK fleet will overall have more quota. It is our strong view that, whatever post-Brexit arrangements are delivered, that history should be reflected in improved quota availability not only for the relevant local devolved fleet, as in the Scottish fleet, but for the Northern Ireland fleet, and that it should get its fair share of that. So, if the Northern Ireland fleet was 1% of it, it should get a 1% increase from Scotland. I am not sure that this is a legislative issue, and that fish does not normally get landed on us, but I find that if the fishermen are prosperous they are easier to work with. We are keen to see that. While I mentioned that we are operationally self-funded, we are entirely dependent on grant aid for capital works. Obviously, we welcome the inclusion of powers for the Assembly to issue grants for this purpose. Indeed, DAERA has commissioned a review of the opportunities for the industry going forward and of what investment will be needed in the harbours to meet those opportunities in the long term.

We believe that the changing nature of the fleet will require significant investment in all three harbours or one particular harbour, and the purpose of the review is to establish that. Of course, our authority has an opinion, but we are tasked to look after three harbours with equal enthusiasm, and that is exactly what we do. We will welcome the outcome of the review, but we will, of course, need grant aid just to maintain the harbours, and if there is significant large-scale investment it would have to be grant aided.

With reluctance, I am going to turn to abandoned vessels, which I put into my submission. It is probably the most critical issue for the authority on my risk register, which is a slightly unusual risk register as it is very operationally focused and, therefore, has quite a number of risks. I have three red risks associated with abandoned vessels. I have seven abandoned vessels in the harbours with at least two in each of them. We have nine vessels that we consider to be highly at risk of becoming abandoned. My board and I strongly believe that the polluter pays principle should apply. Currently, that is not the case, and vessels can legally easily end up abandoned. We believe legislation is required to ensure that outcome. We have worked hard with DAERA to address this issue, and much work has been done, but a long-term solution requires legislation.

I have been advised that the Bill is not the appropriate place to go with that legislation. Hence, I have asked to present again when the Environment Bill comes before the Committee to talk about it in more depth at that stage. I do not have the funds to deal with this problem. At the moment, it costs about £250,000 to deal with those seven vessels and another £550,000 if there are nine vessels. There will be a constant stream of abandoned vessels as they retire if the worst-case scenario presented itself, and that is my bid on that.

That concludes my presentation. Thank you very much for your time.

The Chairperson (Mr McAleer): Thank you very much, Kevin. Your presentation was very helpful.

Out of interest, I am going to ask a question about the seven vessels. Out of curiosity, who owned them, and how does it happen that they are abandoned on your property? Can the owners not be traced?

Mr Quigley: What happens is that the owner will attempt, although we try to restrict this now, to remove anything of value from the vessel and sell it. We will then find that the vessel has been sold on to people we describe as Johnny-no-hopes who may have real addresses and who do generally exist, but we cannot reach them. In one case, the person was in prison in England. So, eventually, the vessel is just abandoned and becomes a significant issue.

Obviously, there is a risk, and they must ultimately be disposed of, but, in the meantime, I have an uninsured vessel that may sink in my harbour. If I deal with these vessels, in the view of the fishermen I will become the preferred solution to their problem, which is this: "How do I get rid of a vessel?" When they are selling the licence, we would like that to be the time that legislation wakes up to the fact that it is the fisherman who has had the benefit of that vessel who needs to ensure that he pays for its disposal.

The Chairperson (Mr McAleer): Clearly, you view that as quite a serious legislative gap.

Mr Quigley: Yes. There is no legislation to require that. If you want to get rid of your car, you cannot just park it up on the side of the road. It should not be that you can just park up a vessel that will cost £30,000 to £40,000 to dispose of. There was not even a place in Northern Ireland to dispose of them, so we have obtained planning permission and a licence — hopefully, our council will grant us amended planning permission for this — to dispose of those vessels in Portavogie. It is almost a little industry that we are trying to get going in Portavogie and a little boost for Portavogie as well. We worked hard to get that. It was not easy, but it is in place now. There is an affordable solution. The authority, with the support of DAERA, has worked hard to ensure that there is a relatively affordable solution. I appreciate that £30,000 is a lot, but they have had the benefit of it for maybe 20 years.

The Chairperson (Mr McAleer): Kevin, before we bring members in, you referred to the possibility of enhanced quotas. You also referred to the changing nature of the fleet and the need for investment. From your experience, how well placed do you feel that the fishing industry is to maximise opportunities that may arise from any enhanced quotas?

Mr Quigley: It is a mixed answer. Like in any industry, there are go-getters in all three harbours. They are hungry to do business, to do it better and to exploit every opportunity that comes along the way. They are there, and I enjoy thoroughly working with them. Of course, we also have people who are coming up to retirement and are perhaps more focused on good times in Spain than on what the industry can offer them going forward. They are looking for exit routes, and, unfortunately, the nature of the industry is such that retirement is not always followed as it was in the past, with the son taking over the business. I see us moving to a more corporate model over time. Of course, crewing is an issue. The one thing that has impressed me in the nearly eight years now that I have been working with the fishermen in all three harbours is their ability to get past difficult times. We have had fishing famines, almost, during that period, when the wind blew from the east and you could not go fishing, basically. There is real enthusiasm for fishing in all three communities, which we support through school education programmes and that sort of thing. Yes, I think that the industry will maximise opportunities. Sorry, a shorter answer would have been yes.

Mr McGuigan: Thanks very much, Kevin. I suppose that the fishermen are harbouring thoughts of good times in Spain. I just hope that Brexit does not ruin that opportunity.

As with most things, Chair, we were in synch, and you stole the question that I was going to ask on the vessels that are being abandoned. It seems to be quite a serious issue. I had in my head the example of a car and was thinking that you just could not do that with a car. The Committee could consider writing to the Agriculture Minister on the issue to see whether he has any plans or proposals to tighten that up, because it is a serious cost, but it is also a serious environmental issue.

Mr Quigley: A vessel was abandoned in Ballyhalbert. It was originally a Portavogie vessel called the Ocean Venture, which was moved to Ballyhalbert. Ards and North Down council — I hope that I got the name correct — took on its disposal, but it was moved to Portavogie, and we had a successful decommissioning there. The principle of doing it in Portavogie is established. We have an established contractor, who did a very good job. From the point of view of the environment, every box was ticked when it came to disposing it. We have an established working method of getting rid of them; it is just about getting fishermen to be enthusiastic. I am very concerned that, if I leap in, that would become the default position.

The Chairperson (Mr McAleer): It would be your responsibility.

Mr Quigley: Yes.

Mr Harvey: I will follow on from you, Declan, and from Philip. My question is on the same point. Are the boats beyond the point of repair or refurbishment? You said that you had or tried to have conversations with the owners. Have you the powers to remove the boats, or is that where it is complicated? Is your biggest worry that they are taking up valuable space or that they are at risk of sinking?

Mr Quigley: They are end-of-life fishing vessels. Part of the model of fishing in Northern Ireland is that there are very few new vessels. Most of them are second hand, and sometimes they are very old. We have 50-year-old vessels in active fishing. Sometimes they get sold on for new lines as houseboats and/or other uses. That is good, and we are all for that, as long as they leave my harbours. *[Laughter.]* The risks for us are multiple. Yes, they have very little value. There will be some recovery of scrap steel, but most of the boats are wooden, and one is entirely steel. There is some recovery of the cost of disposal through recycling and selling the steel and that sort of stuff, as well as the more valuable metals. That can be done. Our powers are very limited — I will come back to that — but we have, effectively, stopped vessels from taking the more valuable stuff off. That is a fine line for us. For instance, the winches are valuable, but we cannot really stop people taking those off, because they can switch winches. We certainly do not allow them to take the engine out of the boat, because once the engine is gone, the boat is utterly worthless. We tightened up on that, because someone managed to get the engine out of one or two boats. We have powers, but they are not modern powers. In answer to that part of the question, it is in my proposed business plan — it is my board's business plan; that is more appropriate — for next year to work with solicitors to draw up a harbour order for the authority. Our enabling legislation is based on the 1973 Northern Ireland Act and the 1847 harbour powers Act. Most modern harbours work under a harbour order, which gives us much more general powers. At the moment, if we want to do something, it has to be under a specific heading, and it is very difficult to make it happen. This will give us much broader powers. However, ours are open harbours. Vessels can come in, and we cannot stop that — if they are well vessels, they can come in — and we have very limited powers to force them to leave. How do you force an abandoned vessel to leave? Generally, they are fishing boats, and, for a while, you are uncertain about their future, and then they become abandoned. That is why I have nine at-risk vessels. Some of them will leave, and some of them may, ultimately, become abandoned, but we are focused on the relationships with those.

Mr Irwin: You are very welcome to the Committee meeting. I have a couple of issues. I know that, in the past, fishermen thought they were very badly curtailed by being in the European Union and by not being able to fish fully in the waters. Will there be better opportunities outside Europe for the fishermen? Is that a big question?

Mr Quigley: It is a big question for me. It would be better addressed to DAERA. I take input from DAERA and from Harry Wick and Alan McCulla from the Northern Ireland Fish Producers' Organisation (NIFPO). My understanding is that they see opportunity and, maybe, a broader range of access to some fish. I do not think that anybody sees a huge increase locally, but they see opportunities for improvement. I think they are probably a little bit optimistic about the idea of there being less legislation or less controlling legislation. I do not think anybody —.

Mr Irwin: It is very hard to get rid of the red tape, is it not?

Mr Quigley: Yes. It tends to go the other way; that is my experience.

Mr Irwin: For fishermen who are retiring, is it not possible for them to sell on their businesses?

Mr Quigley: That is where the licence becomes important. The fisherman's retirement fund is, absent savings, made up of what the vessel is worth and what the licence is worth. The quota is generally owned by the fishing organisations. The licence, and I am not good on the figures on this, went up significantly in price when there was a significant increase in demand for licences.

Let me explain the licence to you. I am not an expert in this field either, by the way, but this is my understanding. The licence is related to the horsepower of your engine, so you can have a certain licence with a certain amount of power in your boat. If you want a bigger boat, you need a bigger engine and you need more licence. If there is a demand for bigger boats and bigger engines, the demand for licences has increase, so your retirement fund shoots up. So, guys in their mid-50s who

were likely to work on into their 60s saw an opportunity. Even without that boost, it is a fundamental lumpy part of their retirement plan.

The other traditional thing that they did was to strip the vessel of anything of value and then dispose of it. That route has disappeared. They continued to strip the vessels, and we said, "No, you cannot do that, because it leaves us with nothing to sell on if the vessel become abandoned." If we at least hold onto the engine, that could be £4,000 or £5,000 that goes towards the disposal of the vessel. Am I answering the question? Have I moved on?

Mr Irwin: You are OK.

Ms Bailey: Thank you for coming. I welcome you on your first visit; I hope that it is not your last. I am keen to hear your thoughts. When you are looking at the financial assistance element, you rightly point out that harbour infrastructure could improve through all this and that there could be investment in conservation and the restoration of the marine and aquatic environment. How do you envisage that taking shape?

Mr Quigley: In the broader sense, our values of environment and community are linked together in one overall value.

Ms Bailey: Good.

Mr Quigley: We are very focused. As an organisation, we do not believe we are a little harbour that is independent of the local community; we work with our local communities. We support fishing festivals, and we have a primary school education programme, so we are actively involved in all three communities and encourage our staff to do volunteer or coastguard work.

I will give a little bit more background information. I hope today to get grant approval from a fisheries local action group (FLAG) to hire an environmental officer for two years to help us to enhance, improve and bring us to the cutting edge of dealing with waste and to look at how we can improve our environment in the harbours. We are hopeful that that grant application will come through with approval today. So, we are actively working as an organisation; I wanted to share that with you to show that we take the environmental part of our role very seriously.

We are dealing with a lot of waste. Not all our waste is generated by any means by the fishermen. We have a considerable number of visitors, and Northern Ireland visitors are the same as the ones that the councils have to deal with all the time. Unfortunately, as a nation, we are not the best when it comes to waste. We deal with that, so we are always looking at innovative ways of dealing with waste and oil. In small ways, we are doing that. So, we are keen to get somebody bright on the scene who has real background in that area. Hopefully, today we will get grant approval.

In the wider scheme of things, what does the changing nature of the fleet mean? The fleet will go to more smaller boats. I think that has already arrived; we have a lot more smaller boats, those under 10 metres, in the harbours. That is partly driven by the difficulties with recruiting crew and partly driven by the opportunities that our in-shore fishermen have. So, there are a number of economic drivers for why that is happening, but that has largely happened in all three harbours, and we facilitated it in Kilkeel and Portavogie by putting in pontoons. In Ardglass, it would take serious investment to get a pontoon in, as you would need to dig a hole; it is a big hub. That is something that we want to do, but we do not have the funding for it at the moment. It is much safer for the owners of the boats, because they do not have to climb up and down ladders. There is a ramp. Environmentally, it is much better. They can get stuff on and off the boat. They are not tempted to dispose of waste in the ways that they might have, because it is easier to deal with. That is something that is very practical at that end, and we have worked with the fishermen to provide them with bait stores so that their bait is not left on the quayside, presenting all sorts of aromas to visitors.

On the bigger scale of things, over time, we will move to —. If you want good crew, you have to be able to pay them well and you will need to have a very profitable boat, so the boat needs to be bigger and deeper. Our harbours are not really built for that kind of vessel. That is the way we are moving. That said, the least suited harbour is our busiest, which is Kilkeel. We see that doing that is necessary to fully utilise the opportunities. In the long term, beyond 15 years, we see a need for a significant investment in probably one of the harbours. It would need to be a very significant investment, and that is not my decision. I will give information, but that is certainly not our decision. But we see the need for

it. Engineering and environmental studies will have to be done, and there is a process that exists to ensure that will be done without permanent damage and with minimum impact on the environment.

Ms Bailey: Good luck with your grant application today.

Mr Quigley: Thank you.

The Chairperson (Mr McAleer): I should also add that we, as a Committee, are planning to visit some of the harbours.

Mr Quigley: We would be delighted to meet you.

The Chairperson (Mr McAleer): We are not only looking forward to meeting you and to learning more about the harbours and what you do but are interested in what you have been doing with the community. That sounds exciting.

Mr Quigley: We would be absolutely delighted.

Mr M Bradley: Following on from Clare, I know that you have an application in and you hope to be successful. However, your capital grant allows you to maintain, enhance and improve the harbours that are under your control. Do you believe that what may come from the Government after Brexit and Northern Ireland's share of that pot will be enough to replace the European Maritime and Fisheries Fund?

Mr Quigley: I am optimistic and concerned. I do not have sufficient insight to know what is coming. I do not think that that has been decided yet. There is a promise that there will be funding going forward. That is all that I can say. I am optimistic, but I am concerned because there is significant funding coming from Europe, and we see it as a risk that there will not be the same level of funding. The funding has been declining over the years; each round of funding tends to be less, for us anyway — that is our experience — but we have been able to deliver what we have been required to with that funding framework. I am hopeful. We will need funding; there is no question about that.

Mr M Bradley: Can I just have a wee rider on the abandoned ships? I remember that a local councillor, about 20 years ago, decided that the best way to get rid of them would be to take out the engines and all the pollutants, sail them up the Causeway coast and then scuttle them to create reefs. I am not suggesting that you do that. *[Laughter.]*

The Chairperson (Mr McAleer): That does not sound very environmentally friendly, Maurice.

Mr Quigley: That approach is no longer on the cards.

Mr M Bradley: No.

Mr Quigley: Fishermen would debate that view. If there were a fishing wooden boat, they might ask what that could do, but that is their view.

Mr M Bradley: I am not suggesting it.

Mr Quigley: No, I know you are not. What we want to see is an affordable solution whereby we minimise our costs to the fishermen to enable them to use our facility.

Mr Harvey: Kevin, you said that you had been in your post for eight years or thereabouts?

Mr Quigley: It will be eight years on the other side of the summer.

Mr Harvey: Would you say that, over the past 10 years, the harbours have been improving and have not declined at all? Are you seeing an improvement? I will take an answer to that first, then I have another question.

Mr Quigley: I will be honest about this: when I joined, there was a very gloomy view in the authority about the future. Since I joined, we have been able to generate sufficient surpluses to enable us to undertake minor capital works. We do major works through grant applications, but minor things, like a new davit or crane for this new quayside, we pay for ourselves. That is capital investment, and we have to generate the reserves to do that. Year-on-year, we have had enough money to be able to do that and to keep our reserves at an acceptable level. Has the fishing been good during my time? By and large, yes. There have been periods when it has not been great, but, overall, there has been much more optimism about during my time there. Have the harbours' infrastructure improved? Yes. The nature of things is that they decline and you restore, but we have also improved.

Mr Harvey: You are in charge of three harbours: Kilkeel; Ardglass; and Portavogie. Are they all doing equally well, or is one doing better than the others? If one is, what are the reasons?

Mr Quigley: No, they are not all doing as well as each other. In Ardglass, we used to have two of the three Northern Ireland pelagic voyagers. Those are very big ocean-going vessels. They used to land in Ardglass, but the replacement vessels were just too big, so they now land in Belfast. Pelagic fish is high value, and there can be large quantities all in one go, so that was a significant loss of income to Ardglass and to us. The number of vessels in Ardglass has remained reasonably stable. We have seen some recent decline, but we are seeing older vessels being replaced with bigger vessels, so the capacity has not diminished much in Ardglass.

Kilkeel remains very busy. It has become a much more mixed port, and it also has guard vessels. A guarding industry has been developed in Kilkeel. There are part-time fishing and part-time guard vessels, which is a good mix if you can get it. It is our biggest and busiest harbour. It is our busiest because there is much more infrastructure, as processing and repair industries are all based in Kilkeel. It is the only harbour where you still have an active fish market.

Portavogie is going through a difficult period. I have referred to the changing nature of the fleet. We have seen it coming for some time in that fishermen would retire and that, slowly, we would move to fewer, bigger boats. That kind of happened all at once in Portavogie, except that we have seen a lot of vessels going without very many big boats coming back in yet. I believe that, in the longer term, that will happen because there is an opportunity there, and, sooner or later, the fishermen will not be able to help themselves — they will grab the opportunity. I am confident in the long run. In fact, the vast majority of the prime element in this round's funding is going to Portavogie. It will be future-proofed at the end of this funding round for a considerable period of time.

Mr Harvey: So, you are saying that we can turn that round again.

Mr Quigley: Yes. I am very optimistic. Absolutely.

The Chairperson (Mr McAleer): Finally, before you depart, Kevin, you rely on capital grants, but you said at the start of your presentation that you have a 2% levy on landings. Do you have any assessment of what percentage of those landings are from trawlers in the North and from Britain or parts of the EU? Do you have any assessment of that?

Mr Quigley: I cannot give you exact figures, but far and away the vast majority of our landings — the figure is well over 90-odd per cent — are local fishing boats or what we would call registered fishing boats, so they are registered to us. We get visiting Southern boats. There are still pelagic boats that land in Ardglass, which are from Southern Ireland. Off the top of my head, I will say that they represent maybe 5% to 10% of the landing value in Ardglass. That is always risky. Those are our main landings that come from outside Northern Ireland, but the vast majority of our landings are local boats.

The Chairperson (Mr McAleer): That is great, Kevin. I will represent the Committee at the interparliamentary forum on 19 March in the House of Lords. We will meet the EU Select Committee and the other regions, so I assure you that we will raise the issues that you raised today.

Mr Quigley: Thank you very much.

The Chairperson (Mr McAleer): Thank you very much, Kevin. It has been good meeting you.

Mr Quigley: I am delighted to say that it has been a pleasure.

The Chairperson (Mr McAleer): We will see you down there when we get the chance to make the trip.

Mr Quigley: Yes. I look forward to seeing you down there, folks. Thanks very much.