

Heritage Alliance Fisheries Bill Briefing for Members of the House of Lords

The Heritage Alliance

11 February 2020

This briefing is intended for members of the House of Lords interested in historic environment protection, ahead of the Second Reading of the Fisheries Bill in the House of Lords.

As the Ministerial Foreword to the White Paper *Sustainable Fisheries for Future Generations* acknowledged, 'Our seas and oceans are an integral part of our history'. The physical consequences of this history frame the distinctive character and identity of so many of our historic ports and fishing communities around the coast. Indeed, it is hard to envision the future of the UK's fishing sector – or of any UK marine sector – without conjuring up images of this vital past.

The Heritage Alliance and marine heritage

The Heritage Alliance is England's largest coalition of independent heritage interests. We unite over 140 organisations which together have over 7 million members, volunteers, trustees and staff. Most of England's historic environment is owned, managed or cared for by Heritage Alliance members. The Alliance is represented on DEFRA's Rural Development Programme Monitoring Committee, Environmental Land Management Engagement Group, and The Stakeholder Group for the Environment Bill. The Heritage Alliance's specialist Marine Heritage Advocacy Group has produced this paper.

Introduction

It is appropriate to address the heritage of the marine environment through the Fisheries Bill because fishing is perhaps the oldest of all human activities at sea. Today's fishing and its prospects for the future lie on a continuum of development that stretch back millennia. The history of the relationship between people and fisheries is fundamental to ensuring a sector that is sustainable in economic, social and environmental terms. The history of fishing underpins many of our coastal communities. The losses they have sustained – both in peace and war – are still represented on the seabed by hundreds of fishing boat wrecks. Important for commemoration as well as their heritage value, such wrecks also provide habitat for fish species today.

One of the UK's great strengths both at home and abroad over the last 50 years is the leading role that it has played in coastal and marine archaeology. Wonderful things have been discovered and explored, and the UK remains at the forefront of international practice in marine archaeological investigation and innovative public engagement. Maritime heritage sites attract thousands of visitors and contribute millions of pounds to coastal economies. A sense of history pervades many people's

enjoyment of the coast, where heritage provides an important tangible setting within which wellbeing and other social benefits accrue.

Maritime heritage, both at the coast and under the sea, already makes a major contribution to the UK and could contribute more as we head into the next phase of our country's history. For all that has been achieved, the potential gains are far greater. Realising this potential requires that Government does not inadvertently detract from our valuable sea-going legacy and instead takes steps to make the most of our maritime heritage as we go forward.

The Fisheries Bill

1. Accordingly, **the Heritage Alliance strongly supports the Fisheries Bill's inclusion of features of archaeological or historic interest within the definition of the marine and aquatic environment (s. 48).**
2. As a consequence, financial assistance and regulatory provisions can be made for purposes including the conservation of features of archaeological or historic interest by the Secretary of State (ss. 33; 36), by Scottish Ministers (Sched. 6 s. 1; Sched. 8 s. 1), by Welsh Ministers (Sched. 6 s. 2; Sched. 8 s. 2) and by the Northern Ireland department (Sched. 6 s. 3; Sched. 8 s. 11). **The Heritage Alliance strongly supports the inclusion of features of archaeological or historic interest within provisions on financial assistance and regulation.**
3. Also as a consequence, sea fish licensing authorities can attach conditions to licences for the purposes of conserving or enhancing features of archaeological or historic interest (Sched. 3 s. 1). Again, **the Heritage Alliance strongly supports the provision for conserving or enhancing features of archaeological or historic interest through conditions on sea fishing licenses.**
4. The Heritage Alliance welcomes the inclusion of the 'sustainability objective' in the fisheries objectives set out in s. 1(1) and notes the importance of these objectives to fisheries statements and management plans. The sustainability objective is that fish and aquaculture activities are environmentally sustainable and managed so as to achieve economic, social and employment benefits (s. 1(2)). For the avoidance of doubt, **the Heritage Alliance seeks confirmation that 'environmentally sustainable' in s. 1(2)(ii) encompasses the 'marine and aquatic environment' as defined in s. 48, i.e. the sustainability objective encompasses features of archaeological or historic interest.**
5. The Heritage Alliance notes that authorities in Scotland and Northern Ireland already have provision to make regulations for conserving any features of archaeological or historic interest in their inshore waters by virtue of s. 2A(3)(a) of the Inshore Fishing (Scotland) Act 1984 and s. 124(2A)(a) of the Fisheries Act (Northern Ireland) 1966. The Fisheries Bill makes provisions for byelaws – including interim byelaws – in England, the English offshore region, Wales, the Welsh offshore region and the Scottish offshore region (Sched. 9, ss. 11, 14, 17, 19, 21) that are broadly comparable to existing provisions in Scottish and Northern Ireland inshore waters. There is, however, an anomaly: the provisions in the Fisheries Bill are framed in such a way that they do not apply to features of archaeological or historic interest. **The Heritage Alliance seeks**

amendment of the Fisheries Bill to include provisions for byelaws to conserve features of archaeological or historic interest that are consistent with existing provisions in Scottish and Northern Ireland inshore waters.

Contact:

Heritage Alliance, Marine Heritage Advocacy Group

For further information or to arrange a conversation, please contact The Heritage Alliance Hannah Shimko, Head of Policy and Communications - policy@theheritagealliance.org.uk, 020 7233 0700

[The Heritage Alliance](#) is England's coalition of independent heritage interests. We unite more than 140 organisations which together have over seven million members, volunteers, trustees and staff. We sit, alongside DEFRA, on the [Government's Heritage Council](#). The Alliance is represented on DEFRA's Rural Development Programme Monitoring Committee, Environmental Land Management Engagement Group, and The Stakeholder Group for the Environment Bill. The Heritage Alliance's specialist Marine Heritage Advocacy Group has produced this paper, members of this group include the National Trust, ALGAO, the Association of Heritage Engineers, the Institute of Conservation, the Honor Frost Foundation, the Joint Nautical Archaeology Policy Committee, the Maritime Archaeology Sea Trust, the Nautical Archaeology Society, The Transport Trust and Wessex Archaeology. Most of England's historic environment is owned, managed or cared for by Heritage Alliance members.