

Annex A

**PARTIAL REGULATORY IMPACT ASSESSMENT ON THE
PROPOSED FOYLE AREA AND CARLINGFORD AREA
(TAGGING AND LOGBOOK) (AMENDMENT) REGULATIONS
2015**



1.0 Title of proposal

Foyle Area and Carlingford Area (Tagging and Logbook) (Amendment) Regulations 2015

2.0 Purpose and intended effect

Objectives

The objective of this impact assessment is to inform policy on the proposed Regulations which will:-

1. Amend the Foyle Area and Carlingford Area (Tagging and Logbook) Regulations 2001.
2. Reduce the maximum number of tags available for the entire season for game fishing rod and line licences from 25 to 10.
3. Reduce the total number of tags available for game fishing rod and line licences (excluding 3 day licences) from the period of the 1st January to the 31st May from 5 tags to 2 tags.
4. Reduce the total number of tags available for game fishing rod and line licences (excluding 3 day licences) from the period of the 1st June to the 31st October from 20 tags to 8 tags.

3.0 Background

The Loughs Agency holds the management, conservation, protection, improvement and development of the inland fisheries of the Foyle and

Carlingford areas as vital in fulfilling its aims and objectives as set out in the North/South Co-operation (Implementation Bodies) (NI) Order 1999, the British-Irish Agreement Act 1999, the Foyle Fisheries Act (NI) 1952 (as amended) and the Foyle Fisheries Act 1952 (as amended). The Loughs Agency has the power to enforce provisions of the Foyle Fisheries Act (Northern Ireland) 1952 and the Foyle Fisheries Act 1952 and to pursue convictions on those people found in violation of the provisions of the aforementioned Acts as well as Regulations which have been introduced by the Agency under the 1952 Acts. These Acts give the Loughs Agency the power introduce regulations for the management, conservation, protection and improvement of the fisheries of the Foyle Area and the Carlingford Area.

The Foyle Area and Carlingford Area (Tagging and Logbook) (Amendment) Regulations 2007 introduced limits on the number of tags which the Loughs Agency is able to issue. These regulations allowed for 5 tags to be issued for game fishing rod and line licences (excluding 3 day licences) from the 1st January to the 31st May and for 20 tags to be issued for game fishing rod and line licences (excluding 3 day licences) from the 1st June to the 31st October. Tagging was introduced to limit the number of fish which anglers were permitted to take and thus help the conservation and protection of salmon and sea trout whilst allowing anglers the opportunity to continue their pastime and still take a number of fish throughout the season. The Foyle Area and Carlingford Area (Tagging and Logbook) (Amendment) Regulations 2007 which amended the Foyle Area and Carlingford Area (Tagging and Logbook) Regulations 2001 introduced this into the Foyle and Carlingford areas.

4.0 Rationale for regulatory intervention

The populations of Atlantic salmon and sea trout have declined significantly from their position a number of years ago. These biologically and economically valuable species are an important part of the ecological landscape of the Foyle and Carlingford areas and are thus in need of stringent conservation and protection mechanisms to ensure their future sustainability and viability. Fish taken by anglers is one of a number of reasons identified as having an impact on fish numbers and is therefore one area which may be regulated so as to improve protection for fish.

The Foyle Area and Carlingford Area (Tagging and Logbook) (Amendment) Regulations 2007 which amended the Foyle Area and Carlingford Area (Tagging and Logbook) Regulations 2001 set the maximum allocation for tags at 25 in total for the season. However changing biological conditions have made the existing system which these regulations introduced no longer viable in the protection and conservation of fish species. It is the Loughs Agency's view that it is necessary to amend the existing system for tagging to adapt to the changing ecological factors which have seen a reduction in overall fish populations.

5.0 Consultation

Within government

Government Departments will be routinely consulted as part of the public consultation exercise.

Public consultation

A public consultation exercise with stakeholders will be undertaken. The proposed regulation has been screened for equality implications and there are no equality issues for any of the groups highlighted in section 75 of the Northern Ireland Act 1998.

6.0 Options

Option 1: Do nothing.

Option 2: Make catch and release

Option 3: Reduce maximum number of tags to between 25 and 10

Option 4: Reduce maximum number of tags to less than 10 in total

Option 5: Reduce maximum number of tags to 10 in total

Option (1) - Do nothing.

This option would require no action on behalf of the Loughs Agency. This would result in the current regime of a maximum of 25 tags being allowed to continue. The result of this would be to enable and encourage anglers to retain much larger numbers of fish than what is proposed. This would have a negative impact on the number of fish present in the system and would endanger to long term sustainability of fish stocks in the area. Therefore it is not a viable option.

Option (2) – Make catch and release

Making the Foyle and Carlingford area completely catch and release would prevent any Atlantic salmon or sea trout from being taken and retained. This would result in a boost in numbers of fish as it would prevent them from being

taken from the system, thus preventing them from spawning and increasing the overall population. Whilst this would be beneficial for the conservation and protection of salmon and sea trout, this would also remove a major part of angling. Without the ability to retain fish people would be less likely to partake in angling activities, reducing the number of anglers in total. This would result many of the benefits anglers bring to the local area being lost. In addition to helping to report instances of poaching and illegal fishing, anglers also contribute to the local economy. By introducing regulations which would reduce the number of anglers this would have a negative impact on the local economy. In addition, the Loughs Agency has a role in promoting the growth and development of tourism. By not allowing any fish to be taken this may reduce the Foyle and Carlingford areas' competitiveness on an international scale. Therefore this is not a viable option.

Option (3) – Reduce maximum number of tags to between 25 and 10

By reducing the number of tags available, this option would decrease the number of salmon and sea trout which can be taken in a season. This would increase the total number of salmon and sea trout available to spawn and reproduce. However this reduction is not sufficient enough to have the desired effect of significantly improving the sustainability of salmon and sea trout stocks. A further reduction in the number of tags allocated would be necessary and therefore this option would be rejected.

Option (4) – Reduce maximum number of tags to less than 10 in total

Reducing the number of tags available for a season to below 10 would have a positive effect on the number salmon and sea trout in the Foyle and Carlingford areas as fewer would be taken and more would be available to spawn. However a reduction in tags by this magnitude would represent a

major issue for local anglers who wish to continue taking salmon and sea trout. Whilst a reduction to this approximate number of tags would be beneficial from a conservation and protection viewpoint, it would not be beneficial to the Loughs Agency's goals of promoting angling and tourism in the area. Therefore this option must be rejected in keeping with the wishes of anglers.

Option (5) – Reduce maximum number of tags to 10 in total

This is the most viable option available. It balances the conservation and protection aims and objectives of the Loughs Agency with its angling development purposes. It will help introduce significant improvements in salmon and sea trout populations whilst retaining the possibility for anglers to take fish.

7.0 Costs

There will be no cost to the agency.

There will be no cost to small businesses.

8.0 Sectors and groups affected

The proposed Regulations have been screened for equality implications and there are no equality issues for any of the section 75 groups as specified in the Northern Ireland Act 1998; however these groups will be included in the consultation process.

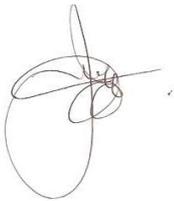
9.0 Summary and recommendation

To introduce the regulations as proposed.

10.0 Declaration and publication

I have read the Regulatory Impact Assessment and I am satisfied that the benefits justify the costs.

Signed

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Date

1st January 2015