

A FAIR ASSESSMENT

FUNDING FISHERIES IMPROVEMENTS AND DEVELOPMENTS
THROUGH CONTRIBUTIONS FROM OWNERS AND OCCUPIERS

A DISCUSSION DOCUMENT



NRA

National Rivers Authority

Guardians of
the Water Environment

ENVIRONMENT AGENCY



099486

INTRODUCTION

Many fisheries in England and Wales are currently rated by Local Authorities. Money raised in this way goes towards the provision of local services but not necessarily to the benefit of fisheries. The National Rivers Authority believes that money raised from fisheries owners and occupiers should be spent directly on fisheries work and is proposing a scheme for this purpose. It would also include those fisheries which at present are not included in the rating system.

The NRA is able to raise money from fisheries owners and occupiers as a contribution to the cost of its fisheries activities. The introduction of an NRA scheme for this purpose would not result in double charging because those paying contributions to the NRA would cease to be liable for the payment of Local Authority rates levied on fishing rights.

The purpose of this document is:

- to explain why the NRA is proposing to seek contributions through a new scheme to enable it to improve and develop fisheries
- to describe a number of broad options for assessing contributions from owners and occupiers of fisheries
- to provide examples of fisheries improvements and developments which would be funded by these fisheries contributions
- to seek the views of those who would be affected by such contributions on the preferred basis for assessment

The NRA expects to develop and refine a single basis for levying fisheries contributions following consideration of responses to this discussion document. A further period of public consultation will follow before a Fisheries Contributions Scheme is finalised.

WHY INTRODUCE FISHERIES CONTRIBUTIONS?

At present the funding for the fisheries work carried out by the NRA is obtained from angling licences, commercial fishing licences and Grant-in-Aid from Government. The total estimated expenditure in 1992/93 is almost £24m and needs to increase to about £28m in 1993/94. While this funding enables the NRA to undertake a considerable amount of fisheries work the NRA needs to enhance its ability to improve and develop fisheries.

Contributions from owners and occupiers of fisheries would provide specific income for a programme of work and the provision of facilities in addition to those currently provided by the NRA.

The amount of additional income required annually by 1995/96 to fund the necessary works is estimated at around £9m. In recognition of the fact that fisheries owners currently benefit from the Grant-in-Aid component of fisheries expenditure the NRA is required to offset one third of the new income against Grant-in-Aid.

Funding obtained from fisheries contributions would enable the following benefits to be achieved:

- Development of a programme for fisheries improvement and development.
- Strengthening of the basis of fisheries finance by opening up a new income stream that will fund a range of fisheries services for which there is currently insufficient funding available.
- Fairer allocation of the costs of fisheries services to those who benefit from them.
- Replacement of current payments to Local Authorities by fisheries owners and occupiers by a new payment to the NRA for which specific fisheries benefits will be provided.
- Reduction in the dependency of the NRA's fisheries service upon Government Grant-in-Aid.

LEGAL BACKGROUND AND PROCEDURES

The 1991 Water Resources Act (Section 142) empowers the National Rivers Authority to apply to Ministers for an Order (or Orders) enabling it to obtain financial contributions from the owners and occupiers of fisheries within its area of jurisdiction in England, Wales and the Border Esk in Scotland.

An Order will contain details of the contributions scheme including the areas to which it relates, the method by which the contributions are to be determined, and the manner in which they are to be paid.

Any finance obtained under such an Order must be spent by the Authority in connection with its fisheries activities.

The procedure for obtaining an Order is contained in Section 115 of the Water Resources Act 1991 and requires any Order made by Ministers at the invitation of the NRA to be approved by Parliament.

Prior to this, a draft Order must be published and would be open for public representation.

Fisheries owners and occupiers subject to a Section 142 Order who made financial contributions to the NRA would be exempt from rates imposed by Local Authorities on their fisheries.

HOW WILL THE MONEY BE USED FOR IMPROVEMENT AND DEVELOPMENT?

The programme of fisheries work funded by the extra monies from Section 142 contributions would be explained to and discussed with fisheries owners and occupiers and other interested parties.

It is likely that most improvement schemes will involve one or a combination of protection, mitigation and enhancement measures. Further details of examples given in Box 1 are discussed below.

IMPROVEMENT AND RESTORATION

Suitability of habitat is a major influence on fish stocks and is an area where there is substantial potential for improvement.

1 EXAMPLES OF POTENTIAL FISHERIES IMPROVEMENTS AND DEVELOPMENTS

HABITATS

Restoration of damaged habitats
River channel improvements
Spawning area improvement/provision
Creation of sanctuary areas
Stillwater creation
Provision of riparian buffer zones

FACILITIES

Provision of better access to spawning, nursery and holding areas for coarse and game fish
Construction of exclusion screens/deterrent devices

ENFORCEMENT

Up-to-date surveillance equipment
Improved intelligence network

MONITORING

Provision of traps, counters, telemetry and tracking equipment

SERVICES

Advisory services
Equipment loan schemes
Freephone Information and Incident Reporting systems
Management workshops
Newsletters/information packs

ENVIRONMENTAL

Modification of water chemistry – eg. liming, oxygenation
Water quantity augmentation – increasing compensation flows, creation of compensation water banks

FISH CULTURE/RESTOCKING

Rearing of genetically specific stocks
Provision of stock holding facilities
Provision of fish transport

4 THE FISHERIES FUNCTION OF THE NRA

A STRATEGY FOR FISHERIES

As guardians of the water environment, the NRA will strive to maintain and develop conditions in which fish populations can thrive. The preservation, improvement and rehabilitation of this valuable resource will depend on a management strategy which achieves a balance between the sustained development of recreational and commercial fishing and the conservation of fish populations. The value of fisheries in the assessment of the overall health of rivers will be explained so that the public can judge the effectiveness of the NRA's fulfilment of its duties to protect the water environment.

AIMS

To maintain, improve and develop fisheries.

OBJECTIVES

- Protect and conserve salmon, trout, freshwater, eel and, where appropriate, coastal fisheries;
- Regulate fisheries through the enforcement of a consistent series of licences, Orders, byelaws and consents;
- Monitor the fisheries status of rivers and inland, estuary and, where appropriate, coastal waters;
- Formulate policies to maintain, improve and develop fisheries and restore and rehabilitate damaged fisheries;
- Provide a fisheries service which is responsive to the needs of the public and which is based on a sound charging system.

CURRENT RATING PRACTICES

Monies currently raised from the rating of fishing rights, in common with other rates, pass directly into the general fund for Local Authority expenditure rather than being specifically for fisheries works.

Owners and occupiers of fisheries who in the future pay contributions to the NRA under Section 142 would no longer have to pay fisheries rates to their Local Authority – a part of the Local Government Finance Act 1988 was designed to ensure that no fishery would be charged twice when the NRA exercised its powers to levy contributions on owners and occupiers.

This does not mean that Local Authority fisheries rates will simply pass straight to the NRA. The NRA is determined that a new system of levying contributions will be developed through open discussion and public consultation and have the general support of fisheries owners and occupiers.

Monies raised through Section 142 contributions would be spent directly by the NRA on fisheries works, and those contributing monies would be able to see direct benefits to fisheries.



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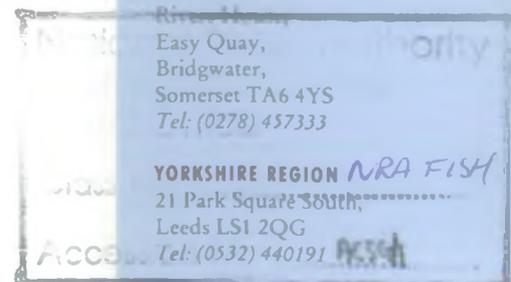
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Historically, a number of rivers have been damaged by insensitive dredging operations and the opportunity now exists not only for restoration work to take place, eg. installation of instream features, but also for creation of specialised habitats such as marginal berms, fish refuges, connection of adjacent gravel pits to rivers. Riparian owners would have the opportunity in conjunction with the NRA to contribute significantly to improvement initiatives, for example by provision of buffer zones adjacent to rivers and the creation of water meadows.

PROTECTION AND MONITORING

Increased access to spawning, nursery and holding areas for salmonids, coarse fish and eels should allow improved spawning and survival, opening up new waters and at the same time creating more opportunities for anglers.

Protecting these resources will continue to receive particular emphasis to ensure exploitation is controlled. Up-to-date equipment and well trained staff will be essential to achieve this.

Monitoring of the fisheries resource provides valuable data to assess long term trends on catches, exploitation rates, recruitment success and factors influencing fishery status. This type of information is necessary for effective management of fisheries and is an area which will receive increased attention.

MITIGATION AND IMPROVEMENT

Water quality and quantity are major influences on fish abundance. Measures such as liming to counteract acidified water and oxygenation systems to raise areas of low dissolved oxygen can be extremely beneficial. Appropriately timed increases in compensation flows from reservoirs and water transfer schemes would enhance runs of salmon and sea trout, improve river and estuary water quality and provide improved in-channel conditions directly beneficial to fisheries.

BENEFITS FOR ENCLOSED WATERS

Improvements to stillwaters would be in the form of a range of advisory facilities, from how to improve catches eg. reef creation, to general improvements in management of fisheries eg. planting of vegetation, stocking rates. To aid this management the NRA could introduce an equipment loan scheme to allow owners and tenants to manage their resources much more effectively. This would be backed up with assistance and advice, the production of advisory booklets and newsletters. Funding for collaborative projects for restoration and development of ponds and lakes would be considered.

While examples are given above and in Box 1, the NRA would welcome your ideas on other possible improvements and developments. These could include similar examples to those mentioned but need not be confined to the provision of physical 'capital' assets, ie. service improvements should also be considered.

It is essential that improvements and developments undertaken by the NRA from contributions must provide:

- value for money
- viable and ecologically sound developments
- significant fisheries benefits



▲ A RECENTLY CREATED OFF-RIVER FISH REFUGE

NIGHT FISHERIES PATROL ▼



▼ COARSE FISHERY IMPROVEMENT GROYNES



ON WHAT BASIS COULD CONTRIBUTIONS BE ASSESSED?

The NRA believes that fishery owners and occupiers will expect a system which is based on the needs of fisheries. It believes that the system should be fair and easy to understand, should take into account the fisheries service provided and should ensure that there will be no double payment to Local Authorities and the NRA.

The contribution would be payable annually and would transfer with changes of owner or occupier.

Charges would apply to rivers, streams, canals and stillwaters and would be used to help fund fisheries improvement and development work.

There are a number of ways in which a contribution could be assessed. Some possible options are described below. Open discussion and consultation will help the NRA in choosing the most appropriate system.

2 KEY POINTS

PRINCIPLES

- For improvement and development of fisheries;
- Fairness;
- Easy to understand;
- No double payment

APPLICATION

- Rivers, streams, canals, stillwaters
- Annual
- Transferred on change of ownership

POSSIBLE OPTIONS

1. *Market Based:* Capital values of fishing, or Rental value of fishery
2. *General Charge:* • Based on fishery type - migratory, non-migratory salmonid, mixed, coarse. • Level of service - contribution to cost of improvement and development
3. *An assessment based on fishery characteristics:* Summer flow, length, area, water quality, fishery type, fish stock and service provided.

1. MARKET BASED ASSESSMENTS

Two methods of assessment are possible, one based on the capital value of the fishery and the other, similar to Local Authority rating systems, which is based on a fishery's rental value.

CAPITAL VALUES

These are based on the market value of the fishery and are subject to market forces. One drawback of this approach is that there are relatively few sales of fisheries so little information is available on which to base assessments for wide application.

RENTAL VALUES

Rental values are already used for Local Authority rating systems and are familiar and generally reflect the market price, type and quality of fishing. Much more information is available on rental values than on capital values as leases change hands more frequently than ownership.

The market based systems of assessment are established in practice and consequently are generally accepted and well understood, but the cost of producing and maintaining information on rental or capital values would be high and would reduce the amount of income available for effective fisheries work. The time needed to obtain the required information on which charges would be based would work against an early introduction of the scheme. Neither the capital nor rental values necessarily bears a close relationship to the fisheries service to be provided.

2. A GENERAL CHARGE FOR FISHERIES SERVICES

This would be a simple charge based on the fishery type (eg. migratory salmonid, non-migratory salmonid, mixed or coarse) and one which reflects the level of service provided. Fair allocation of charges could be ensured by applying a higher level of assessment to high quality migratory fisheries, a lower one to coarse fisheries and a yet lower one to stillwaters where the service provision is likely to be lower. An element which allowed for the dimensions of river and channel fisheries as well as their length could help to prevent similar charges being levied on dissimilar fisheries. The area of stillwaters could be a major consideration in assessing the charge.

Because of its simplicity the overheads would be moderate and it would be quick to implement.

3. AN ASSESSMENT BASED ON FISHERY CHARACTERISTICS

This method of assessment could take into account those features of a fishery which determine its quality, for example:

- *summer flow and/or fishery length*, which would characterise river fisheries or canals;
- *fishery area*, which would represent stillwaters;
- *water quality*, the range in quality from good to poor which is reflected by the abundance and diversity of fish;
- *fishery type*, the fish community (migratory or non-migratory salmonid, mixed or coarse) is adapted to different categories of river gradient, width and flow; and
- *fish stock*, an assessment of the abundance or weight of fish.

These features, together with a service factor reflecting the cost of the programme of new improvement and development work, would be combined to give an assessment which relates to the fisheries service to be provided.

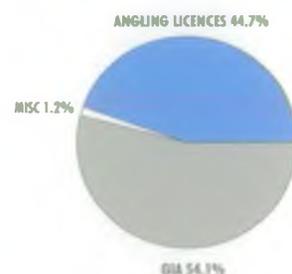
Such a system would relate spending to the contributions levied, it would have moderate overhead costs and would generate greatest income from the largest, most productive fisheries. There is clearly a requirement, however, for a substantial amount of information to be collected by the NRA, and the relative complexity of this approach might create difficulties in application.

3 CURRENT AND PROJECTED SOURCES OF INCOME FOR THE NRA FISHERIES SERVICE 1992/93 - 1995/96

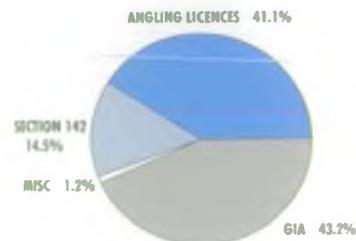
The NRA has estimated that a total income from fisheries contributions of £9m per year will be required by 1995/96. An income of £4m in 1993/94, £7m in 1994/95 rising to £9m in 1995/96 will permit the phased implementation of a programme of fisheries improvements and developments.

In recognition of the fact that riparian owners currently benefit from the Government Grant-in-Aid (GIA) component of fisheries expenditure (forecast £13m in 1992/93), the NRA is required to remit one third of monies raised through a Fisheries Contributions Scheme to offset Grant-in-Aid.

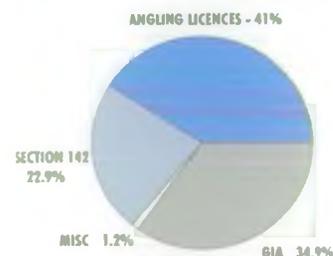
1992/93 • TOTAL £23.9m



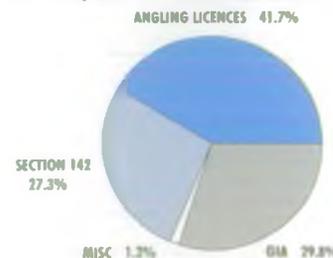
1993/94 • TOTAL £27.6m



1994/95 • TOTAL £30.6m



1995/96 • TOTAL £33.1m





▲ HABITAT IMPROVEMENT



RESISTIVITY FISH COUNTER ▼



▼ RECREATING A RIFFLE ON A COARSE FISH RIVER



THE NEXT STEPS

The purpose of this discussion document is to seek the views of those who would be expected to pay fisheries contributions as to the basis upon which those contributions should be levied. This document sets out what the NRA feels are the most practical options. The NRA does not have a preference for any one of these at present. New ideas would be welcome.

The views of those individuals and organisations that would be affected by fisheries levies are sought by 18 September 1992. The NRA will be holding meetings both regionally and nationally and will also seek the advice of its Regional Fisheries Advisory Committees. The NRA would also like to hear from individuals who feel they can advise.

Following consideration of responses to this discussion document, the NRA will develop in detail a basis for assessing fisheries contributions and will then seek additional views and comments on the detailed proposal through a further period of public consultation.

At this stage - when the basis for calculating contributions has been selected and developed - it will be possible to indicate the level of payments which are likely to apply. In any event the charge will be related to the service provided.

The NRA's final proposals will be widely advertised with an opportunity for the public to make representations. For these proposals to be put into effect an Order (or Orders) will need to be made by the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales. The Order or Orders must be approved by Parliament.

It is the NRA's intention that a system of levying contributions on owners of fisheries will be in place in 1993.

WHAT YOU SHOULD DO

The NRA wants to hear your views. It would be most helpful if you gave your thoughts to an organisation to which you belong so that they can represent the collective views of their members. If this is not possible we would be pleased to hear from you direct.

The closing date for comments is 18 September 1992.

Responses marked S.142 Discussion Document should be sent to:

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