

# Government response: Addressing concerns about Kent oyster farm

The MMO has been contacted by members of the public reporting concerns relating to the use of non-native oysters and the deployment of oyster trestles to the west of Whitstable Harbour which they feel may pose a risk to swimmers, sailors and navigators.

We understand the Whitstable Oyster Fishery Company (WOFC) have deployed Oyster trestles in this location since 2009 although it is alleged that the footprint and number of trestles has recently increased over a relatively short period of time.

The MMO considers safety to be of paramount importance. We are currently working with both the Maritime and Coastguard Agency and Trinity House, as the statutory experts in the safety of navigation, to investigate the issues raised. This includes making sure that all necessary precautions are being taken in the interim.

A site inspection has been conducted which identified that 14 special marker buoys have been deployed to provide a warning of the presence of the trestles.

Our work on this is still ongoing and further updates will be provided on the MMO website when available.

## **Farming of non-native shellfish**

The propagation of non-native species of shellfish is regulated by CEFAS. The MMO understands Whitstable Oyster Company has received such approval from them. Details can be found on the Cefas [public register of aquaculture production businesses in England and Wales](#) Queries about this aspect should be directed to Cefas in the first instance.

## **Relevant marine licensing legislation**

The deposit of an object or substance from a vehicle, vessel, aircraft or marine structure and or the construction of works in the UK marine area is a licensable activity under part 4 of the Marine and Coastal Access Act (MACAA) although the Marine Licensing (exempted activities) Order 2011 (as amended) ("the amended order") provides a number of exemptions removing the requirement to obtain a marine licence for some low risk activities where certain conditions are met.

In particular exemption 13 of the amended order covers the deposit and removal of any shellfish, trestle, cage, pole, rope, marker or line in the course of propagation and cultivation of shellfish when certain conditions are met.

Further information relating to exemptions can be found on the [Marine licence exempted activities](#) page.

Applicants are required to satisfy themselves that their proposed activities meet the terms of any exemption they intend to rely on. In the event that it is subsequently determined that an activity undertaken was not consistent with the activity described or not in accordance with the conditions contained in the relevant exemption, then enforcement action may be taken.