

# Transparency data: Deployment of oyster trestles to the west of Whitstable Harbour

In late 2016 the MMO was contacted by members of the public reporting concerns relating to the deployment of oyster trestles to the west of Whitstable Harbour.

Whilst it was understood that the Whitstable Oyster Fishery Company (WOFC) have deployed Oyster trestles in this location since 2009 the concerns were that the footprint and number of trestles had increased, over a relatively short period of time, in an area also used by swimmers, sailors and navigators.

In February 2017, in response to questions from members of the public the MMO [agreed to work with the Maritime and Coastguard Agency and Trinity House](#) to assess how oyster racks in the area may affect local navigation and safety.

Following an initial investigation by the MMO into the concerns raised, in July 2017, [independent experts commissioned by the Maritime and Coastguard Agency produced a report](#) looking at navigational risks in relation to oyster farm activity in the Whitstable area.

The report concluded that the farm's operations are acceptable as a low risk to marine navigation. It also recommended mitigation to reduce the risk even further, although acknowledging that the farm's owners have already adopted this in some instances.

[The MMO provided a further update on its investigation in February 2018](#) clarifying that after careful consideration it had concluded there was insufficient evidence to prove a criminal offence in relation to its remit under the Marine and Coastal Access Act 2009. This update went on to explain that the MMO considered the oyster farm's activities met the requirements of the exemption relating to shellfish propagation and cultivation under the Marine Licensing (Exempted Activities) Order 2011 as amended (Article 13).

In March 2018, the MMO received further contact from members of the public alleging the deployment of additional oyster trestles which they felt increased the risk to swimmers, sailors and navigators. Additional concerns also related to the propagation of non-native oysters.

The MMO can clarify that if the applicant seeks to expand the current site in future, it is likely that contact will need to be made with the MMO in order to ascertain whether a marine licence, or an additional exemption notification form, is required and the applicant has been advised accordingly. Any application for a marine licence would be consulted upon through the usual process and any notification in relation to an exemption will be placed on the public register.

The MMO is continuing to monitor the development and inspections are on-going.

## **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.

## **Propagation of non-native shellfish**

The MMO understands that WOFC has obtained approval from [Centre for Environment Fisheries and Aquaculture Science \(Cefas\)](#) for the propagation of non-native oysters. As the regulator responsible for propagation and cultivation of non-native species of shellfish, any queries and/or concerns about this specific matter should be directed to Cefas in the first instance.

---

## **[Notice: DY11 7RZ, Roxel \(UK Rocket Motors\) Limited: environmental permit issued](#)**

The Environment Agency publish surrenders that they issue under the Industrial Emissions Directive (IED).

This decision includes the partial surrender notice and decision document for:

- Operator name: Roxel (UK Rocket Motors) Limited
  - Installation name: Kidderminster Rockets
  - Permit number: EPR/BK2437IM/S003
- 

## **Notice: CB21 6GT, Heptares Therapeutics Limited environmental permit application advertisement**

The Environment Agency consults the public on certain applications for Radioactive Substances Activity. The arrangements are explained in its [Public Participation Statement](#)

These notices explain:

- what the application is about
- how to view the application documents
- when you need to comment by

The Environment Agency will decide:

- whether to grant or refuse the application
  - what conditions to include in the permit (if granted)
- 

## **News story: English fishing vessels sought for trials which may help to reduce discards**

The Marine Management Organisation (MMO) is looking for English fishing vessels working in the North Sea to take part in three trial schemes which may help to reduce discards and encourage more selective fishing behaviour.

Vessels taking part in the trials may be fitted with remote electronic monitoring (REM) equipment or be involved in trying out new gears and may be awarded additional quota in return.

The MMO has run fully documented fisheries (FDF) schemes, sometimes referred to as catch quota trials, [since 2011](#). As part of these schemes remote electronic monitoring (REM) equipment is fitted to vessels to encourage a

reduction in discards. In addition, REM has proven to be a useful tool for gathering scientific data. The MMO has collaborated with the Centre for the Environment, Fisheries and Aquaculture Sciences (Cefas) on exploring this use.

The MMO is [looking for English fishing vessels to apply](#) for two fully documented fisheries schemes in 2018:

1. North Sea Fully Documented Fisheries
2. North-East Nephrops Fully Documented Fisheries

The MMO is also looking for English vessels to take part in the North East Nephrops Net Selectivity trials which is looking to trial new gears which have the potential to be more selective.

## **North Sea Fully Documented Fisheries**

To take part the vessel must be English-registered and a member of a Producer Organisation. In return for taking part in this scheme, vessels will be able to access additional quota for North Sea cod and saithe. In addition scientific quota may be available.

[Vessels should apply to take part by 18 April 2018](#), but if unable to do so by the deadline should contact the MMO as soon as possible to express an interest.

The aims of the scheme in 2018 are to:

- Test the use of REM as a control and enforcement tool
- To monitor compliance with fisheries legislation
- Test new developments in REM technologies
- Trial the use of inter-species flexibility (ISF)

## **North-East Nephrops**

This is a new scheme for 2018. To take part vessels must be English-registered and work within the North East nephrops fishery. In return for participation in this scheme, vessels will be able to access additional quota for North Sea haddock and whiting. In addition, scientific quota for nephrops may be available.

[Vessels must apply to take part by 30 April 2018.](#)

The aims of this scheme are to:

- Test the use of REM as a control and enforcement tool within the nephrops fishery
- To monitor compliance with fisheries legislation
- Test new developments in REM technologies

## North-East Nephrops Net Selectivity trials

This is a new scheme for 2018. To take part vessels must be English-registered and work within the North East nephrops fishery. When applying for this scheme vessels are asked to propose how they might improve their gear selectivity and the methods they will use to do this. In return for participation in this scheme, vessels will be able to access additional quota for North Sea haddock and whiting.

[Vessels must apply to take part by 30 April 2018.](#)

The aims of this scheme are to:

- Trial the use of highly selective gear to reduce discards and catches of below Minimum Conservation Reference Size (MCRS) fish
- To document the effects of using highly selective gear in this fishery

For more information on the scheme email [ukcatchquota@defra.gov.uk](mailto:ukcatchquota@defra.gov.uk) or call 0300 123 1032. If you would like to take part but have issues meeting the stated deadlines please contact the MMO as soon as possible to express your interest.

[This blog post explains more](#) about how fully documented fisheries work in practice.

---

## [Guidance: North Sea Fully Documented Fishery \(FDF\) and North Sea Nephrops schemes](#)

The Fully Documented Fishery (FDF) schemes aim to reduce fish discards and encourage fishermen to fish more selectively. Vessels participating in either scheme are required to comply with the Landing Obligation and all fisheries regulations.

### North Sea FDF scheme

To apply for the North Sea FDF scheme you should refer to documents 1a) and 1b). You need to apply to take part by 18 April 2018.

### North East Nephrops FDF scheme

To apply for the North East Nephrops FDF scheme you should refer to documents 2a) and 2b). You need to apply to take part by 30 April 2018.

The documents give more information on the specific conditions of each scheme including:

- eligibility
- additional quota given to those boats taking part in the scheme
- rules on discards and undersize fish
- operation of the remote electronic monitoring (REM) system
- control and enforcement
- conditions placed on the vessel and people taking part
- data control and handling
- penalties
- other general conditions

## **North East Nephrops net selectivity trial**

Document 3 provides more information about the North East Nephrops net selectivity trials. To express an interest in taking part in this scheme please contact the MMO by email: [ukcatchquota@defra.gov.uk](mailto:ukcatchquota@defra.gov.uk) or call 0300 123 1032. Vessels must apply to take part by 30 April 2018.

If you would like to take part in the schemes but are unable to apply by the deadline please contact the MMO as soon as possible to express an interest.

Further information and reports on the results of the scheme are available in the [document collection](#).