



Llywodraeth Cymru
Welsh Government

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Welsh Government

Summary of the Review of Cockle Management in Wales 2012



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Overview

The vision of the Wales Fisheries Strategy published in 2008 is to support the development of viable and sustainable fisheries in Wales to safeguard fish stocks and the marine environment. The Deputy Minister for Agriculture, Food, Fisheries and European Programmes made an announcement on 27 March 2012 on his intention to review the management of intertidal fisheries in Wales during the Summer of 2012.

Fishing for cockles is embedded deep within the history and culture of coastal Wales. Humans have gathered cockles for food since Neolithic times; today a modern, multi-national industry has grown up around the processing and supply of cockles to markets in Wales, Europe and beyond. Cockles form the basis of a significant part of the activities of a number of professionals engaged full time in the shellfish industry, including gathering, cultivating, buying, processing, marketing or a combination of all these.

It is accepted that there is a 'public right' to fish for shellfish and sea fish along the foreshore. This right can be subject to regulations and can also be constrained by the use of legislation, including the Sea Fisheries (Shellfish) Act 1967 under which an Order in favour of a 'grantee' would confer the ability to regulate numbers participating in the fishery by way of a licensing scheme. Such an Order has been in place in the Burry Inlet since 1965 and another in the Dee Estuary since 2008, (in relation to both of these fisheries, the Environment Agency is the grantee and manager of the cockle fishery).

Other cockle fisheries in Wales, although substantial (in terms of area or duration) in some cases, are not regulated in the same way and, consequently, they tend to be fished in a 'boom and bust' manner, which has had a clear negative impact on local communities and the environment. Looking forward, therefore, it is imperative that the management of Welsh cockle fisheries maximises all the benefits that are to be obtained in a sustainable manner. Due to the nature of the industry and level of engagement with Local Authorities, a Multi Agency approach is now required. This is particularly important when considering the impacts on human consumption, the food chain and the introduction of Food Hygiene regulations.

Introduction

During 2012, the Welsh Government conducted a review of Cockle management in Wales, by way of a formal consultation exercise. The Consultation document, entitled "Review of Cockle Management in Wales 2012" set out the current situation and put forward proposals aimed at ensuring more effective management of those fisheries for a sustainable future that works with the needs of local communities. This document presents a summary of the responses received to this consultation.

Purpose of the consultation

The Welsh Government is aware that there is a need for better regulation of the Cockle Fisheries in Wales in order to ensure sustainability of cockle stock for the benefit of our ecosystem as well as the cockle gathering industry. This will be assisted by increasing the traceability of the source of the meat for food hygiene purposes and improving enforcement to reduce poaching.

The purpose of the consultation document, the "Review of Cockle Management in Wales 2012", was to seek views on the regulation and changes proposed.

Consultation Period and distribution

The consultation ran for a period of 12 weeks starting on 18 July 2012, and closing on 10 October 2012. The consultation was published on the Welsh Government website and a letter was distributed to over 2000 stakeholders notifying them of the consultation and inviting them to respond.

Responses

The Welsh Government would like to thank all those who responded to the consultation. All the responses were analysed and considered as part of the process of determining which measures will be implemented. In total there were 50 responses received to the consultation, primarily from individuals. A list of respondents is at Annex A. The table below shows the breakdown of responses.

Table 1: Responses received split by sector

Sector	Number of responses	Percentage of total respondents from each sector
Cockle gatherers	27	54%
Cockle Industry	4	8%
Organisations with Community Interest	9	18%
Other Organisation	10	20%
Total	50	100%

Consultation questions

- Q1 What is your involvement with the cockle fisheries in Wales?
- 1a I'm interested in or live near cockle fisheries.
 - 1b I sometimes gather cockles for my own/family/friends consumption.
 - 1c I gather cockles to sell when there is a local opportunity.
 - 1d I'm a commercial cockle gatherer and travel to where gathering opportunities exist.
 - 1e Other; please specify.
- Q2 Do you agree that there should be a differing regulatory approach based on the scale of a cockle fishery?
- Q3 Do you agree that there should be a multi-agency approach to the management of the fishery?
- Q4 Do you agree that there should be a register of all commercial cockle gathers who wish to fish in Wales, that they should be subject to a statutory bag and tag scheme, and that they should be required to return catch returns?
- Q5 Do you agree with the 'bags and tags' provisions for larger fisheries as a way of managing the traceability and to minimise the risk of illegal cockle entering the food chain?
- Q6 Do you agree that the Major cockle fisheries should have restrictive permit schemes?
- Q7 Do you agree with the basis of permit allocations?
- Q8 Are there any types of evidence that has been missed from the list?
- Q9 Do you agree that 20% of the fishing opportunity should be set aside for young entrants and do you agree with the allocation policy?
- Q10 Do you agree with the premise that a smaller number of permits should issue to ensure that those who fish can make a year round living from their activity and have a stake in the future of the fishery and are mindful of the needs of the communities affected by the fishery?
- Q11 Do you agree with allocations being made on the basis of a ranked list and that approximately 25 tonnes of cockle represents a reasonable personal income for a permit holder?
- Q12 Should an individual be able to hold more than 1 permit or licence allowing them to operate in more than one fishery?
- Q13 Do you agree that Welsh Ministers and other enforcement agencies should strengthen their powers to take action against producers that take cockle gathered illegally?

- Q14 Do you agree that 5kg should be the level of cockle taken per day per individual for personal consumption?
- Q15 Do you agree with the methodology set out in Annex 2 for the setting of the permit fee?
- Q16 If a proportion of the permit fee is set aside for community councils to improve the sustainability of the fishery, what measures could be funded from this amount of money?

Responses to each question

There were a total of 50 responses. The percentage (calculated by reference to the total number of responses) for each answer is stated under each question below. Where relevant, alongside some answers is a graph highlighting the percentage of respondents who gave a yes or no opinion.

Question 1 - What is your involvement with the cockle fisheries in Wales?

Responses to this question indicated that:

- 40% said "I'm interested in or live near cockle fisheries."
- 20% said "I sometimes gather cockles for my own/family/friends consumption"
- 22% said "I gather cockles to sell when there is a local opportunity"
- 36% said "I'm a commercial cockle gatherer and travel to where gathering opportunities exist" and
- 30% said "Other"

(Please note that many ticked more than one of the above categories.)

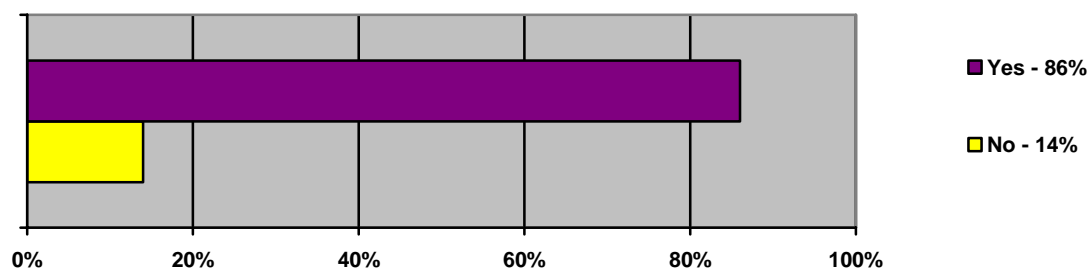
Question 2 - Do you agree that there should be a differing regulatory approach based on the scale of a cockle fishery?

As shown on the table below, on the whole the respondents agreed that there should be a differing regulatory approach based on the scale of a cockle fishery. Of the respondents who expressed a yes/no opinion to this question 86% agreed.

Responses received

Yes	66%
No	10%
No Comment	24%

Percentage of respondents who replied Yes or No



A large majority of Cockle gatherers agreed with the proposal. However, conversely many also agreed with the comment "All cockle beds should be managed as far as possible in the same way to ensure sustainability of industry."

Six of the seven Community Interest Organisations were in agreement and were very positive on this subject. The one Interest Organisation opposed to the proposal, stated *“We are strongly opposed to the use of a two tier regulating system and whilst we acknowledge that it may not be feasible to regulate every Fishery under an order invested in a grantee, we urge that any management system adopted be consistent at the very least with the requirements of the licensing regimes currently in place.”*

Every Industry respondent agreed with the proposal to a differing regulatory approach. One comment received read as follows *“The industry would welcome Welsh Government, to at last control these cockle beds as they are a very important source of product, to the industry and food source for the environment”*.

The Other Organisations which responded were also in agreement, with one opposing the proposal.

The positive comments received, included:

“We appreciate the recognition that a ‘one-size-fits-all-approach’ does not create effective management.... Thus reinforcing the view that a single approach may not be suitable..”

“..a long term management strategy should be developed to manage sites sustainably in line with an ecosystem based approach.”

“We would suggest that as consistent an approach as possible should be pursued to address high level sustainability ambitions, but the overriding requirement for regulation is fit for purpose, so the regulatory objectives and the most appropriate/efficient means of achieving them should guide the nature of the regulation employed. “

Other confidential respondents expressed concerns over cross border issues.

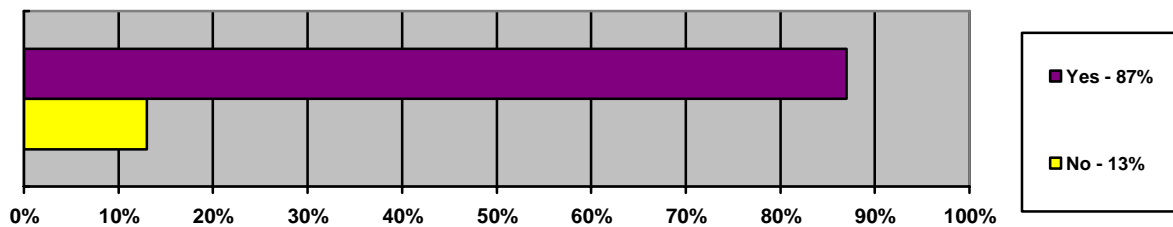
Question 3 - Do you agree that there should be a multi-agency approach to the management of the fishery?

The statistics below reflect that a multi-agency approach to the management of the fishery would be welcomed by the vast majority of the respondents to this consultation. Of the respondents that made a yes or no response, 87% agreed to this question.

Responses received

Yes	68%
No	10%
No Comment	22%

Percentage of respondents who replied Yes or No



The cockle gathering respondents were keen to see a multi-agency approach to management. One positive respondent agreed but felt that *“... the amount of multi-agency input usually creates problems of other sorts. I.e. Delays in opening beds, last minute changes by one or more parties, sudden requests for cash to park your vehicles. There has to be clear lines of communication.”*

Another respondent said *“Yes, provided that local community councils and TREAG should be more in the loop ..”*

One sceptical cockle gatherer stated there should be a *“One stop shop.”*

The Industry respondents were mixed in their opinion of this proposal. A comment received on the subject stated *“...a real time decision needs to be made, by the time a meeting is called and all gather together the problem may have got worse and may have caused permanent damage when a simple fix would have solved the problem”*

Of the Community Interest Organisations, most agreed with the proposals and none were opposed to a multi-agency approach. Some felt that an approach of this nature *“...is essential”,* but *“.. must be transparent”* and have *“...emphasis on clarity”* and *“..a communication strategy”*.

Again, we received no opposition to the proposal from the other organisations which responded. Comments from those organisations included:

“..the new Natural Resources Body for Wales will help to encourage a more joined-up approach.”

“Strategic co-ordination will increase clarity to the industry and stakeholders, ensuring that enforcement and regulation can be undertaken in targeted manner.”

“..we would suggest that this is most beneficial with a clear plan of roles and responsibilities in addition to a clear and transparent view”

“liaison with local authorities is essential – can work together in respect of registration docs/enforcement“.

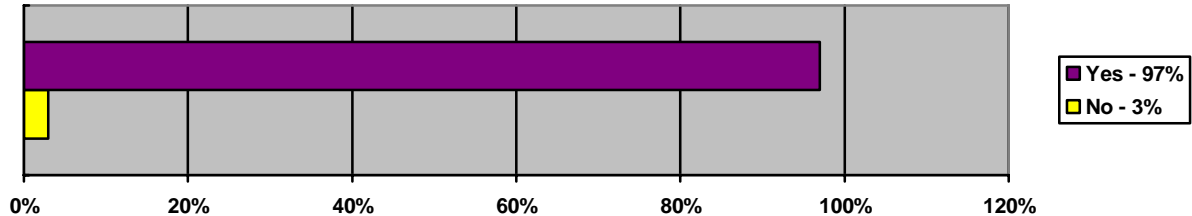
Question 4 - Do you agree that there should be a register of all commercial cockle gatherers who wish to fish in Wales, that they should be subject to a statutory bag and tag scheme, and that they should be required to return catch returns?

Taking into consideration each respondents view, it was accepted that there should be a register of all commercial cockle gatherers who wish to fish in Wales, and they should be subject to a statutory bag and tag scheme and catch returns. Of those that made a yes or no response to this question 97% agreed.

Responses received

Yes	72%
No	2%
No comment	26%

Percentage of respondents who replied Yes or No



No cockle gatherers opposed the proposal, although some did not comment, and the vast majority of cockle gatherers broadly agreed with the following comment *“It should be mandatory and only commercial fishermen with a track record should be on the list.”*

Community interest organisations also agreed this to be a positive proposal with none opposing. In particular one Community Interest Organisation added *“...on the proviso that the proposed register, bag and tag scheme and return of catch returns are stringently enforced by efficient monitoring processes and adequate trained enforcement staff both on the ground and in the office.”*

Although many of the respondents from Community Interest Organisations did not comment, those who did were all supportive of the proposal to introduce a register alongside a scheme which would encourage traceability and monitor sustainability. The industry respondents were of a mixed opinion while the majority were in favour, some were opposed and the following comment was received:

“Whilst the idea is admirable, there is an issue over allowing new entrants to participate in the fisheries. Bags and tags based on an annual TAC of 25t (an arbitrary number) would mean approx 1000 bags and tags per individual – is this practical?”

Comments from other organisations included the following;

“We support specific proposals relating to Traceability which includes registration of permit holders and the provision of bespoke receptacles for cockles (with the proviso that the use of tags and bags is accompanied by adequate registration documentation).”

“...Accountability and accurate information arising from such measures will underpin the successful management of any fishery”

Question 5 - Do you agree with the ‘bags and tags’ provisions for larger fisheries as a way of managing the traceability and to minimise the risk of illegal cockle entering the food chain?

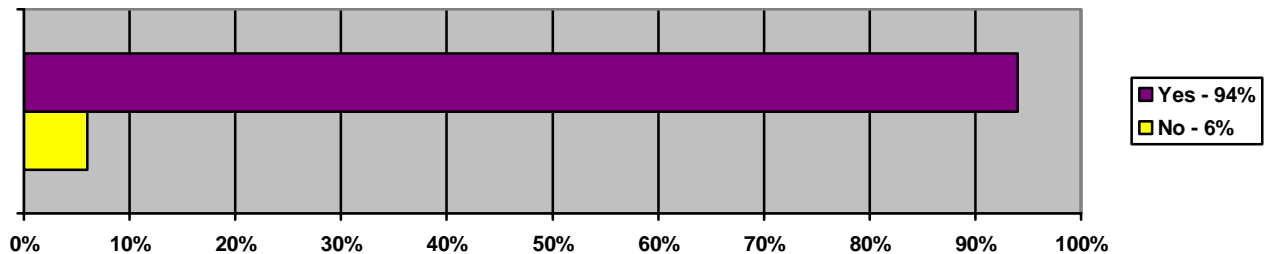
Many had no comment to the above question but the overwhelming majority agreed with the ‘bags and tags’ provisions for larger fisheries as a way of managing traceability and minimising risk of illegal cockles entering the food chain.

Of those that responded yes or no to this question 94% agreed.

Responses received

Yes	70%
No	4%
No Comment	26%

Percentage of respondents who replied Yes or No



The responses from cockle gatherers suggest that they welcome a ‘bag and tag’ scheme and one comment added “..this would go a long (way) to making sure that the legitimate fishermen can make a full time living”.

A large majority of the Community Interest organisations were also in favour of the proposal to address the issues of traceability and illegal cockles entering the food chain, saying “this is a step forward in the control of illegal gathering.”

Although generally accepted by the Industry respondents, comments were received as follows; “Its a good approach in one sense, providing of course the appropriate level of enforcement is applied.”. However one response from the industry stated “...if a processor stops taking the product then that problem would not exist.”

All other organisations that commented on the proposal as mentioned in question 5 supported the motion but added;

“1. The system of ‘Registration Documents’ accompanying shellfish movements should be tightened to increase traceability and assist the proposals in this consultation – consignment recipients should report consignment receipt back to the Food Authority.

2. The issue of multiple blank ‘Registration Documents’ to gatherers should cease.

3. *Why limit the bag & tag system only to the larger fisheries. Traceability & accountability is one of the issues being addressed here which is replicated in smaller fisheries.”*

“The ‘bags & tags’ provisions would serve to manage traceability as long as the administration of the system was robust and its processes and systems subject to regular audit and review to ensure that it was achieving its aims. We would suggest that such audit and review should be a mainstay of the annual review of management plans.”

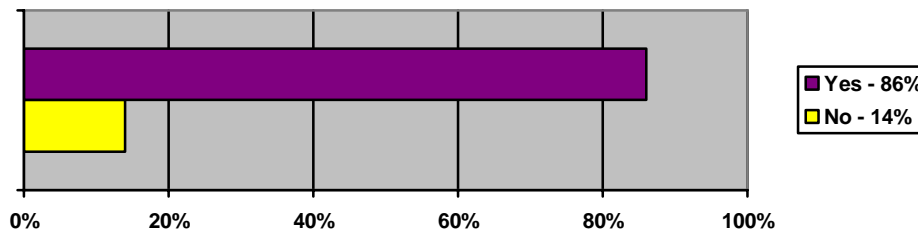
Question 6 - Do you agree that the Major cockle fisheries should have restrictive permit schemes?

60% of respondents were in favour of a restrictive permit scheme for major cockle fisheries, and of those that responded with a yes or no answer 86% gave their approval.

Responses received

Yes	60%
No	10%
No Comment	30%

Percentage of respondents who replied Yes or No



Data suggested that the cockle gatherers were strongly in favour of a restrictive permit scheme in major cockle fisheries. Although one commented that they “..Prefer Regulating Order”.

Two of the Community Interest organisations agreed with the following statement “We would favour a single regulatory approach to all fisheries, whereby all would operate under a single set of defined management terms. (This may operate under a licence or permit regime). This in turn would enable a uniform approach and a parallel level of governance over all Welsh Fisheries.”. However, one respondent stated “..The Council has reservations regarding the officer numbers available on the ground from a Welsh Government perspective to monitor and enforce such a permit scheme...”. Over all the Community interest organisations agreed with putting in place a restrictive permit scheme.

The Industry respondents agreed that there should be a restrictive Permit scheme. Although the following comments were made and noted;

“Not a permit scheme but a regulated fishery with a licence”

“This is not clear ...not adequately defined.”

Few of the other organisations commented on this proposal, but those who did were very positive saying that it would be “..essential for the sustainable management of major fisheries”. One organisation felt that “The permit should include photo ID”.

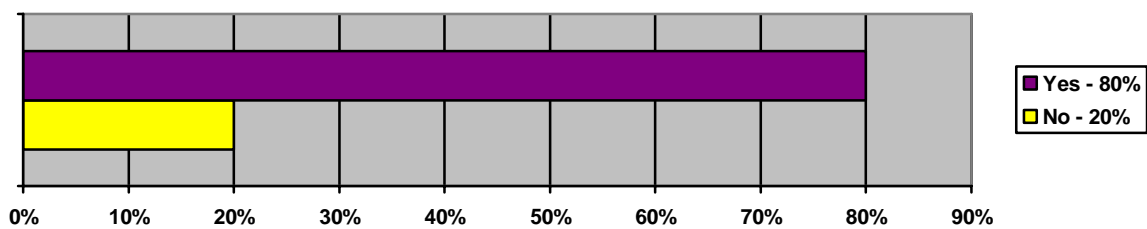
Question 7 - Do you agree with the basis of permit allocations?

The proposal for the basis of permit allocations was supported by 50% of respondents. Only 12% disagreed. Of those that expressed an opinion 80% agreed.

Responses received

Yes	50%
No	12%
No comment	38%

Percentage of respondents who replied Yes or No.



Cockle gatherers were largely supportive, but with various opinions on the allocation process, including the following comments;

“We would like to ask why evidence of material participation before 2009 would not be taken into account when applying for a permit.”

“Prefer licences”

“Yes but needs to be done fairly”

“No one person or party should be entitled to apply if they have been convicted or cautioned previously”

“... It must be made clear that the presentation of falsified criteria is an offence ...”

The Community Interest Organisations which responded all agreed the proposed basis of permit allocations. One commented *“Permits for locals – The definition of local must be addressed”*. Another said *“A citizen centred approach would be welcomed, and if feasible, the provision of a local Fishery for local people. We would also urge the consideration of previous offences in relation to gathering breaches.”*

All Industry respondents opposed the proposal, one suggesting a *“.. regulated fishery with licence.”* Another questioning the reference period suggested.

The limited responses from other organisations on this subject indicated that they are supportive of the proposal and had these comments to make;

“...it is essential that the allocation process does not result in locals feeling excluded from the fishery in favour of outsiders. “

“Some of suggested types of assessment information evidence are not particularly robust, being relatively difficult to verify, or easy to fabricate or not actually indicative of an established track record, e.g. business cards, headed paper or photographs. It is unclear why the period 2009 – 2011 was selected to establish a track record.”

Question 8 - Are there any types of evidence that has been missed from the list?

Some suggestions were received for any types of evidence that had been missed from the list of criteria for permit allocation. Examples of suggestions are as follows.

Suggestions from Cockle gatherers included;

“It is our opinion that the best forms of evidence to gain a permit are previous permits-catch returns and proof that tax has been paid as a fisherman.”

“Evidence should be supplied from the fishermen for their track record and not from the buyers...”

“The only way to show if a person is or has been a genuine s/e cockle picker in recent years, is one who can show accounts for previous years with most importantly tax paid on there self assessment tax returns, with expenses on equipment”

“Permit holders should have the necessary certificates like they have in north Wales issuing of permits should on ..history, i.e. how long has that person held a permit, has that person put catch returns into the fisheries and has that person paid tax as a fisherman...”

Some of the comments made by Community Interest organisations on the subject of types of evidence for permit allocation are as follows;

“The categories of evidence appear to represent a complex and potentially rigid system which is of concern.”

“... [we] welcome the approach to determining who receives permits as outlined in Annex 1...[We] would also welcome the introduction of the allocation of 20% of permits to young fishers, and also the need for other qualifying cocklers to be experienced fishers. It is imperative that fishers have a working knowledge of individual cockle beds for safety and sustainability reasons. Such knowledge is historically passed down to younger people wishing to join the industry by those already involved locally.”

Industry respondents added;

“... The consultation document recognises that a proportion of those currently engaged in cockle picking do not have sufficient regard for the long term sustainability of a fishery – however then the criteria applied to discriminate between the eligibility of those individuals for any restricted permits favours those who have a historical”

Comments from the other Organisations which responded include the following;

“...the GLA requirement for shellfish merchants to become licenced gangmasters together with the enhanced IFCA permit scheme and greater enforcement of EHS Registration documents has a major impact on reducing illegal cockling activity.”

“we think it would be useful if the legal requirements under EC Food Hygiene regulations in relation to shellfish could be included in the conditions for awarding a permit e.g. registration documents; registration as a food business operator(fbo); traceability and safety of products placed on the market etc”

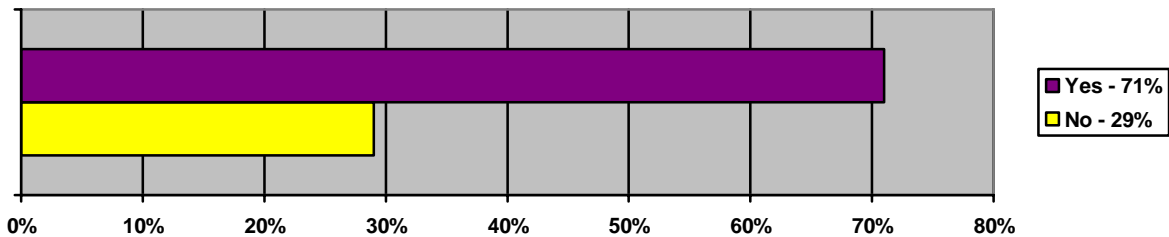
Question 9 - Do you agree that 20% of the fishing opportunity should be set aside for young entrants and do you agree with the allocation policy?

A 50% majority agreed that 20% of fishing opportunity should be set aside for young entrants and agreed with the allocation policy. Of those that made a yes or no response to this question 71% agreed.

Responses received

Yes	50%
No	20%
No Comment	30%

Percentage of respondents who replied Yes or No



Although 66% of cockle gatherers agreed with the proposal, many were sceptical of the details, believing that 20% was too high a percentage of the fishing to be set aside for a variety of reasons. Some also believed that the age range needed reviewing.

Some of the reasons for a lower percentage included the following “..Although we recognise it is necessary to have a mechanism which allows youngsters to enter the industry it is also important to realise that in some cases a young fisher may take the place of an already long-term fisher with financial responsibilities.”, “...you would not find 12 or more people under 21 who ...derive an income from picking ..”, “..I’ve been fishing for many years and not a lot of young people are coming into it, but we should leave a window open for young people who want to come to the industry.” “The definition of substantial proportion is ambiguous and needs clarifying..”

Three respondents suggested it should be around 10%. An apprenticeship scheme for young gatherers was also a popular suggestion.

The Community Interest organisations were largely in favour of ensuring young entrants were encouraged. The following comments were received;

“[We] would also welcome the introduction of the allocation of 20% of permits to young fishers, and also the need for other qualifying cocklers to be experienced fishers. It is imperative that fishers have a working knowledge of individual cockle beds for safety and sustainability reasons. Such knowledge is historically passed down to younger people wishing to join the industry by those already involved locally.”

“..this will help ensure the future sustainability of the scheme and the fisheries themselves.”, “Young fishers –. Encouraging young fishers would be a positive step towards promoting local ownership of the industry, and securing a more sustainable future for the cockle beds from an economic and environmental perspective.”

“Whilst we do not object to the principle to the reserving of 20% of the total TAC for young Fishers, we reserve judgement on the level of affordability of such permits.”

The Industry respondents again show their approval of provision for young entrants. However, one respondent felt it would be beneficial to set aside 10% fishermen aged 16-24 and 10% fishermen aged 24-26.

One disapproving respondent said *“Instead of setting aside for young persons an apprenticeship with patronage from an experienced gatherer to show him or her the right way to care for the fishery it is not a job its a way of life and that gatherer can take on the apprentice once time served he can get his or her own licence but new blood must be introduce so as older licensees give up new licences can be issued from a waiting list some people have been waiting years for a licence and it would be unfair not to issue the a licence not a permit ,but the patron can give his licence to the apprentice or share his quota until retirement if he has no apprentice then issue his licence to another”*

Most of the other organisations did not respond to this question. Of those who did respond, two were in favour of the proposal and one against. The majority abstained.

The following suggestions was received as to what provision there should be for young entrants:

“I agree with the principle so long as the percentage can be varied in future in light of experience.” And “We do agree that provision to encourage younger people to participate and seek to earn a living from fishing is laudable. Whether or not 20% is the right allocation is open for debate”

Question 10 - Do you agree with the premise that a smaller number of permits should issued to ensure that those who fish can make a year round living from their activity and have a stake in the future of the fishery and are mindful of the needs of the communities affected by the fishery?

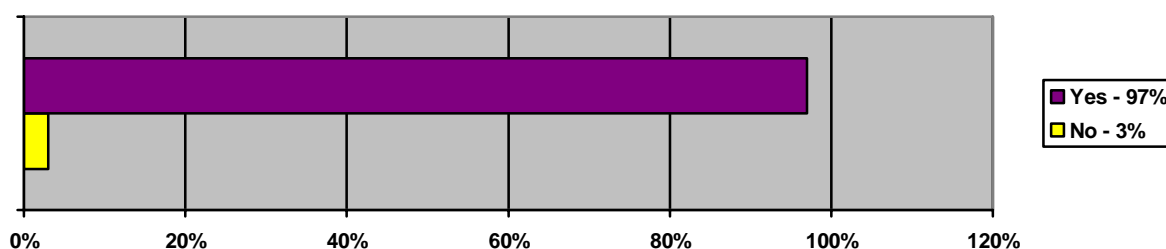
Over all, very few were opposed to the premise of a smaller number of permits being issued to ensure a year round living for gatherers and a stake in the future of the fishery and mindful of the needs of the communities affected by the fishery.

Of those that made a yes or no response to this question 97% agreed.

Responses received

Yes	66%
No	4%
No Comment	30%

Percentage of respondents who replied Yes or No



Out of 28 responses from cockle gatherers, only one opposed this proposal, thus agreeing with the comment that we *“must be mindful of local needs and conditions”*.

One Cockle gatherer commented *“The only fair way to issue permits is through a strict permit scheme (with a fee) and issue them to genuine gatherers who have no more than one licence or permit elsewhere and issue them to everybody who can prove they have made an income in the last few years as a cockle picker and can show tax paid through there self assessment returns”*.

Another said *“This depends on whether the individuals allocated new permits also travel to other parts of the UK. For example it would be totally incorrect to allocate permits to a current Burry Inlet gatherer on say the Three Rivers. This case scenario is not spreading the revenue from fishing but increasing the gross income of one individual”*.

None opposed this motion from the Community Interest Organisations, the Industry respondents or the Other Organisations. An unquestionable agreement to this proposal was therefore evident.

One organisation remarked *“... agree 100%.....top priority”*.

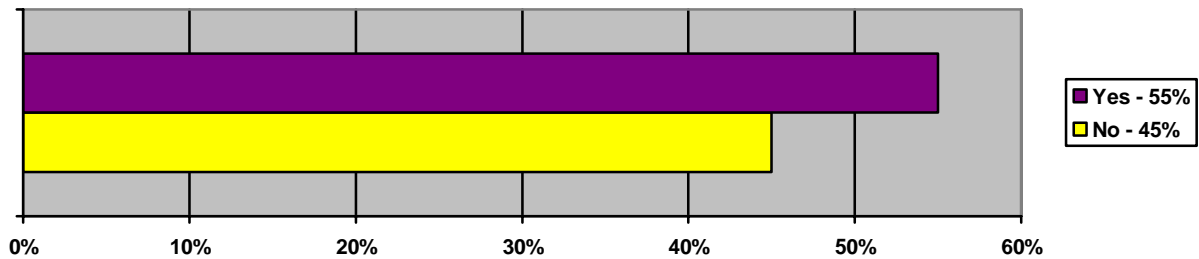
Question 11 - Do you agree with allocations being made on the basis of a ranked list and that approximately 25 tonnes of cockle represents a reasonable personal income for a permit holder?

The responses to this question have resulted in an inconclusive outcome. Of those that made a yes or no response to this question 55% agreed.

Responses received

Yes	34%
No	28%
No Comment	38%

Percentage of respondents who replied Yes or No



Cockle gatherers responses were marginally in favour of the ranked list and 25 tonnes as a reasonable income. However the subject was much debated.

Many agreed with the comment *“I do agree with a ranked list but 25 tonnes is not enough it should be 50 tonnes”* and *“To earn a decent living from year round fisheries would need to double this quantity”*.

One stated *“If one person taken 25 tonnes of cockles it could result in gross overfishing and very bad husbandry”*.

The Community Interest organisations and Industry respondents were divided on their opinions on the ranked list and reasonable personal income from cockles. With a mixture of comments including; *“The allocation system needs to be more open and flexible and should be based on considerations including area, price, availability and harvest potential.”* and

“At the current rate of £400 per ton of cockle, the proposed allocation of 25 tonnes equates to an approximate annual income of £8-10k, which is insufficient”

Two out of the three of the other organisations that chose to comment on this subject disagreed. One of their comments were *“We would advocate a system of a fixed number of permits based upon a calculation of reasonable income per permit on average historical TAC.”*, another confidential respondent was apprehensive of restrictive limits, and feared it would encourage illegal cockle gathering.

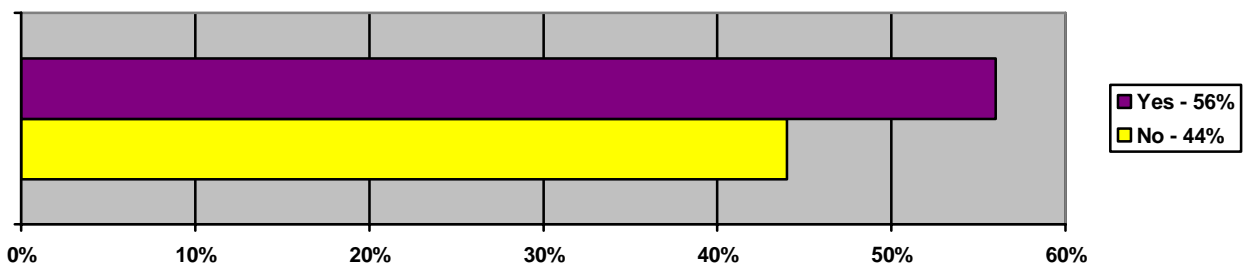
Question 12 - Should an individual be able to hold more than 1 permit or licence allowing them to operate in more than one fishery?

This issue was hotly debated with a majority of respondents who expressed an opinion marginally in favour (56%).

Responses received

Yes	38%
No	30%
No Comment	32%

Percentage of respondents who replied Yes or No



10 Cockle gatherers agreed the proposal but 11 opposed. The comments in favour were as follows;

“The resource and income needs to be shared”

“It is important to remember that not all cockle fisheries are open at the same time of year”

“Yes they should as you can’t make a living from just one I’ve fished for many years and have to fish different beaches to earn an all year round wage”

The opposing comments from cockle gatherers were conducive to permitting one licence only. One comment was *“Harder to keep track of movements and gathering”*.

The Industry respondents were also split, but most were in favour of the suggestion. One commented *“If WG are seeking to spread the benefits of the activity to the local community and trying to ensure that these occur at the widest scale, then allowing an individual to hold multiple permits will clearly undermine this”*, while another in favour of the motion said *“The advantage of this is that if one fishery is under performing, due to stocks or quality, the fishermen can fish in another fishery in the UK.*

All other organisations had no objections to the proposal and some suggested an all Wales scheme and one suggested *“multiple permits should be on qualification following application”*.

Question 13 - Do you agree that Welsh Ministers and other enforcement agencies should strengthen their powers to take action against producers that take cockle gathered illegally?

Respondents clearly agreed the motion that Welsh Ministers and other enforcement agencies should strengthen their powers to take action against producers that take cockles gathered illegally with a 66% majority. We received no objection to this proposal at all.

All of those that expressed an opinion agreed with this proposal. Nobody disagreed.

Responses received

Yes	66%
No	0%
No Comment	34%

All groups including Cockle gatherers, Industry, and all organisations that returned a response for this question, agreed whole heartedly with the proposal. Some of the comments received on this matter included;

One cockle gatherer said *“If no market allowed for poached cockles, it would get less poaching.”*

A Community Interest Organisation commented *“stronger powers and greater multi-agency enforcement action is urgently required to address the on-going high levels of illegal cockle fishing.”*

“Essential” said another organisation.

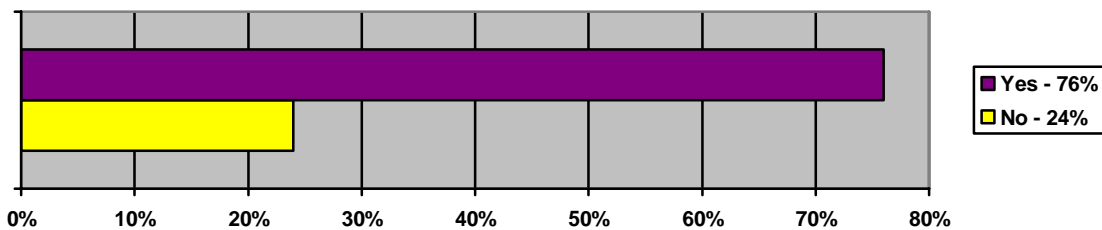
Question 14 -Do you agree that 5kg should be the level of cockle taken per day per individual for personal consumption?

A personal consumption level of 5Kg of cockle taken per day per individual was agreed by the greater part of respondents. Of those that chose to respond with a yes or no answer 76% agreed.

Responses received

Yes	52%
No	16%
No Comment	32%

Percentage of respondents who replied Yes or No



Clear agreement on the level of personal consumption was achieved from the cockle gatherers themselves with only a few opposed, saying

" If all and sundry picked this amount daily it will ruin the field with the way people take advantage...",

"1 Kg per person is enough" and "We must never take away the public right on the grounds of the cost or ease of enforcement."

Community Interest Organisations as well as Industry and all other Organisations were broadly in agreement that 5Kg is an acceptable level of cockles per day per individual for personal consumption.

Question 15 - Do you agree with the methodology set out in Annex 2 for the setting of the permit fee?

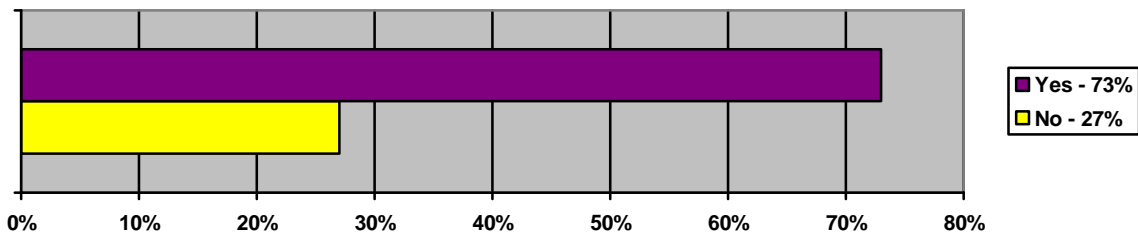
A 50 % of respondents approved of the methodology set out in Annex 2 of the consultation document for the setting of the permit fee. Ultimately respondents mostly agreed the methodology.

Of those that made a yes/no response to this question 73% agreed.

Responses received

Yes	50%
No	18%
No Comment	32%

Percentage of respondents who replied Yes or No



80% of those Cockle gatherers responding to this question confirmed their agreement with the permit fee setting methodology. However the accompanying comments were mixed as follows;

“...There should not be a permit fee but a landing fee.”

“I’m sure fishermen would pay for a permit if the fishery was policed well...”

“Permits should be free it is hard enough making a living as it is”

“Generally seems fair, would like to see perhaps a bigger initial buy in fee per gatherer “

“This seems a much fairer method than the one adopted for Dee applicants.”

A higher percentage of the Community Interest Organisations were in favour of the methodology, with little opposition.

The respondents from the Industry were fairly evenly divided for and against. Comments included:

“...the fee should be as per the fishery so a pro rata fee should be introduced the same on good years I don’t mind paying more if I earn more and vice versa...”

“...strongly support the principle that the fees should reflect the costs of managing the fishery..”

The vast majority of other organisations did not comment. A total of three organisations commented, with two opposed to the methodology. One suggested

“There must be some refund provisions included to account for bed closure eg following microbiological failure.”

Question 16 - *If a proportion of the permit fee is set aside for community councils to improve the sustainability of the fishery, what measures could be funded from this amount of money?*

Some suggestions were received by respondents on how a proportion of the permit fee set aside for community councils could be used to improve the sustainability of the fishery.

Many agreed that it would be beneficial that the funding could be used for

*“Proper slipways/access points for fishermen” and
“..a safe area to launch boats would be ideal to limit the trudging over meadow land/grass land areas; a fee to sustain a small jetty/slip for example would also benefit non-cockle gathering boat users who would wish to use it.”*

Other suggestions on how to use the set-aside funds were;

“Erection of bird hides for ornithologists” and

“..a small building to offer local historical information”

“...to improve the sustainability of the community through investment in infrastructure and tourism projects related to the fishery”

“To help subsidise younger local fishermen and fisherwomen to enter the industry.”

“to investigate the huge cockle mortality experienced over recent years”

Next Steps

These responses to the consultation will be considered by the Deputy Minister for Agriculture, Food, Fisheries and European Programmes. He will then decide which proposals should be implemented in the new regime.

Having taken on board all of the responses and the results of the review, the consultation has produced a clear mandate for the following requirements to be introduced:

- a) a revised cockle scheme in Wales;
- b) adopting a multi agency approach;
- c) an improved traceability system;
- d) a young entrants/apprentice scheme;
- e) greater regulation and restrictions should be applied and introduced, with strengthened powers to authorities;
- f) year round fishing, by way of a total allowable catch;

However it is apparent that further investigation is required where the results of this consultation exercise have been inconclusive. The proposals which were not supported conclusively are on the subject of the permit allocation process, nominal quantities allocated per licence and individuals being able to hold more than one permit or licence in more than one fishery. Consequently, those proposals will be re-considered and further proposals subject to a further consultation exercise before implementing a new regime.

Annex A

List of respondents*

Steve Bagley
Duncan Bamford
Alan Brill
Geraint Davies
Henry Evans
Shane David Evans
Shane Evans
Owen Harries
Gerald Howells
David Hutton
Glyn Hyndman
P E James
E N James
DH Kendall
Daniel Maclachlan
John Morgan
Joe Morrissey
John O'Connor
Byron Preston
Chris Thomas
E M Thomas
Carmarthenshire County Council
WSTAA
City and County of Swansea
Llansteffan & Llanybri Community Council
Gwynedd County Council
Pembrokeshire County Council
South & West Wales Fishing Communities Ltd
Burry Inlet Hand Gatherers Association
Blue Water shellfish supplies UK ltd
Environment Agency
RSPB
CCW
Swansea Bay Port Health Authority
Carmarthen Bay and Estuaries EMS relevant authorities group (RAG)
Dwr Cymru
Food Standard Agency
Selwyn Seafoods, Penclawdd

** The above do not include those who wish to be kept anonymous or confidential*