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Llywodraeth Cymru
Welsh Government

Welsh Government Consultation – summary of responses

Sustainable Management Measures for the Welsh Whelk Fishery

October 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

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1. BACKGROUND

The Welsh whelk fishery is subject to increasing pressure. The only current management measure is an EU Minimum Conservation Reference size (MCRS) (previously referred to as minimum landing size) of 45mm. This is inadequate to protect the stock and to ensure the long term sustainability of the fishery in Wales.

The purpose of this consultation was to seek industry views on a range of sustainable management measures for the whelk fishery. Agreed measures will be incorporated into a sustainable management plan for the Welsh whelk fishery and will enable Welsh Government to achieve the goal of a long term sustainably managed fishery. The management plan aims to increase economic benefits and to safeguard jobs with the wider consideration of safeguarding the marine environment.

2. CONSULTATION PERIOD AND DISTRIBUTION

The 12 week consultation commenced on 21 April 2017 with a closing date of 14 July 2017.

Persons who had an interest in the Welsh whelk fishery were invited to respond to the consultation, these included fishermen, processors and environmental groups.

Respondents were able to respond by using an online survey, email or by providing a written response form.

To support the consultation document a 14 page science evidence review report was also released, this provided additional evidence to inform stakeholders of the issues currently being faced by the Welsh whelk fishery.

A Response Form which consisted of 17 questions seeking stakeholder views on possible management options was also provided.

3. KEY CATEGORIES

To offer further clarification, the responses were grouped into key categories and are summarised below:

1	Commercial whelk fishermen
2	Commercial shellfishermen
3	Commercial fishermen
4	Recreational fishermen
5	Processors
6	Environmentalists
7	Other

4. RESPONSES

The Welsh Government would like to thank everyone who took the time to submit their views and respond to the consultation, all responses will be considered before a management plan is introduced.

A total of 89 responses were received from a diverse range of respondents who have an interest in the Welsh whelk fishery. These representatives, who were supportive of the proposed measures and showed a willingness to work with the Welsh Government to develop a management plan to protect and enhance the sustainability of the Welsh whelk fishery for the future. All responses received have been carefully recorded and where possible, a cross section of comments has been provided within this summary document.

5. CONSULTATION QUESTIONS

The consultation consisted of a total of 17 questions, the first of which established the respondent's interest in the Welsh whelk fishery.

The remaining questions sought opinion on the establishment of a flexible permit scheme and a number of possible conditions which could be included, should a permit scheme be implemented.

Question 17 allowed respondents to provide additional information/comment relating to all the preceding questions.

Question 1 - What is your interest in the whelk fishing industry in Wales?

Number of Responses by Category		
Category of respondent	Number of responses	% of Respondents from each Sector
Commercial Whelk fisherman	51	63
Commercial Fisherman	3	2
Commercial Shellfisherman	20	21
Recreational Fisherman	2	1
Environment / Conservation	6	7
Processor/Merchant	3	2
Other *	4	2

*These persons were not active fishermen/environmentalist; however, they were affiliated to fishing associations.

Question 2 - Do you support an increase in Minimum Conservation Reference Size (MCRS) from 45mm shell length to 65mm shell length?

Yes	%	No	%	Not answered	%
72	81	16	18	1	1

Comments from respondents who supported the proposal included:

1. Raising the minimum size ASAP is a must. The minimum is now 45mm. They don't reproduce until 58mm-76mm. What are we doing? Why has it been 45mm all these years?
2. I agree with the principle of increasing the minimum conservation reference size (mcrs) of whelks in Welsh Waters, however, any change to the existing mcrs of 45mm must be robustly evidenced and potential impacts carefully considered.
3. We strongly agree with the basis for this consultation. i.e. that the Welsh whelk fishery is subject to increasing pressure and the current EU MCRSZ of 45mm is inadequate to protect the stock and ensure long term sustainability of the fishery. At this stage, with the stocks of Welsh whelks potentially already seriously depleted, it is crucial that an increase in MCRS from 45mm is implemented as soon as possible for this population to begin recovery.

4. A 45mm whelk is a small whelk on most of the grounds we fish so we would have to back a landing size increase ourselves. However there are certain grounds that we avoid because the whelks become stunted e.g. harder ground with maybe a limited food source for them.

Comments from respondents who did not support the proposal included:

1. Increase size to 55 not 65

Other comments include:

We see this as the biggest management challenge for the Welsh Government, as there is a substantial evidence base which clearly demonstrates significant variability in the size of maturity amongst populations, some of which are in very close proximity to one another. Whilst we appreciate that a blanket increase might be considered for enforceability purposes, we are concerned that an increase to 65mm would appear to be quite a compromise given the high degree of variability around the coast.

Question 3 - Do you think an increase in MCRS should be a phased approach? For example over 2 or 3 years?

Yes	%	No	%	Not answered	%
67	74	13	15	9	10

Comments from respondents who supported the proposal included:

1. Subject to clarification in respect of Q.2, a phases approach to achieving the objective of an increased MCRS would minimise direct impacts to fishermen however, indirect impacts require full consideration
 - Some fishers have invested significantly in grading equipment to gradeout whelks below 45mm in length. Any increase in MCRS above 45mm phased or otherwise would incur costs to amend accordingly.
 - Potential displacement of activity into other Welsh pot fisheries, and
 - A full economic impact assessment of the introduction of an increase in MCRS will be necessary to understand individual and wider community impacts.
2. I would have to be a small increase over a long period at least 6-10 years or fishermen would suffer or even go out of business. Why minimum size when France works on a maximum size to keep a breeding stock? By introducing a minimum size you are cutting us off from a big market which is not a good idea. More work needs to be done to look at a maximum size not just jump in on a knee jerk reaction. The other big problem is there is no accurate way of measuring the whelks. We catch a lot of whelks that are over 45mm long but fall through the riddle, more work has to be done and the size should go on the width of the whelk not the length.
3. The whelk fishery is already under massive pressure and has been for a long time so it is vital changes are made as quickly as possibly to protect what is left.

Respondents who did not support the proposal did not provide additional comment.

Question 4 - If you have answered 'YES' to question 3, please state the period you think would be appropriate:

Whilst 74% of respondents support this proposal, the timescale for implementation varied from an immediate increase to having a phased increase over a number of years.

The following comments were submitted:

1. A phased approach that has been agreed with the fishing industry would ensure it is implemented properly and that fishers have time to adjust to it.
2. Over 2 years if the size was raised 50 to 55mm then up to 65mm. I think this would be good so fishermen won't have such a big financial hit. I think that 3 years is too long.
3. Start first year with increase from 5mm and a further 5mm the next year. As a fisherman in Carmarthen Bay, I'm not sure 65mm whelk size would force fishermen out of their livelihood as this area has never had large whelk in the 20 years I have fished there. The MCRS should be phased in over 2 years, this will allow fishermen the time to alter or purchase new riddling gear.
4. Because whelks are different sizes in different sea areas i.e. whelks off Cardiff only grow to 40mm
5. Subject to clarification in respect of Q.2, a phased approach to achieving the objective of an increased MCRS would minimise direct impacts to fishermen however, indirect impacts require full consideration.
 - Some fishers have invested significantly in grading equipment to grade out whelks below 45mm in length. Any increase in MCRS above 45mm phased or otherwise would incur costs to amend accordingly.
 - Potential displacement of activity into other Welsh pot fisheries, and
 - A full economic impact assessment of the introduction of an increase in MCRS will be necessary to understand individual and wider community impacts.
6. The whelk fishery is already under massive pressure and has been for a long time so it is vital changes are made as quickly as possible to protect what is left.

Question 5 - Do you support the introduction of a permit scheme for vessels fishing for whelks in Welsh Waters?

Yes	%	No	%	Not answered	%
83	94	3	3	3	3

Comments from respondents who supported the proposal included:

1. Flexible conditions are fundamental to a future adaptive regime.
2. An approach over one year would be appropriate.

3. I would support the introduction of a permit scheme for vessels fishing for whelks in Welsh waters, providing that a future permit scheme is adaptive and responds on a dynamic and changing marine environment whilst providing opportunities for future generations of new entrants in Wales.
4. Introduction of a permit scheme for the whelk fishery would help to limit further depletion of the Welsh whelk stocks, assuming that permitting is undertaken based on previous catch data for vessels already fishing whelks in Welsh waters. The number of permits should be limited to avoid overexploitation of the stock.
5. Yes to a permit scheme but what are Welsh Waters? If it just affects the inshore fishery. i.e. out to around 20 miles, then no. It just hits the smaller boats an easy target, the big English boats that fish in Cardigan Bay working thousands of posts are the ones that need to be stopped, so Welsh permits for Welsh boats out to the mid way line with Ireland, Devon and Cornwall is what is needed, it is not fair just to hit the smaller under 12mtr Welsh boats.
6. We would back a permit scheme especially a limited one as all UK fisheries where based on track record. E.g. scallop, white fish, shellfish etc.

Respondents who were did not support the proposal did not provide additional comment.

Question 6 - Do you support the introduction of flexible conditions to the permit which could be reviewed periodically? For example flexible catch allowances?

Yes	%	No	%	Not answered	%
60	67	20	23	9	10

Comments from respondents who supported the proposal included:

1. Flexible conditions are fundamental to a future adaptive regime.
2. We would support the introduction of flexible conditions to the permit which could be reviewed and adapted as and when additional information on the fishery becomes available.
3. Flexible conditions would be welcome to enable consideration of the most recent evidence and therefore ensure the most appropriate measures to limit the depletion of Welsh whelk stocks.
4. Yes, flexible conditions are fundamental to a future adaptive regime.
5. As more information is collected on the current stock of whelks, flexible conditions will allow for more appropriate management of the population. Any changes to permit conditions should be based on sound evidence and input from third parties.

Respondents who were we against this proposal did not provide additional comment.

Question 7 - Do you think that the number of permits should be limited?

Yes	%	No	%	Not answered	%
31	35	5	6	53	60

Comments from respondents who supported the proposal included:

1. Yes permits should be limited to Welsh boats out to the mid way line with Ireland on one side and Devon and Cornwall on the other side.
2. Limits on the number of permits will reduce the potential for exploitation of the whelk population. The limit should be based on historic data on whelk fishers to ensure that those who have historically fished whelks are given permits over those who are opportunistic.

Respondents who were against this proposal did not provide additional comment:

Question 8 - Do you consider 'Effort Control' to be an acceptable condition to apply to the permit?

Yes	%	No	%	Not answered	%
68	76	10	11	11	12

Comments from respondents who supported the proposal included:

1. Yes permits should be limited to Welsh boats out to the mid way line with Ireland on one side and Devon and Cornwall on the other side.
2. Limits on the number of permits will reduce the potential for exploitation of the whelk population. The limit should be based on historic data on whelk fishers to ensure that those who have historically fished whelks are given permits over those who are opportunistic.

Respondents who did not support the proposal did not provide additional comment.

Question 9 - Do you support a cap on the weight of whelks that can be landed per month?

Yes	%	No	%	Not answered	%
68	76	19	21	2	2

Comments from respondents who supported the proposal included:

1. I agree in principle to 'effort controls' within permit conditions. However, such conditions would need to be defined and evidence based. The methodology for

determining effort controls and their application would need to be fully reasoned, understood and assessed within an adaptive framework.

2. Limit the volume of whelks landed to 25t/month
3. I agree to a catch limit and would support landings restricted to 20 tonnes per month.
4. We believe that catch limitations are more likely to disincentivise the use of more pots than a pot limitation scheme and are therefore likely to result in a reduction of fishing pressure. Catch limitation schemes can develop more economic stability and encourage better management and stewardship of the fishery. This will hopefully result in increased catch limits over time, benefitting the individual fishermen engaged in the fishery. Daily catch limits should be avoided as they have the ability to impede the economic sustainability of fisheries during periods of poor weather. In months where vessels can only get to their pots a handful of times, this approach could be highly detrimental to businesses.
5. This will enable the total weight of whelks fished to be limited to ensure the stock is not over exploited

Comments from respondents who did not support this proposal included:

1. No to monthly quotas, this is a very bad move and will kill fishermen as they will push bad weather to get their monthly quota, a yearly quota could be considered with a lot more consultation with fishermen.
2. A cap on monthly landings could be disastrous with the even more unpredictable Irish sea weather. We don't think we could back a monthly landings limit without knowing more of its planned content.
3. Limit on monthly landings. I'm not sure you need this if a pot cap exists. And be wary a large companies with multiple boats can rotate them in to Welsh waters with no real reduction in effort. "They will do this".
4. Capping landings. An annual tonnage is a better workable system

Question 10 - Do you support a cap on the number of pots that can be fished?

Yes	%	No	%	Not answered	%
75	85	11	12	2	2

Comments from respondents who supported the proposal included:

1. Manage the number of pots per boat. e.g. cap at 500.
2. Cap on the number of pots a vessel can use a great idea. This will help curtail these large nomadic fishers. I cannot begin to imagine at what level you cap the numbers. Eastern I.F.C.A. cap at 500. I have enclosed a copy of their new permit but I am sure you have already seen it.

3. I agree in principle to the introduction of a cap on the number of pots that can be fished. How this form of effort control is determined at a vessel level must be evidence lead and the allocation methodology fully explained to fully assess the potential implications. Stock assessments would inform catch limits and thereby effort control
4. Although this measure would be difficult to enforce, we feel it is important to set the boundaries clearly to take all possible action to protect whelk stock in Wales. Old whelk pots also make up a significant proportion of fishery items stranded on beaches and needing to be cleared up and a cap may help reduce this.
5. But this is very difficult to monitor and enforce in practice.

Comments from respondents who did not support the proposal included:

1. No to number of pots, why if you give a yearly quota why limit the number of pots we can use to catch the quota? That doesn't make sense.
2. No. A limit on pots would have a big effect on us, we earn the most with a big effort for 4 months, at the end of the scallop season with more ground becoming available to fish. We could not back a pot limit.
3. Whilst we would support the need to consider a reduction of effort being exerted on this highly fragile fishery, we would not support of a pot limitation. Pot limitation schemes are very challenging to enforce, especially in a fishery where very little is currently known about the number of whelk pots currently in use. If pot limits are not set appropriately, pot limitation schemes can in fact incentivise fishermen to fish with more gear (i.e. if they see the limit as a target). There are also cost implications for both the industry and fisheries administrations for the setting up, administering and enforcing pot limitation schemes which cannot be ignored.

Question 11 - Do you consider 'Data Collection Requirements' to be an acceptable condition to apply to the permit?

Yes	%	No	%	Not answered	%
75	85	11	12	3	3

Comments from respondents who supported the proposal included:

1. Data collection will be a fundamental requirement to maintain an evidence lead harvesting strategy. Fishermen will need to understand the type of data to be collected, frequency and wherever possible technology utilised to automate data collection and reporting.
2. Yes to data collection, we do that now as we are under 12 mtr
3. In order to make effective decisions about fisheries, it is crucial to have a good quality, up to date information on the state of stocks. The proposal to include a 'data collection requirement' in permits present a way to ensure this information is

collected regularly and reliably by the very people who are most affected by the health of the fishery. We are therefore strongly in favour of including this requirement within licences and feel it is important that there is sufficient capacity within Welsh Government to collate and analyse this information in a robust and timely way. This will ensure that any declines in stocks can be identified before long term sustainability is affected.

4. We can see no problem including catch returns and effort to smaller boats it is already in place for larger boats who have to fill in a log.

Comments from respondents who did not support this proposal included:

1. Data collection is not necessary as the whelk factories/merchants already supply this information.

Question 12 - Do you consider a 'closed season' to be an appropriate management tool, particularly during the spawning season?

Yes	%	No	%	Not answered	%
68	77	20	22	1	1

77% of responses in favour of a 'closed season' were received from active whelk/commercial fishermen

Comments from respondents who supported the proposal included:

1. We fully support the proposal for a closed season for the whelk fishery during the spawning season to give the stock chance to recovery.
2. I Support a closed season during the spawning season from mid October through to end of January.
3. We would support a closed season for whelks in Wales between mid-October and mid-December each year, with the ability to move it if additional information on spawning was to become available. We would stress that this should be introduced on a compulsory basis as any breach of a voluntary closure has the potential to damage the reputation of the entire industry which is best avoided.
4. In principle, a Closed Season during spawning season has merit and should be considered careful, however, in South Wales our experience of whelk fishing through October to December suggests that spawning animals are not captured in 'baited pots' as they do not feed during the spawning period. Therefore the benefit of a closed season would be limited.
5. I support a closed season during the spawning season from mid October through to end of January.

Comments from respondents who did not support proposal included:

1. No to closed season during spawning season we do not catch whelks that are spawning as they are off the feed. You can't ask anyone not to work for two or three months a year, every boat is a small business with loans, overdrafts and mortgages, this would put some out of business. And if you bring in a closed season will you open another fishery for us. i.e. razor fishery?
2. We could not back a closed season especially for the breeding season, we have seen egg laying not start until well into January some seasons, a size increase would be more beneficial.
3. A closed season, I assume if you raise the minimum size over the reproductive lower size there would be much more brood stock retained on the ground during the spawning months. Therefore a closed season may not be necessary?
4. I totally disagree with closed season as this removes the opportunity for fishermen to earn a living to pay their bills for both their businesses and homes and will only force hardship on fishermen or displacement.

Question 13 - Do you support the use of escape holes?

Yes	%	No	%	Not answered	%
71	80	9	10	9	10

Comments from respondents who supported the proposal included:

1. I agree with the proposed use of 'escape holes' that allow juveniles to escape at the sea bed. Presumably escape holes would comprise modification of existing drainage holes to a larger dimension corresponding to and determined by the proposed increase in MCRS to whelks in Welsh waters.
2. We are strongly in favour of the use of escape holes in whelk pots.
3. Yes to escape holes but who covers the cost of gear replacement or re-rigging them.

Respondents against this proposal did not provide additional comment

Question 14 - Do you support that all whelks should be landed in fish boxes or net sacks weighing no more than 40kg each when full of whelks?

Yes	%	No	%	Not answered	%
29	33	13	14	47	53

Comments from respondents who supported the proposal included:

1. Landing whelks in 40kg bags should not be a problem to anyone so yes, we would back landing in 40kg bags.

2. Yes to smaller bags to land whelks in, but not boxes as they climb out of them, but again some boats are rigged for using 600 kilo bags, so not just a matter of changing over to small bags. - One of the big problems is measuring the whelks, the only reasonably accurate way is by width not length.

Comments from respondents who did not support the proposal included:

1. Weight is not as accurate a measure of whelks as individual size. As the Welsh Government evidence base document outlines, weight is a standardised approach used by fisheries managers to monitor the abundance of the species, rather than their individual maturity.

Other comments received:

1. Where fish boxes or netted sacks are the preferred method of landing there will not be an issue however, the following concerns would need careful consideration for the segment of the whelk fleet that utilise one tonne bags to store whelks on deck and land to port.
 - Cost would increase as additional crew would be necessary to safely bag and store whelks at sea.
 - Smaller netted sacks could introduce additional safety considerations, for example (a) increased manual lifting and stacking across a moving deck
 - Possible creation of a 'free surface affect' and resulting stability issues due to smaller sacks (stored) moving across deck in poor weather.

Question 15 - We have asked a number of specific questions. If you have any related issues which we have not specifically address, please use this space to report them.

This provided the opportunity to highlight issues which respondents felt had not been considered during the consultation process.

The following comments were provided:

I have the following additional points:

- Inshore vessel monitoring systems (VMS) would present an opportunity to manage whelk beds 'spatially' by the introduction of 'Geo-fencing' under an adaptive/flexible fisheries management regime. This innovative technology should be fully considered as a means by which to manage a challenging single species that has differing regional/local biological characteristics
- Economic impacts and the potential for displaced activity must be fully considered within the final recommendations for managing the whelk fishery.
- An adaptive fisheries management regime would be strengthened by the formation of an advisory group comprising, science, NRW, fishing representatives, fisheries managers and eNGO representation.
- and An advisory group would review evidence and agree recommendations consistent with an annual review of the fishery.

During a closed season where would pots be stored? Ports don't have storage areas. If left at sea they could get lost, so will the Welsh Government compensate for lost pots.

A 2 month closed season could turn into a 4 month closed season due to bad weather and this would be discriminatory to smaller boats and also increase the likelihood of losing pots. An increase in the minimum size to 5mm would completely destroy the whelk fishery in the Swansea/Gower area as 40% of the catch is between 45mm and 65mm (J Haig size at maturity report). Whelks mature at a smaller size in the Swansea/Gower area (J. Haig size at maturity report). How would you police a minimum landing size, as you would not be able to prove whether whelks were caught inside the 6 mile limit or outside it. Again this would be discriminatory to smaller boats.

Data collection is not necessary as the whelk factories/merchants already supply this information. A cap on the number of pots allowed to be fished and a monthly cap on the volume of whelks landed is the easiest way to police/control the fishery and could considerably reduce the amount of whelks landed. Which will do a lot more to help the whelk population.

MCRS should be set to 55mm (Q2). Mandatory use of riddle to suit that size (think width is 60% of length)

Each boat should not be allowed no more than 650 pots that's for all size vessel

I have the following additional points:

- * Inshore vessel monitoring systems (VMS) would present an opportunity to manage whelk beds 'spatially' by the introduction of 'Geo-fencing' under an adaptive/flexible fisheries management regime. This innovative technology should be fully considered as a means by which to manage a challenging single species that has differing regional/local biological characteristics.

- * Economic impacts and the potential for displaced activity must be fully considered within the final recommendations for managing the whelk fishery.

- * An adaptive fisheries management regime would be strengthened by the formation of an advisory group comprising, science, NRW, fishing representatives, fisheries managers and eNGO representation. and

- * An advisory group would review evidence and agree recommendations consistent with an annual review of the fishery.

A much more efficient form of effort control would better limited days at sea or with monthly catch limits would be easier to police.

I do however think that vessels which fish outside the 12 mile limit should make a declaration that they do so and fisheries should put some thought in here to avoid a rule breaker scenario where large vessels with better capacity can form a defense in court to breaching conservation measures put in place to protect the species for this and future generations.

I am totally against the issuing of quota or permits based on track record as this rewards the boats which did the most damage. The whelk fishery around the coast of Wales belongs to everyone not just those who catch them. Much better to allow access to a well regulated easily enforced fishery which can provide for this generation but without compromising the fishery or opportunity for the next generation.

We feel riddles should be enforced, allowing juvenile whelks to go back into the sea, alive and undamaged

Maximum amount of pots per boat 800. Size - try going from 45-50 then 55. There are areas in the Bristol Channel which have always contained smaller whelks. We have considered these to be a different breed and think that this smaller species will not grow to 65mm, which means that a large increase in size will result in the shut down of a perfectly good fishery. Boats from these areas will then have to target other places, which are already under pressure.

Capping landings. An annual tonnage is a better workable system

One of the big problems is measuring the whelks, the only reasonably accurate way is by width not length.

There is currently a lack of information about the whelk populations within Wales and it is crucial that this is remedied as soon as possible in order to make informed decisions on stock management. The whelk fishery is at risk of further depletion as regulation of other species is tightened, leading to a switch to whelks. The need for the measures proposed in this consultation highlight that even without a formal stock assessment it is clear the whelk fishery is under huge pressure. It is important to remember that whelks play a vital ecological role within the Welsh marine environment, for example, their shells are competed for by several species of hermit crabs, and many other species live on them. Depletion of the shell resource has knock on effects, for example, the largest crabs can only grow when large shells are available. The CPUE figures suggest that the stock is already severely depleted (1kg/pot/day soak compared to 3kg/pot/day soak in sustainable fisheries), which will be negatively impacting on the marine ecosystem. The measures proposed in this consultation are the first step and it is the limits set on these proposals which will be key in creating a sustainable fishery.

We support the proposal that the Welsh whelk fishery should be a permitted fishery. The permits should include a range of flexible conditions to allow Welsh Government to deliver sustainable management of this natural resource. These periodically reviewed conditions should be informed by concurrent and relevant scientific stock assessment data to allow the Regulator to react to environmental conditions and change.

Currently the fishing effort within the Welsh whelk fishery is not subject to any effort controls. Controlling the amount of effort expended by fishermen within the fishery will be a key mechanism to delivering sustainable management. This can be achieved by utilising a combination of the proposals put forward in the consultation, such as:

- * Limited the number of permits.
- * Capping the weight of whelks that can be landed in a given time period.
- * Limiting the number of pots fished by permit holders.
- * Catch allowances.

Catch allowances or Total Allowable Catch (TAC) should be informed by concurrent and relevant scientific stock assessment data so that the fishery is being fished within safe biological limits. This data and analysis should be informed and supported by proposal 11 on data collection requirements, with fishers providing detailed mandatory fishery data as part of the proposed permit conditions e.g. location of activity, weight/size of discards etc.

As there isn't a pan UK approach, this measure will only apply in Welsh waters up to 12 miles limit. This will have no positive impact of whelks stock level as for example in Cardigan Bay most whelk fishing grounds are outside 12 miles. This will mean that fishing will still be allowed to be carried out during the closed season but the whelks will be landed in English and Irish ports.

This will unfairly penalize Welsh based processors and prevent them from accessing the stock, which will still be accessible to all other processors around England, Scotland and Ireland.

This regulation might be in breach of UK and EU competition law and will give an unfair advantage to non Welsh based processors and traders.

Considering that weight of whelks landed in the August and September is at the lowest point of the year, then come proposed 'closed season' for October and November and then in December and January the weather condition reducing a number of days at sea to the near zero.

In real terms this will create a 6 month period when stock will be unavailable only to Welsh processors and will be exploited by the Scottish Irish and English industry.

We are the biggest shellfish exporter in Wales, specialising in the highest quality whelk processing

Based in the historically deprived area we are co-operating with a wide range of local and national business, supporting employment in the local area.

Proposed time of the closed season will have a negative impact on the economic viability of the Welsh whelk industry and put in question existence of the whelk processing in Wales. This will have significant economic impact on many local companies and put many jobs at risk, not only in our company but also in many associated business.

We welcome this consultation which recognises the need to take action to ensure a more sustainable whelk fishery. An increase in the MCRS for the fishery is an essential step towards reaching this goal.

However, when the supplementary evidence provided with the consultation is considered, the 65mm size proposed can only be viewed as an arbitrary number, which is not in keeping with the findings of the research conducted. A more appropriate MCRS would be 75mm, as the evidence (Edmonds and Masefield, 2015) suggests that the "size of maturity among Welsh Whelks cannot be considered as less than 76.1 mm." By ensuring that they are not fished until they have gone beyond sexual maturity, breeding patterns of whelks are assured and the numbers would be expected to increase, thus making a more sustainable fishery for both fishers and conservationists.

we would welcome confirmation as to whether the Welsh Government has any plans to increase the minimum size again in future or, to pursue zonal management, since evidence from different parts of the UK and other countries reveals a large amount of spatial variation regarding the size at sexual maturity.

It should also be stressed that enforcing a minimum size is not enough by itself to bring about sustainability and this would be most effective if used in conjunction with others measures.

6. SUMMARY

The consultation asked a number of specific questions relating to:

- Increase in minimum size
- Introduction of a permit scheme for vessels fishing for whelks in Welsh Waters and possible restriction on number of permits issued.
- Introduction of flexible conditions to the permit which could be reviewed periodically which included
 - Effort control – included a cap on landings/pots fished
 - Data collection requirements
 - Introduction of a closed season
 - The use of escape holes
 - The use of fish boxes/net sacks weighing no more than 40kg each when full of whelks

Welsh Government officials have made every effort to ensure the figures quoted in this document are accurate.

7. NEXT STEPS

Welsh Government science officers will now consider all responses and comments which have been received. Officials will provide a brief for the Cabinet Secretary for Environment and Rural Affairs on results of the consultation and seek agreement to proceed to new legislation to introduce a flexible permit scheme to sustainably manage the Welsh whelk fishery.

Welsh Government officials will continue to liaise with stakeholders via the Task and Finish Group to inform them any decision and to work collaboratively to proceed with the drafting of a Statutory Instrument to allow the introduction of the new permit scheme.

8. LIST OF RESPONDENTS

(Details of the 27 Respondents who requested their details be withheld have not been included within this list)

Tim Bowman Davies

Dean Parry

Sam Todd

Nigel Sanders

Robert James Gorman

John James Gorman

Paul Mansell

Dr J A O'Connor

Chris Featherston

Gareth Evans

Andrew Mcquirk

Joe Holland

Stuart Allen

Martin Roberts

Carl Davies

Darren Lewis

Gavin Davies

B&M Fishing/AM Seafoods Ltd

Paul

Barry Thomas

Richard Owen Jones

Rodney Jones

Kenneth Jones

Guto Sion Roberts

Peter Jones

Maldwyn Williams

Geraint Hughes

Stuart Jones

John Ivor Griffiths

John Henry Parry

R E Jones

Brett Garner

Adrian Garner

Dyfed Davies

Shaun Williams

Robert Grahame Hughes

Chris Owen

Glynne Roberts

Owain John Roberts

Mark Roberts

Kevin Denman

Allan Demnan

South & West Wales Fishing
Communities

John Cooper

Brian Brown

Ted Whitall

MacDuff Shellfish Producers

Wales Environment Link

WFA (Response on behalf of
South/West Wales Fishermen)

WFA (Response on behalf of
North Wales Fishermen)

Glyn Phillips

Wildlife Trust Wales

Natural Resources Wales

Quay Fresh & Frozen Foods Ltd

Richard Moore

Robert Moore

Kevin Moore

Chris Hughes

Anthony Nash

Kieron Samples

Mike Thomas