



Welsh Government  
Informal Consultation – summary of response

## Proposed Whelk Permit Conditions 2022-23

Proposed whelk permit conditions for the permit  
period 1 March 2022 to 28 February 2023

10 December 2021

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

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## 1. Background

In response to concerns about the overexploitation of whelk, the Welsh Government has previously consulted on the introduction of new whelk management measures:

[Whelk management measures 2020 – extension.](#)

After careful consideration of the responses, the Whelk Fishing Permit (Wales) Order 2021 came into force on 10 December 2021. The purpose of the Order is to conserve whelk stocks and ensure the sustainability of the fishery.

As a result the following measures will apply to all UK and foreign licensed fishing vessels who wish to take whelk with pots in the Welsh zone from 1 March 2022:

- An authorisation scheme (permit with conditions),
- An annual catch limit (ACL) on the total amount of whelk that can be taken from the Welsh zone based on evidence,
- A flexible monthly catch limit (MCL) for authorised vessels,
- A permit fee (2023 onwards).

The Welsh Government launched a short informal consultation with stakeholders, on the proposed whelk permit conditions for the permit period 1 March 2022 to 28 February 2023.

## 2. Consultation Period and Distribution

The consultation commenced on 22 November and closed on 5 December.

The consultation was publicised on GOV.WALES and a letter sent to all registered Welsh fishers as well as other fishers known to fish for whelk in the Welsh zone and whelk buyers/processors.

Respondents were able to respond by email or by providing a written response.

### 3. 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 the permit conditions are introduced.

During the consultation period, 15 responses were received from a range of individuals and constituted bodies who have an interest in the Welsh whelk fishery.

Of the 15 responses, 9 provided comments on specific permit conditions, with the remainder providing comments and questions relating to the whelk fisheries management measures as a whole. We have previously consulted on those measures in 2020 and again in 2021, and although we have noted the comments, we will not be addressing them again in this report.

### 4. Consultation Questions

The consultation consisted of a request for comments on 13 proposed permit conditions. These conditions will apply to permits that will be required by anyone wishing to fish for and take whelk commercially using pots in the Welsh zone for the permit period 1 March 2022 to 28 February 2023.

<b>Permit Condition 1: This permit is valid from 00:01 on 1st March 2022 until the 23:59 on 28th February 2023. (Proposed)</b>
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One respondent agreed with this condition and another requested information on where the permit could be obtained.
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There were no negative responses to this permit condition.
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<b>Permit Condition 2: The activities authorised by this permit must be undertaken in accordance with the provisions of The Whelk Fishing Permit (Wales) Order 2021.</b>
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One respondent agreed with this condition.
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There were no negative responses to this permit condition.
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<b>Permit Condition 3: This permit only entitles the permit holder (the authorised person) and/or vessel skipper/master on behalf of the owner(s)/charterer(s) named in this permit to take whelk (<i>Buccinum undatum</i>) with pots using the vessel named in this permit.</b>
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One respondent agreed with this condition.
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Two respondents queried if the permit and conditions were applicable to EU vessels outside 12nm.
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One respondent queried what restrictions there will be with regards to who can apply for and hold a whelk permit.

There were no negative responses to this permit condition.

**Permit Condition 4: This permit is not transferable.**

One respondent agreed with this condition but queried if permit condition 12 applied in the event of an authorised change of vessel within a permit period.

There were no negative responses to this permit condition.

**Permit Condition 5: The permit holder is responsible for checking and relaying to the vessel skipper/master and crew the flexible Monthly Catch Limit (MCL) when it becomes available on the Welsh Government website each month.**

One respondent agreed with this condition but sought clarification that if for any reason beyond the control of the permit holder the MCL publication is delayed would the preceding MCL continue to apply.

One respondent queried if the MCL would vary depending on number of crew operating a vessel.

There were no negative responses to this permit condition.

**Permit Condition 6: The Monthly Catch Limit (MCL) must not be exceeded.**

One respondent agreed with this condition noting that the weights relating to scientific sampling of Whelks should not be deducted from the individual vessel MCL.

There were no negative responses to this permit condition.

**Permit Condition 7: The permit holder must make a full and true report (“Catch Return”) of all Whelks (Buccinum undatum) fished for and taken with pots from the Welsh zone by 23:59 on the last day of each month, even if they have not fished.**

One respondent agreed with this condition.

There were no negative responses to this permit condition.

**Permit Condition 8: The Catch Return must be completed using the link provided on GOV.WALES. For each day fished this must include: weight of retained catch (Kg), number of pots lifted, soak time (days) and location of fishing activity (ICES Sub-Rectangle).**

One respondent agreed with this condition and provided the following comments/suggestions:

- To ensure that all recipients of permits are appropriately trained and or equipped to effectively use the Gov.Wales platform in order to ensure time critical data is received and acknowledged.
- It would be a missed opportunity not to include a percentage estimate of catch returned below MCR's to validate sampling methodology for stock assessment purposes.
- In order to understand the full number of Whelk pots deployed per vessel the report will require the number of pots set together with the amount lifted daily.
- Clarification that one full report is to be submitted per vessel monthly.

One respondent suggested that using ICES Sub-Rectangles was too broad covering too large a geographic area.  
They also felt that catch returns duplicates effort in other catch recording systems.

**Permit Condition 9: If during a single fishing trip a vessel fishes inside the Welsh zone and outside the Welsh zone, all whelk taken on that trip must be included in the Catch Return and will be deducted from the vessels Monthly Catch Limit (MCL).**

One respondent agreed with this condition.

Two respondents disagreed with this condition and felt the use of vessel tracking, electronic logbooks and CCTV could be used to identify whelk caught inside and outside the Welsh zone.

Two respondents were concerned that vessels from outside Wales, would come into the Welsh zone to fish for whelk and land it into ports outside Wales without making a Catch Return. One of these suggested all whelk caught should be landed in Wales.

**Permit Condition 10: The permit holder must retain and land only whole whelk in their shell.**

One respondent agreed with this condition.

There were no negative responses to this permit condition.

**Permit Condition 11: A copy of this permit (paper or electronic) must be available for inspection by Marine Enforcement Officers on the named vessel.**

One respondent agreed with this condition.

There were no negative responses to this permit condition.

**Permit Condition 12: The permit holder must notify the Welsh Ministers using the Whelk fishery - change the vessel on your permit form using the link provided on GOV.WALES if the details relating to the named vessel identified in the permit change at any time during the permit period.**

One respondent agreed with this condition.

There were no negative responses to this permit condition.

**Permit Condition 13: The permit holder must comply with any suspension of fishing notices in the Welsh zone issued by the Welsh Government.**

One respondent agreed in principle subject to the evidence /justification to support a suspension of fishing notices in the Welsh zone.

There were no negative responses to this permit condition.

## 5. Summary

The consultation consisted of a request for comments on the 13 proposed whelk permit conditions for the permit period 1 March 2022 to 28 February 2023.

The results showed support for the proposed permit conditions with a few exceptions. A proportion of responses related to whelk fisheries management measures as a whole which we have consulted on in 2020 and again in 2021, and although we have noted the comments, we have not addressed them again in this report.

## 6. Next Steps

Welsh Government policy officials have considered all responses and comments which were received. Officials will now prepare a brief for the Minister on the results.

Officials will continue to liaise with stakeholders and expect to enable the introduction of a new whelk permitting scheme in time for the permit period commencing 1 March 2022. It is anticipated that a permit application window will open later this month and officials will provide information to all fishers at that time.

Any additional permit conditions required to comply with the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 will be confirmed before the first permit period starts on 1 March 2022.