



Llywodraeth Cymru
Welsh Government

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OPEN CONSULTATION

Proposed permit conditions for a whelk permit 2023 to 2024

We want your views on the proposed whelk permit conditions for 2023 to 2024.

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Overview

Proposed whelk permit fee, conditions, annual and monthly catch limits 2023-24

The Welsh Government are seeking views on proposals to change aspects of the Wales whelk fishery through a two-week consultation from 15 to 28 November 2022. The proposed changes are for the 2023-2024 whelk permit period commencing on 1 March 2023 and include:

- The permit fee and how it was calculated
- A single minor change to permit conditions
- A reduction in the Annual Catch Limit (ACL)

Details of how to respond to the consultation can be found at the end of this document.

Whelk permit fee

In the **Whelk Management Measures consultation (2020)** (<https://gov.wales/whelk-management-measures-2020-extension>) the Welsh Government set out its intention to charge a fee for whelk permits. The fee will reflect the costs of administering and managing the fishery, including stock assessment surveys, but excluding enforcement. The 2020 consultation also stated both the methodology for calculating the fee and the actual fee amount would be subject to annual consultation with stakeholders prior to implementation.

Recovering costs incurred by Welsh Government in managing the whelk fishery is in line with the principles for **Managing Welsh Public Money (2016)** (<https://gov.wales/managing-welsh-public-money>). Charging a fee will ensure we can improve data to underpin the management of the whelk fishery.

No fee was charged in the first permit period because we wanted to better understand the costs and ensure they are accurately calculated and proportionate.

Since the permitted fishery began, we have been recording the relevant costs but, with the exception of stock assessment surveys, we will not have a full understanding until just before the second permit period starts. Therefore, for the 2023-24 permit period, we will only consider the costs of the stock assessment survey.

The Welsh Government is conscious of the impacts of the global pandemic and changed economic climate since the 2020 consultation, noting, the raised fuel prices and reduced demand and price for whelk.

Methodology used to determine the 2023-2024 whelk permit fee

The Welsh Government propose to seek to recover 50% of the stock assessment costs in the second permit period and work towards full cost recovery within five years whilst in parallel looking to find efficiencies to minimise costs to fishers in the future.

The scientific status of whelk stocks survey September 2022 cost **£53,500**.

In the current permit period (2022-23), we issued **94 permits**.
Permit fee will be 50% of £53,500 divided by 94.

Permit fee for 2023-24 permit period

The proposed permit fee will be **£285** per permit. The fee is fixed irrespective of the actual numbers of permits issued and when the permit is applied for.

Proposed whelk permit conditions for the 2023-24 permit period

I am also writing to seek your comments on the following proposed changes to permit conditions:

Conditions removed:

1. *This permit is valid from 00:01 on 1st March 2022 until the 23:59 on 28th February 2023.*

Justification: Information is maintained on the permit itself.

Conditions added:

No additional permit conditions are proposed for 2023-2024

Proposed permit conditions for 2023-24 permit period

Please refer to the 2022-23 guidance document, page 11-12 (**Whelk fishery: guidance 2022 to 2023** (<https://gov.wales/whelk-fishery-guidance-2022-2023>)) for the full proposed permit conditions.

Annual catch limit (ACL)

The ACL is the combined total amount of whelk which can be taken by all permitted vessels during a permit period. The purpose of the ACL is to conserve the whelk stock and ensure the fishery is sustainable by preventing over-exploitation.

The Welsh Government commissioned Bangor University to develop a methodology by which the ACL should be calculated based on both fishery dependent data and scientific evidence. (See [Whelk fishery - methodology used to calculate catch limits](http://sustainable-fisheries-wales.bangor.ac.uk/reports.php.en) (<http://sustainable-fisheries-wales.bangor.ac.uk/reports.php.en>) on [GOV.WALES](https://gov.wales/whelk-fishery) (<https://gov.wales/whelk-fishery>)).

In the permit period beginning 1 March **2022**, the ACL was set at **5,298 tonnes** which was the average catch during the reference period 2015-2019. This is referred to as the '**baseline**' **ACL** which is intended to prevent any increase in exploitation above that seen in the reference period. This should be considered as a ceiling rather than a target.

ACL for 2023-24 permit period

The results of the 2022 scientific stock survey (See [Wales whelk length-based indicator assessment 2022](https://gov.wales/wales-whelk-length-based-indicator-assessment-2022) (<https://gov.wales/wales-whelk-length-based-indicator-assessment-2022>) on [GOV.WALES](https://gov.wales/whelk-fishery) (<https://gov.wales/whelk-fishery>)), highlighted some uncertainty about the health of the stock, based on the relative abundance of different sized whelk.

For the permit period beginning 1 March 2023, the baseline ACL will be reduced or 'buffered' by 10% in line with the methodology above and the International Council for Exploration of the Seas' (ICES, the scientific body responsible

for carrying out stock assessments in the Northeast Atlantic and Baltic Seas) advice for a data poor fishery and will be set at **4,768 tonnes**.

Initial flexible monthly catch limit (MCL)

The MCL is the maximum amount of whelk each permitted vessel can take with pots from the Welsh zone in each month. All permitted vessels will get the same MCL.

Once the ACL of the permitted fleet is set, to ensure the sustainability of the fishery, it is important it is not exceeded. MCLs will be used to control the amount of whelk taken by the permitted fleet each month to ensure the ACL is not exceeded and the benefit of the fishery is spread across the permit period in line with historical fishing patterns. (See [Whelk fishery - methodology used to calculate catch limit](http://sustainable-fisheries-wales.bangor.ac.uk/reports.php.en) (<http://sustainable-fisheries-wales.bangor.ac.uk/reports.php.en>)s Figure 2 & Figure 3 on page 12 &13, on [GOV.WALES](https://gov.wales/whelk-fishery) (<https://gov.wales/whelk-fishery>))

Setting the MCL

On 1 March, at the start of each permit period, an initial MCL of **50 tonnes** per permitted vessel will be issued unless there is evidence to suggest a different limit is required.

In the months that follow, monthly catch returns from permit holders will be used to assess the rate of progress towards the ACL compared with historic fishing patterns. If necessary, the MCL may be decreased to ensure the ACL is not exceeded, or increased, if there is confidence the stock is healthy and the ACL is not going to be exceeded.

In the permit period beginning 1 March **2022** the MCL was set at **50 tonnes** and there has been no cause to increase or decrease this value to date. There have been few instances of permit holders approaching their MCL and progress towards the ACL has been in line with expected historic fishing patterns.

MCL for March 2023

For the 1 March 2023, the MCL will be **50 tonnes**.

How to respond

If you wish to comment on these proposals, a response is welcome in any written form and can be emailed to us at MarineandFisheries@gov.wales (<mailto:MarineandFisheries@gov.wales>) or sent to the postal address given below. If emailing, please include the phrase “**Proposed Whelk Permit Conditions 2023-24**” in the subject box.

Responses should be received no later than **Monday 28 November 2022**.

If you would like any further information or to request a paper copy of the informal consultation or further information on the contents of the informal consultation itself, please contact the Marine and Fisheries division using the details provided below.

Yours faithfully,
Mark Tilling

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Suite 3, Cedar Court

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Milford Haven, Pembrokeshire
SA73 3LS

Marine & Fisheries Division

Tel: 03000 254803

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF CF10 3NQ

e-mail: Data.ProtectionOfficer@gov.wales
(mailto:Data.ProtectionOfficer@gov.wales)

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745 or 0303 123 1113 Website: <https://ico.org.uk/>
(<https://ico.org.uk/>)

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