

Welsh Government Fisheries Division

**The Cockle Fishing Management and Permitting (Specified Area)
(Wales) Order 2024**



Llywodraeth Cymru
Welsh Government

**PERMIT TO TAKE COCKLES from the Area defined below from
the period 4th February 2025.**

THIS PERMIT entitles the Permit Holder to fish for and take cockles from the area defined in the Schedule to this permit 'Whiteford Sands', subject to the Conditions set out below.

CONDITIONS:

1. Only the Permit Holder may fish for and take any cockles from the Area. The Permit Holder may not be assisted by any other person and this Permit cannot be transferred to any other person.
2. The Permit Holder may only fish for and take any cockles from any fishery within the Area which is not subject to a closure pursuant to The Cockle Fishing Management and Permitting (Specified Area) (Wales) Order 2024.
3. This Permit is valid from 00:01 on 4 February 2025.
4. The permit holder must have a valid permit and be prepared to be asked by a Welsh Government Officer or any Marine Enforcement Officer on demand for your personal details in order to confirm your identity and that you have a valid Welsh Government permit.
5. The Permit Holder must make a full and true report ("catch return") of cockles taken from the Area on a daily basis to the online fisheries portal [Apply for a fishing permit | GOV.WALES](#) **DAILY**. The catch return must specify the date, location and quantities (in kilogrammes) of live weight of cockles that were taken from the Area. If appropriate the catch return must specify that no cockles were taken.
6. No person shall fish for, take or remove cockles between half an hour after sunset on any day and half an hour before sunrise on the following day.
7. The Permit Holder must access the fishery and land and remove cockles from the fishery through the National Trust gate at Hills Tor. The National Trust have allocated a limited number of keys which have been distributed. Access can also be via a suitably coded and certified vessel.
8. In addition, the Permit Holder must access the fishery along the access route shown on the map entitled "Whiteford Sands Access Map" at Annex 2 in red.

9. Gathering to take place on Tuesdays and Wednesdays ONLY.
10. Gathering must be undertaken by hand or by rake and fixed mesh sieve of 17.5mm or larger only (in accordance with The Cockles Fisheries Management and Permitting (Specified Area) (Wales) Order 2024. The use of net bags is prohibited. Undersize cockle shall be returned immediately to the bed at a position as nearby as possible from where the undersized cockle was taken.
11. Please note permit holders must not dig, walk/drive across, or park any vehicle on any mussel beds or peat/clay exposures at Whiteford. Permit holders will not fish for cockles in, walk or drive vehicles through or otherwise approach areas of the Whiteford bed being utilised by oystercatchers at the time the bed is accessed or during fishing.
12. Boats measuring over 10 metres in length will not be permitted within the Loughor Estuary to remove taken cockle.
13. Further, the area of water covering this fishery is defined as “at sea”. A vessel involved in any manner with regard to the transportation of personnel, equipment or cargo for cockling in the area will be operating commercially. As such any vessel operating for commercial purposes, must comply with relevant United Kingdom Merchant Shipping Legislation. (See Annex D) Further information on this legislation can be sought from the MCA website, <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency> or in the links below:

SI2016/354 - The Merchant Shipping (Small Workboats and Pilot Boats) (Amendment) Regulations 2016
http://www.legislation.gov.uk/ukxi/2016/354/pdfs/uksi_20160354_en.pdf

SI1998/1609 - The Merchant Shipping (Small Workboats and Pilot Boats) – see above amendments
<http://www.legislation.gov.uk/ukxi/1998/1609/made>

MSN 1892 – The workboat code edition 2 (for vessel constructed after 31st December 2018)
<https://www.gov.uk/government/publications/msn-1892-m-the-workboat-code-edition-2>

MGN 280 - Small Vessels in Commercial Use for Sport or Pleasure, Workboats and Pilot Boats – Alternative Construction Standards (for vessel constructed before 31st December 2018)
<https://www.gov.uk/government/publications/mgn-280-small-vessels-in-commercial-use-for-sport>

SI1997/2962 - The Merchant Shipping and Fishing Vessels (Health and Safety at Work)
<http://www.legislation.gov.uk/ukxi/1997/2962/made>

MIN 538 – Authorisation of certifying authority
<https://www.gov.uk/government/publications/min-538-amendment-6-m-codes-of-practice-authorisation-of-certifying-authorities>

The workboat Code - Industry working group technical standard - A Code of Practice (CoP) for small workboats in commercial use to sea and all pilot boats.

[Workboat Code - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The Workboat Code Edition 3 - (for vessels constructed after 13th December 2023).

[The Workboat Code Edition 3 - GOV.UK \(www.gov.uk\)](http://www.gov.uk) This Code should be read in conjunction with SI 2023 No. 1216, The Merchant shipping (Small workboats and Pilot Boats) Regulations 2023.

[The Merchant Shipping \(Small Workboats and Pilot Boats\) Regulations 2023 \(legislation.gov.uk\)](https://legislation.gov.uk)

Existing vessels that are certificated under the Brown Code, its equivalent standard published in the technical Annex to MGN 280(M), or Workboat Code Edition 2, Amendment 1 [The workboat code edition 2 - amendment 1 - GOV.UK \(www.gov.uk\)](http://www.gov.uk) shall meet the requirements of Workboat Code Edition 3 by the vessel's next renewal examination or three years after the date of entry into force of the Code, whichever is later, except, where references to previous requirements are explicitly specified within individual sections of the Code they may comply with such requirements.

<https://www.gov.uk/government/publications/msn-1892-m-the-workboat-code-edition-2>

MIN 698 (M) Workboat Code Edition 3 – Standards and Guidelines for Best Practice. This notice should be read with The Workboat Code Edition 3. [MIN 698 \(M\) Workboat code edition 3 – standards and guidelines for best practice - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

14. Evidence of compliance with MCA legislation must a) be displayed on the vessel being used or b) a certificate of authorisation from the MCA must be available at all times whilst gathering and be presented to Marine Enforcement Officers for inspection on demand.
15. Termination: The Welsh Ministers may, in their absolute discretion, withdraw this Permit at any time. Where possible prior notice of withdrawal will be given, but in any of the following circumstances, this Permit may be withdrawn immediately (i.e. without prior notice)-
 - in the case of emergency;
 - if the Permit Holder breaches any of the conditions of this Permit;
 - if it should transpire that the activities authorised by this Permit will result or are likely to result in a significant effect to any European Marine Site (as defined by Regulation 8(4) of the Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490).
16. Breach of any of the conditions of this Permit is a criminal offence and will result in the immediate termination of this Permit.

Any person who contravenes the terms and conditions of this Permit is guilty of an offence under section 190 of the Marine and Coastal Access Act 2009. A person found guilty of an offence under that section is liable on summary conviction to a fine not

exceeding £50,000. In addition, the Court may order the forfeiture of any fishing gear used in the offence and any sea fisheries resources in respect of which the offence was committed or a sum of money representing the value of that fishing gear or resources. The Court may also suspend the Permit or disqualify the individual from holding such a Permit for such period as the Court thinks fit.



Gareth Bevington, Head of Fisheries Division. Welsh Government

Date: 28 January 2025.

This Permit is issued under authority of the Cabinet Secretary for Climate Change and Rural Affairs, one of the Welsh Ministers pursuant to The Cockle Fishing Management and Permitting (Specified Area) (Wales) Order 2024.

Please note:

1. This Permit is issued pursuant to 'The Cockle Fishing Management and Permitting (Specified Area) (Wales) Order 2024'.
2. The Permit Holder must comply with all other applicable legislation (including fisheries and environmental legislation) and obtain any other necessary permissions and/or authorisations before fishing for and taking any cockles from the Area defined in the Schedule to this Permit.
3. The Permit does not authorise the use of vehicles on or otherwise grant access to land bordering the Area. This authorisation does not provide any defence to prosecution under any other legislation. It has no effect in relation to and will not provide a defence to any other legal provision or requirement, including any provision of the Road Traffic Act 1988 or any other legislation applying to the use of a vehicle.
4. In addition to other statutory provisions, you may be committing a criminal offence if you use a vehicle in the Area and bordering areas without first obtaining the prior permission of all relevant landowners (and any other relevant bodies) over whose land you intend to travel. You should also note that unless each relevant landowner has carried out all assessments required under any relevant nature conservation or environmental legislation (for example under the Habitats Directive (Council Directive 92/43/EEC)) before granting permission to use your vehicle in the specified area, you may still be committing a criminal offence even if you have the landowner's permission.
5. Permit holders should be aware that it is a legal requirement that each batch of cockles must be accompanied by a Registration Document (previously movement documents) when moved from the production area, i.e. the shellfish bed, or when first placed on the market. In accordance with Regulation (EC) No 853/2004, Registration Documents must be completed and include the

gatherer's details, the bed from which the shellfish were gathered and the date, before the cockles are transported. These documents can be obtained from either Swansea County Council which is situated in the Whiteford area or Carmarthenshire County council using the following contact details: Permit holders should contact the Food Safety Team, Swansea Council via telephone 01792 635600 or email foodandsafety@swansea.gov.uk. Permit holders can also contact the public health team, Carmarthenshire County council via telephone number 01267 234567 or email publichealth@carmarthenshire.gov.uk.

6. The Welsh Government has determined a Harvestable Surplus ("HS") of Cockles from Whiteford Sands of **174 tonnes** for the 2025 season. When the Harvestable Surplus has been reached, the relevant area will be closed by the Welsh Government pursuant to 'The Cockle Fishing Management and Permitting (Specified Area) (Wales) Order 2024'.
7. Similarly, if it should transpire that the activities authorised by this Permit will result or are likely to result in a significant effect to any European Marine Site (as defined by Regulation 8(4) of the Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490) the Welsh Government will close the fishery.
8. Any closure of the Area to cockle fishing activity will be notified, in the first instance, by Welsh Government Enforcement Staff present at the site and by notices put up in that area. An email or letter will also be sent to each permit holder confirming the area which is closed, and the relevant closure notice will be published on the Welsh Government website at: <https://gov.wales/intertidal-fisheries>
9. Gathering cockles can be dangerous and brings with it a significant element of risk to personal safety. It is strongly recommended that you carry out your own health and safety and risk assessments before undertaking this activity. Please take note of any guidance from our partner and other official organisations. The guidance issued is not exhaustive and it is your responsibility to implement any measures that ensures your safety.
10. Unaccompanied bags of cockles should not be left on the cockle bed after gathering has concluded as they may be seen as abandoned. Any abandoned cockles will be returned to the cockle bed.
11. At the time of this permit being issued the gathering area within the Whiteford estuary area is classified C for the gathering of cockle (C.edule).

Class C (≤ 46000 *E. coli*/100g) - molluscs can be sold for human consumption only after re-laying for at least two months in an approved re-laying area followed, where necessary, by treatment in a purification centre, relaying for at least two months in an approved class A relaying area or after an EC-approved heat treatment process.

In all cases, the health standards in Annex III of EC Regulations 853/2004 and the microbiological criteria adopted under EC Regulation 2073/2005 must be met. Molluscs must not be subject to production or collected in prohibited areas.

You can view the current classification maps on the following link

[Classification zone maps - Cefas \(Centre for Environment, Fisheries and Aquaculture Science\)](#)

It is your responsibility to be aware of the current classification of the gathering area. This could change during the period of opening, if classification sample results do not meet the requirements of a C classification the beds will immediately close. Notification of such a closure will include an article on the Welsh Government Marine and Fisheries Website.

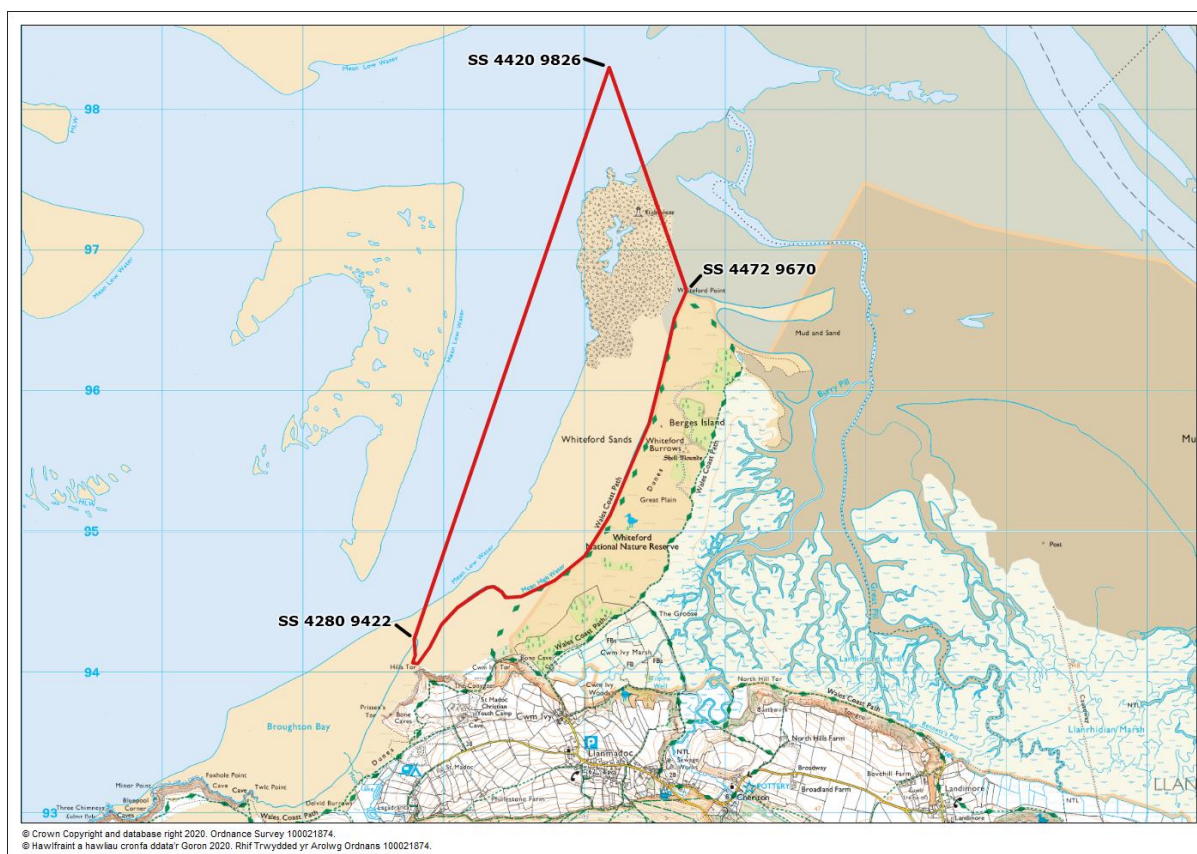
Schedule

In this Schedule a group of six or eight figures identifying or associated with any point represents the map co-ordinates of that point on the grid of the national reference system used by the Ordnance Survey on its maps and plans.

All latitude and longitude co-ordinates given are in degrees, minutes and decimal fractions of a minute and are co-ordinates of the World Geodetic System 1984.

Annex 1

Map showing Whiteford cockle bed between the points Loughor Estuary, Hills Tor and Whiteford Point.



Whiteford Sands cockle bed coordinates

WHITEFORD SANDS

Defined as:

A straight line from position:

A). SS 4420 9826; 51° 39'.683 North, 004° 15'.233 West.

Thence in a straight line to position:

B). SS 4280 9422; 51° 37'.483 North, 004° 16'.35 West

Thence in a straight line to position:

C). SS 4472 9670; 51° 38'.85° North, 004° 14'.75 West

Thence along the line of Highest Astronomical Tides to position A above.

A map of this area can be found at Annex 1. A map may be viewed on the Cefas website at:

<https://www.cefas.co.uk/data-and-publications/shellfish-classification-and-microbiological-monitoring/england-and-wales/classification-zone-maps/>

Annex 2

Map of Whiteford Sands showing access from Cwm Ivy

