

Briefing for the Petitions Committee

Y Pwyllgor Deisebau | 01 07 2016

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Petition number: P-04-687

Petition title: Review of Scalloping in Cardigan Bay

Text of petition: We the undersigned call upon the Welsh Government to prevent scallop dredging in Cardigan Bay and to ensure that the resident populations of dolphins and porpoises are protected both now and in the future.

Background

Cardigan Bay has historically contained a scallop-dredging fishery, but in recent years activity in this fishery has been restricted due to concerns (outlined in the introduction to the Welsh Government [consultation](#)) about the impact of dredging on the seabed features within the Cardigan Bay Special Area of Conservation (SAC). Cardigan Bay SAC is a marine conservation site designated under the European Habitats Directive, due to its importance for bottlenose dolphins, Atlantic grey seals, river and sea lamprey, reefs, sandbanks and sea caves. Under the Habitats Directive, the Welsh Government is required to take steps to prevent damage to any protected site.

A [large increase in scallop fishing activity in 2008](#) led to many complaints that scallop dredging was not compatible with the features of the SAC, negatively impacting on the coral reef features and on seabed living organisms that provide a food source on which dolphins predate. As a consequence of these concerns, the territorial sea area in Wales was [closed to scallop dredging](#) in 2009 by the then Minister for Rural Affairs, Elin Jones. In 2010 new legislation ([The Scallop Fishing \(Wales\)\(No.2\) Order 2010](#)) allowed a restricted fishery to be introduced within a small area of Cardigan Bay SAC on a seasonal basis between 1 November and 30 April. This small area is known as the 'Kaiser Box'.

Welsh Government action

Between November 2015 and February 2016 the Welsh Government ran a consultation on '[Proposed New Management Measures for the Scallop Fishery in Cardigan Bay](#)'. The consultation sought views on allowing a larger area of the Cardigan Bay SAC to be fished for

scallops. This would include the current small area as well as other areas between 3 and 12 nautical miles off the coast.

The proposal is based on the outcome of a [programme of research undertaken by Bangor University](#) over a 2 year period within the Cardigan Bay SAC. The research looked at the changes dredging in some areas the SAC would cause to the animal community on the sea bed, the impact dredging has on the seabed and how quickly the animal community and sea bed recovered from any damage. According to the Welsh Government, evidence from the study supports a controlled fishery in the area of the SAC which is currently closed to fishing.

The Welsh Government consulted on proposal to extend the scallop fishery in Cardigan Bay by:

- Introducing a scallop permit scheme to come into force from 1 November 2016, with conditions attached for which a fee may be charged. The permit scheme would apply only to Cardigan Bay in the 3–12 nautical mile zone.
- Issuing each permit annually to cover the relevant scalloping season.
- Setting a fee for each permit.
- Setting up a non-statutory management advisory board to assist the Welsh Government in the oversight of the scallop fishery in Cardigan Bay.

Further detail about each of the points above can be found in the [consultation document](#). The proposals relate to possible changes to the fishery season that would normally commence on 1 November 2016. No timescale for a decision has been published.

In addition to consulting with stakeholders, the Welsh Government will be required, if it decides to proceed, to undertake a Habitats Regulation Assessment. This will need to assess in detail any potential impacts of the proposals on the designated features of the SAC.

National Assembly for Wales action

The issue of scallop dredging in Cardigan Bay has been raised a number of times in both written and oral questions. Most recently, in January 2016, a number of Members asked questions of the then Minister for Natural Resources, Carl Sargeant. Members expressed concern over the need to balance a profitable fishing industry with protecting local habitats, and also about impacts on whales and dolphins, and associated tourism. In response the then then Minister reiterated that future policy and action would be determined by responses to the consultation, in combination with the findings and recommendations of the Bangor University research.

In March 2016, in response to a letter from then then Chair of the Petitions Committee William Powell AM on this petition, Carl Sargeant outlined the Welsh Government's statutory obligations under the Habitats Directive. He also reiterated the content of the consultation. Furthermore he stated:

I consider the negative media representations published have misrepresented our proposals for scallop fishing. This did not properly reflect the true nature of the proposals to consider the flexible management of the fishery for future generations.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.