

Marine – Crustacean Cage Culture

Consent required	Regulator / Authorising remit	Regulator	Contacts
<p>Marine licence</p> <p><i>Although under certain circumstances <u>shellfish</u> farming is exempted from requiring a marine licence, all applicants must check and notify the MMO of intention before the activity can commence.</i></p> <p><i>Covers developments out to 200NM.</i></p> <p><i>Charges may apply.</i></p> <p><i>Two hours free consultation.</i></p> <p><i>Target Time = 13 weeks after validation of application.</i></p>	<p>Licensing of marine activities under the Marine and Coastal access Act (2009). Responsible for screening activities to see if a licence is required.</p> <p><i>The MMO will make marine licensing decisions in accordance with the appropriate marine policy document (marine policy statement and marine plan where adopted). Applicants should consider how their proposal is in accordance with marine plans and the Marine Policy Statement, and document this within an application for an aquaculture facility to the relevant regulator.</i></p> <p>Situations when shellfish are exempted under the Marine Licencing (Exempted Activities) Order 2011.</p> <ul style="list-style-type: none"> (a) To the deposit of any shellfish, trestle, raft, cage, pole, marker or line in the course of the propagation or cultivation of shellfish. (b) To a removal activity or dredging activity carried on for the purpose of moving shellfish within the sea in the course of its propagation or cultivation <p>Those activities that are exempt must still serve a notice of intention to carry out the activity before the activity is carried on.</p> <p>Exemptions <u>do not</u> apply when deposits are made for purposes of disposal or creating, altering or maintaining an artificial reef or are likely to cause an obstruction or danger to navigation</p>	<p>Marine Management Organisation</p>	<p>Marine Licensing Team</p> <p>0300 123 1032</p> <p>marine.consents@marinemanagement.org.uk</p> <p>https://www.gov.uk/make-a-marine-licence-application#overview</p> <p>https://www.gov.uk/do-i-need-a-marine-licence#aquaculture</p>

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<i>Processes and consultees when a marine licence is required</i>			
Environmental Impact Assessment (EIA)	Under the Marine Works (Environmental Impact Assessment) Regulations 2017 applications will need screening against the above Annex to check if an EIA is required.	Marine Management Organisation	Marine Licensing Team 0300 123 1032 marine.consents@marinemanagement.org.uk https://www.gov.uk/marine-licensing-impact-assessments#environmental-impact-assessment
Habitats Risk Assessments (HRA) When an EIA is not required but site falls within a European & Ramsar conservation site.	The MMO consults assess if there are any Likely Significant Effects (LSE) on European sites or Ramsars. If none it can proceed. If an LSE then an appropriate assessment is required under the Marine Works (Environmental Impact Assessment) Regulations 2017. This is carried out by the applicant then assessed and conditioned by the Local authority after consulting with NE, JNCC & IFCA.	Natural England, JNCC & IFCA.	Marine Licensing Team 0300 123 1032 marine.consents@marinemanagement.org.uk https://www.gov.uk/marine-licensing-impact-assessments#HRA
Safety of Navigation	As statutory Consultee to the MMO, The Maritime and Coastguard Agency considers impact on the Safety of Navigation, Search and Rescue and Counter Pollution.	The Maritime and Coastguard Agency	Tel: 023 80329184 navigationsafety@mcga.gov.uk

			https://www.gov.uk/government/organisations/maritime-and-coastguard-agency
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Crown Estate Seabed Lease <i>Application No charge</i> <i>Annual rental applies</i> <i>Target time = Without reasonable delay</i>	<p>The Crown Estate does not have a regulatory role. However, a seabed lease may be required and can be applied for at any time. If a marine licence has not yet been obtained then a lease options is available rather than a full lease.</p>	Crown Estate	<p>Aquaculture leases 0131 260 6076 or 0131 260 6078</p> <p>enquiries@thecrownestate.co.uk</p> <p>https://www.thecrownestate.co.uk/en-gb/contact/</p>
Several Order Application <i>These are not mandatory, but can give security of tenure and some degree of stock protection in law to successful applicants.</i> <i>Extends out to 6 NM.</i>	<p>A several Order grants the successful applicant sole rights to a specific area of the seabed for one or more named shellfish species. These Orders are granted by Act of Parliament under the Sea Fisheries (Shellfish) Act 1967 as amended.</p> <p><i>The process of consultation and issue can be lengthy due to the fact that the Orders follow Parliamentary process.</i></p>	Defra	<p>Shellfish and Aquaculture Area 8A Millbank 17 Smith Square SW1P 3JR</p> <p>0207 979 8680 https://www.gov.uk/shellfisheries-several-orders-and-regulating-orders</p>
Navigational markers	Subsequent to receiving permission from the MMO then Trinity House need to notified for navigational purposes.	Trinity House	<p>020 7481 6900</p> <p>navigation.directorate@thls.org</p>

			http://www.trinityhouse.co.uk/
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<p>Authorisation to operate an Aquaculture Production Business APB</p> <p><i>(An authorisation in principle may be available before the APB is up and running)</i></p> <p><i>No charges</i></p> <p><i>Target time = 90 days including consultation</i></p>	<p>Authorisation of aquaculture production businesses (APBs) under the Aquatic Animal Health (England & Wales) Regulations 2009</p> <p><i>N.B. Authorisation for APB, Import & Permitting of Alien species may all be dealt with as one by FHI in many cases.</i></p>	<p>Fish Health Inspectorate (FHI)</p>	<p>01305 206700</p> <p>FHI@cefas.co.uk</p> <p>https://www.gov.uk/fish-and-shellfish-farm-authorisation-and-registration</p>
<i>Processes and consultees for authorisation as a shellfish APB when a marine licence was not required.</i>			
Assessment under the Conservation of habitats and species Regulations 2010	<p>If the farm is in a European Marine Site, and it has not required a marine licence it will require assessment against the conservation objectives that apply to the site.</p> <p>The assessment process, if required, will involve data gathering which the applicant may be responsible for obtaining</p>	The licensing authority (MMO, Crown Estate, FHI, issuer of the lease)	
Advice on fishery byelaws and other local issues		Relevant local IFCA	http://www.association-ifca.org.uk/

Advice on environmental impacts		NE (for applications in England), NRW (for applications in Wales)	http://publications.naturalengland.org.uk/publication/4038539
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Lobster Deposit Licence <i>(only required if holding American Lobsters in a facility within 1 mile of tidal waters for live resale)</i> <i>No charges</i> <i>Target time = 15 to 90 days</i>	The Lobsters (Control of Deposit) Order 1981. <i>N.B. Authorisation for APB, Import & Permitting of Alien species may all be dealt with as one by FHI in many cases.</i>	Fish Health Inspectorate (FHI)	01305 206700 FHI@cefas.co.uk https://www.gov.uk/government/publications/application-to-deposit-lobsters-form-fis9
Authorisation to import livestock <i>Required if shellfish are to be sourced from anywhere outside England, Wales or Scotland.</i> <i>No charges</i> <i>Target time = 15 to 90 days</i>	Authorisation to import livestock for aquaculture from EU or third countries under Aquatic animal health Directive 2006/88 <i>N.B. Authorisation for APB, Import & Permitting of Alien species may all be dealt with as one by FHI in many cases.</i>	Fish Health Inspectorate (FHI)	01305 206700 FHI@cefas.co.uk https://www.gov.uk/import-or-export-live-fish-and-shellfish

Disposal of mortalities	<p>Disposal of aquatic animal mortalities under Council Regulation EC 1069/2009 on animal by-products.</p> <p>Aquatic animals which died from disease are defined as Category II material, which must be disposed of in accordance with Article 13 of EC 1069/2009.</p>	Regulation via Local authorities	https://www.gov.uk/managing-your-waste-an-overview
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<p>Inspection of vessels & premises</p> <p>Local fishery bylaws</p> <p>Permitting of certain activities</p>	<p>Fisheries & conservation management and enforcement under the Marine and Coastal Access Act 2009, national and European legislation.</p> <p>Management of Marine Protected Areas (MPA's), European Marine Sites (EMS) & Marine Conservations Zones (MCZ)</p>	Inshore Fisheries and Conservation Authority (IFCA)	<p>http://www.association-ifca.org.uk/</p> <p>http://www.association-ifca.org.uk/marine-protected-areas</p> <p>https://www.gov.uk/government/collections/fishing-offences-penalties-and-inspections</p>