

Guidance: Management of the Wales Whelk fishery 2024 to 2025

Who is this guidance for?

Anyone commercially fishing to take and retain whelks with pots using a powered vessel within the Welsh zone. (See map in Annex 3)

What is this guidance for?

The guidance explains how the whelk fishery will be managed by the Welsh Ministers. It explains how to apply for an annual permit, necessary after 1 March 2022, to commercially fish to take and retain whelks with pots using a powered vessel within the Welsh zone. It also identifies the requirements made of permit holders in order to comply with **The Whelk Fishing Permit (Wales) Order 2021**.

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Background

In December 2021 Lesley Griffiths, Minister for Rural Affairs, North Wales and Trefnydd announced the making of the Whelk Fishing Permit (Wales) Order 2021. The purpose of the Order is to conserve whelk stocks across the Welsh zone and ensure the sustainability of the fishery by enabling 'adaptive management' in response to changes in the environment or stock levels. As a consequence of the Order, the new whelk fisheries management system will include:

1. Permits - anyone fishing for whelk using pots in the Welsh zone (See map in Annex 3) will require a permit for each vessel and for each permit period. There will be a fee for this permit.
2. Permit Period - the annual permitted fishing season will run from 00:01 on 1 March each year to 23:59 on the last day of February the following year.
3. Annual Catch Limit (ACL) - scientific monitoring and catch data will be used to set an Annual Catch Limit (ACL) for the entire permitted fleet. This will be set at **4,768 tonnes** for the permit period beginning 1 March 2024 and thereafter will be varied based on evidence.
4. Flexible Monthly Catch Limit (MCL) - All permit holders will be issued the same MCL in any given month. Initially for the permit period beginning 1 March 2024, this will be set at **50 tonnes** in March and, if necessary, will be varied in subsequent months to ensure the ACL is not exceeded and the benefit of the fishery is spread across the permit period in line with historic fishing patterns. (See [The Use of Catch Limits in the Management of Whelk Fishing in the Welsh Zone](#) Figures 2 & 3 on pages 12 &13, link on [GOV.WALES](#)))
5. Monthly Catch Returns - All permit holders will be required to submit an accurate catch return for each permitted vessel at the end of each month as a permit condition even if they have not fished. Accurate catch return information will be crucial to the successful management of the fishery allowing its performance to be tracked and will inform the MCL for the following month. If catch returns are not provided in an accurate and timely manner fisheries managers may be forced to take a more precautionary approach than is necessary e.g. reducing the MCL prematurely.

Where can I find more detail?

[GOV.WALES](#) will provide additional information including links to:

- Apply for a permit to fish for whelks with pots in the Welsh Zone
- Current ACL and MCL
- Current Permit Fee
- Submit your whelk permit monthly catch return
- Request a change to the vessel on a permit to fish for whelks
- Whelk fishery - methodology used to calculate catch limits
- Whelk fishery - annual reports
- The Whelk Fishing Permit (Wales) Order 2021
- The Whelk Fishing (Wales) (Amendment) Order 2019
- The Whelk Fishing (Wales) Order 2019
- Consultations relating to the Whelk fishery
- Whelk fishery - privacy notice
- Wales Whelk Advisory Group - terms of reference
- Wales Whelk Advisory Group - minutes of meetings

Alternatively, you can email the Welsh Government at the [Milford Haven Fisheries Office](#)

Or phone: 0300 025 3500

Applying for a permit to fish for Whelk in the Welsh zone.

What is the permit for?

A permit authorises the permit holder and vessel skipper/master (if different), to take and retain whelk with pots in the Welsh zone (See map in Annex 3) in relation to a single permit period and a single licenced fishing vessel.

Who can apply for a permit?

All applicants must be owners/charterers of fishing vessels licensed to fish in the UK. Where ownership of a vessel is shared, a single application must be made including all relevant individuals. Skippers who do not own the vessel cannot apply for a permit for that vessel.

There is no need for applicants to demonstrate a track record in the fishery.

Are there any circumstances in which a permit is not required?

An annual whelk permit is required by all vessels taking whelk with pots in the Welsh zone except those:

- Which are under 10 metres in length, and which do not have an engine or electric motor to power the vessel, or
- Which are used wholly for the purpose of recreational fishing, subject to appropriate legislation.

How do I apply for a whelk permit for the Welsh zone?

Applicants must complete the *Apply for a permit to fish for whelks with pots in the Welsh Zone* at GOV.WALES for each vessel they wish to fish. Applicants must ensure all parts of the application are accurately completed before submission. Incomplete application forms will not be processed.

When can I apply for a whelk permit?

The permit application window will open in December, approximately 4 months prior to the start of the permit period, and close on the 31 January following. Applications may be submitted after the application window, but they may take longer to process.

When do permits start?

The annual permitted fishing season or permit period will run from 00:01 on 1 March each year to 23:59 on the last day of February the following year.

How many permits are available?

There are no restrictions on the number of permits issued, however, the total amount of whelk the permitted fleet can take is determined by the ACL.

Why is there a permit fee?

A permit fee will be charged to reflect the costs of managing and administering the fishery (excluding enforcement) and stock assessment surveys. Cost recovery in this manner is in line with the principles for [Managing Welsh Public Money \(2016\)](#). The money will ensure we have good quality data to underpin the management of the fishery.

Welsh Government will consult annually in November with those with an interest in the fishery on the proposed permit fee, providing a breakdown of costs covered by the fee.

How was the fee calculated for the 2024-25 permit period?

The Welsh Government will ensure the costs are accurately calculated and proportionate. Our aim will be to work toward full cost recovery within five years, whilst also looking to identify efficiencies and minimise costs to fishers.

An inflationary rise of 6.7% has been applied to 2023-24 permit fee of £285. The permit fee will be £304. This would take cost recovery to 20% of survey cost and is equivalent to 24% of the average price of a tonne of whelk.

How much is the permit fee?

For the permit period 1 March 2024 – 28 February 2025, the permit fee will be **£304** and must be paid in full before a permit can be issued. Regardless of when an application is made, the permit fee will be the same.

How can permit fee payment be made?

Payment will be requested during the application process using a link to Gov.UK Pay via an API and payment collected by this service. GOV.UK Pay is robust, secure, and fully Payment Card Industry (PCI) compliant.

Once the application is submitted it will be reviewed. If all the required information and payment has been received it will be approved and a permit notification issued. We will contact the applicant if any additional information is required.

When will I receive my permit?

We will issue the permit notification within two weeks of receiving full permit fee payment.

Can I cancel my permit and receive a refund?

Applicants have 14 days from the date the permit notification was issued to request a refund providing they have not fished for whelk using the permit during that 14-day period.

How long is the permit valid for?

All permits will expire at the end of the permit period, at 23:59 on the last day of February, regardless of when they are issued. Permits cannot be renewed; new permits are required for any subsequent permit periods. No permits will be issued for a period of less than one month.

Who is the permit issued to?

Permits are issued to eligible vessel owners who apply and pay the for a permit. If there is more than one owner, a duplicate permit notification will be issued to each. Permits are not transferable.

Can I change the named vessel on my permit?

If a new fishing vessel is acquired, permit holders may change the named vessel on their permit by contacting the [Milford Haven Fisheries Office](#).

The new vessel cannot fish for whelk in the Welsh zone until the updated permit is received.

What should I do once I receive my permit?

The applicant must familiarise themselves, their vessel skippers and crew with the permit conditions and any legislation associated with whelk fishing in the Welsh zone. Owners, charterers, and vessel skippers/masters are jointly and severally liable for any breaches of the legislation.

The permit reference number must be available to marine enforcement officers during a fishing trip for whelk in the Welsh zone. Failure to do so is a breach of permit conditions which may lead to enforcement action.

The Annual Catch Limit (ACL) for Whelk in the Welsh zone

What is the 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 ACL is set prior to the start of each permit period and will remain unchanged unless the previous permit period's ACL is unexpectedly exceeded late in the permit period.

The Welsh Ministers can suspend fishing authorised by all permits *either* where they consider exploitation of whelk in the Welsh zone is not sustainable *or* in the event of an emergency.

Where the Welsh Ministers decide that fishing may resume following their decision to suspend fishing, they may revise the previous ACL.

How is the ACL set?

The Welsh Government commissioned Bangor University to develop a methodology by which the ACL should be calculated based on both fishery-dependent and scientific evidence. [The Use of Catch Limits in the Management of Whelk Fishing in the Welsh Zone](#) provides a detailed description of the methodology.

In 2023/24 permit period, the baseline ACL of 5,298 tonnes was reduced by 10% to **4,768 tonnes**, following a mixed set of size-based indicator results.

What is the ACL for permit period 2024-25?

To inform the ACL and MCL for 2024-25, [Bangor University completed a whelk stock assessment survey](#) in September 2023. Based on the results of the survey, there will be no change to the ACL of **4,768 tonnes**.

Flexible Monthly Catch Limit (MCL) for Whelk in the Welsh zone

What is an MCL?

An MCL is the maximum amount of whelk each permitted vessel can take with pots from the Welsh zone in a given month. All permitted vessels will get the same MCL. The Welsh Ministers can suspend fishing authorised by all permits *either* where they consider exploitation of whelk in the Welsh zone is not sustainable *or* in the event of an emergency.

Where the Welsh Ministers decide that fishing may resume following their decision to suspend fishing, they may revise the previous MCL.

What is the purpose of the MCL?

Once the ACL is set to ensure the sustainability of the fishery, it is important it is not exceeded by the catch of the permitted fleet. 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 [The Use of Catch Limits in the Management of Whelk Fishing in the Welsh Zone](#), Figures 2 & 3 on pages 12 & 13, link on [GOV.WALES](#)).

How will I receive the monthly MCL?

All permit holders will be required to submit an accurate catch return at the end of each month as a permit condition even if they have not fished. This information will be used to track the performance of the fishery and inform the MCL for the following month. The current MCL will be shown on the Whelk fishery page of [GOV.WALES](#). Changes to the MCL will also be notified to all permit holders by email.

What happens if I exceed the MCL?

Exceeding the MCL is a breach of the permit conditions which may lead to enforcement action. If exceedance of MCLs by permit holders leads to concerns, the ACL may be exceeded, and the MCL for all permit holders will be reduced.

How will the MCL be set?

The Welsh Government commissioned Bangor University to develop a robust methodology by which MCLs can be varied based on the ACL and historic fishing patterns using monthly catch return data. [The Use of Catch Limits in the Management of Whelk Fishing in the Welsh Zone](#) (link on [GOV.WALES](#)), provides a detailed description of the methodology.

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 lower 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 or increased each month.

What is the MCL for permit period 2024-25?

At present the MCL on 1 March is an initial **50 tonnes** unless there is evidence to suggest a different limit. In the following months, monthly catch returns from permit holders will be used to assess the rate of progress towards the ACL. The proposal for the MCL for **2024-2025** is to remain the same.

Monthly Catch Returns

Accurate catch return information will be crucial to the successful management of the fishery allowing its performance to be tracked and will inform the MCL for the following month. All permit holders are required to submit an accurate catch return for each permitted vessel by 23:59 on the last day of each month as a permit condition even if they have not fished. This information will be used to track the performance of the fishery and inform the MCL for the following month. **Failure to do so is a breach of permit conditions which may lead to enforcement action.**

Whelk taken as bycatch in other fishing activity, will be documented in existing catch recording/landings requirements and may be considered with respect to the ACL.

Permit holders must continue to comply with all other catch recording/landing declaration requirements such as catch-app and logbooks etc.

How do I complete a monthly catch return?

Permit holders must log in to their account at [GOV.WALES](https://gov.wales) and submit monthly catch returns. Permit holders can submit catch returns either after each fishing trip, after each week, or for the month as a whole.

Permit holders should submit a completed catch return (including nil return) by 23:59 on the last day of each month. If there are any difficulties completing or submitting the catch return, please contact Welsh Government at [the Milford Haven Fisheries Office](#), or telephone 0300 025 3500.

What whelk must be included in the monthly catch return?

All whelk caught using pots within the Welsh zone must be included in the catch return even if landed into a non-Welsh port.

If you fish for whelk using pots both outside and within the Welsh zone (See map in Annex 3) during a single fishing trip, for enforcement purposes all whelk on board will be considered to have been taken from within the Welsh zone and must be included in the catch return and will be taken from your MCL.

What information must be included in the monthly catch return?

The catch return must state:

- Weight of retained catch in Kg
- Number of pots lifted
- Soak time in days
- Location of fishing activity (ICES Sub Rectangle)

This information must be recorded against each day's fishing.

How will Welsh Government check catch return accuracy?

Catch returns will be checked against logbook, landings, and sales data to ensure any inaccuracies are captured and represented in the MCL for the following month. Submission of incomplete, inaccurate, or false catch returns are a breach of permit conditions which may lead to enforcement action.

If catch returns are not provided in an accurate and timely manner, fisheries managers may be forced to take a more precautionary approach than is necessary, e.g. reducing the MCL prematurely.

Permit Conditions

Whelk fishing permits for the Welsh zone (See map in Annex 3) are conditional and place statutory requirements on vessel owners/charterers and vessel skippers/masters in relation to the whelk fishery. All permit holders must comply with these conditions.

The Welsh Government may after consultation, add, remove, or vary permit conditions from time to time in order to conserve whelk stocks and ensure the sustainability of the fishery.

Current permit conditions:

1. The activities authorised by the permit must be undertaken in accordance with the provisions of [The Whelk Fishing Permit \(Wales\) Order 2021](#).
2. The 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 (*Buccinum undatum*) with pots using the vessel named in this permit.
3. The permit is not transferable.
4. 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 [GOV.WALES](#) each month.

5. The Monthly Catch Limit (MCL) must not be exceeded.
6. 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.
7. The Catch Return must be completed by logging on to your account at [GOV.WALES](https://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 SubRectangle).
8. 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 vessel’s Monthly Catch Limit (MCL).
9. The permit holder must retain and land only whole whelk in their shell.
10. The permit number must be available to marine enforcement officers.
11. The permit holder must notify the Welsh Ministers of a change of vessel by contacting the [Milford Haven Fisheries Office](#).
12. The permit holder must comply with any suspension of fishing notices in the Welsh zone issued by the Welsh Government.

Conditions required to comply with the Conservation of Habitats and Species Regulations 2017 and the Offshore Marine Habitats and Species Regulations 2017 (together referred to as “the HRA Regulations” as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019/579).

13. **Whelk potting is not permitted** on the area of maerl bed characterised by the red seaweed *Phymatolithon calcareum* described in Annex 1.1.
14. **The use of whelk potting gear with securing anchors, designed to penetrate sediment, is not permitted** in the areas of seagrass (*Zostera marina*) described in Annex 2.1.1 and 2.1.2.
15. **The use of whelk potting gear with securing anchors, designed to penetrate sediment, is not permitted** in the areas containing seapens (*Virgularia mirabilis*) and burrowing megafauna biotope described in Annex 2.2.1 and 2.2.2.
16. **The use of whelk potting gear with securing anchors, designed to penetrate sediment, is not permitted** in the areas of horse mussel reef (*Modiolus modiolus*) described in Annex 2.3.

Wales Whelk Advisory Group

How will Welsh Government communicate and involve fishers in whelk management in Wales?

The principal mechanism for stakeholder engagement will be the Wales Whelk Advisory Group (**WWAG**).

When will the group meet?

WWAG will meet on at least a bi-annual basis and work with Welsh Government to inform and develop the management of the fishery. Extra-ordinary meetings may be called if the need arises.

The WWAG will meet in early **November each year** to discuss the findings of scientific stock surveys, the annual summary report and the draft ACL, permit conditions and permit fee for the following year.

A further meeting will be held in **May/June** to discuss fishery progress and any issues.

Who will be on the WWAG and can I be involved?

Membership of the group needs to represent the range of interests such as fishers, their representative associations, industry representatives, fisheries scientists, and fisheries managers.

The group must not be too large to work in detail together and maintain consistent attendance.

Welsh Government need people on the group who can show that they represent the views of constituted bodies, not just individual opinions, and will fill a number of positions from those representing the following:

- Chair
- 6 Fishers (representing large- and small-scale whelk fishing operations)
- 2 Buyers/processors
- 1 Fisheries Scientist
- 3 Welsh Government Fisheries Officials (Management, Enforcement & Science)
- 1 Welsh Fishermen's Association member
- 1 Wales Environment Link representative
- 1 Natural Resources Wales representative
- Other people will be invited to speak at meetings on subjects as appropriate.

How will the group meet?

The group will meet through a virtual meeting space such as Microsoft Teams. Welsh Government will organise each meeting and send through details to each group member.

Are there any financial re-imbursements for joining the group?

No.

How will the group effectiveness be monitored?

Welsh Government will continue to monitor the effectiveness of the group and will review membership and attendance annually.

How will outcomes of each meeting be communicated to the wider community?

General meeting minutes will be available to view on the [Wales Whelk Advisory Group page](#) within 2 weeks of each meeting. If there is a key message from the group, correspondence will be emailed to each permit holder and placed on the website as soon as possible after each meeting.

Wider inclusion

To assist the WWAG in communicating to the wider fisher community, an open meeting will be organised when key messages need to be communicated. This forum will be accessible to anyone who wishes to attend.

Diversity

Welsh Government is encouraging a wide and diverse range of individuals who are involved with one of the areas listed above to express an interest in sitting on the WWAG.

Glossary

Annual Catch Limit (ACL) means the limit on the total amount of whelk that can be taken and retained in the Welsh Zone by the combined total of relevant vessels authorised by a permit during a permit period.

Catch means whelk which is taken and retained in the Welsh zone.

Monthly Catch Limit (MCL) means the maximum amount of whelk each permitted vessel can take and retain with pots from the Welsh zone in a given month.

Owner includes a charterer.

Permit means a permit issued by the Welsh Ministers.

Permit Period means the period commencing 1 March each year until the end of February the following year.

Pot means any pot, creel, trap or cage used to fish for whelk.

Relevant Vessel means a fishing vessel which is
Licensed under section 15 of the Fisheries Act 2020 or
Licensed under section 17 of the Fisheries Act 2020.

Vessel master/skipper in relation to a relevant vessel, includes the person for the time being in command or charge of the vessel.

Whelk means shellfish of the species *Buccinum undatum*.

Welsh inshore region has the meaning given in section 322 of the Marine and Coastal Access Act 2009.

Welsh offshore region has the meaning given in section 322 of the Marine and Coastal Access Act 2009.

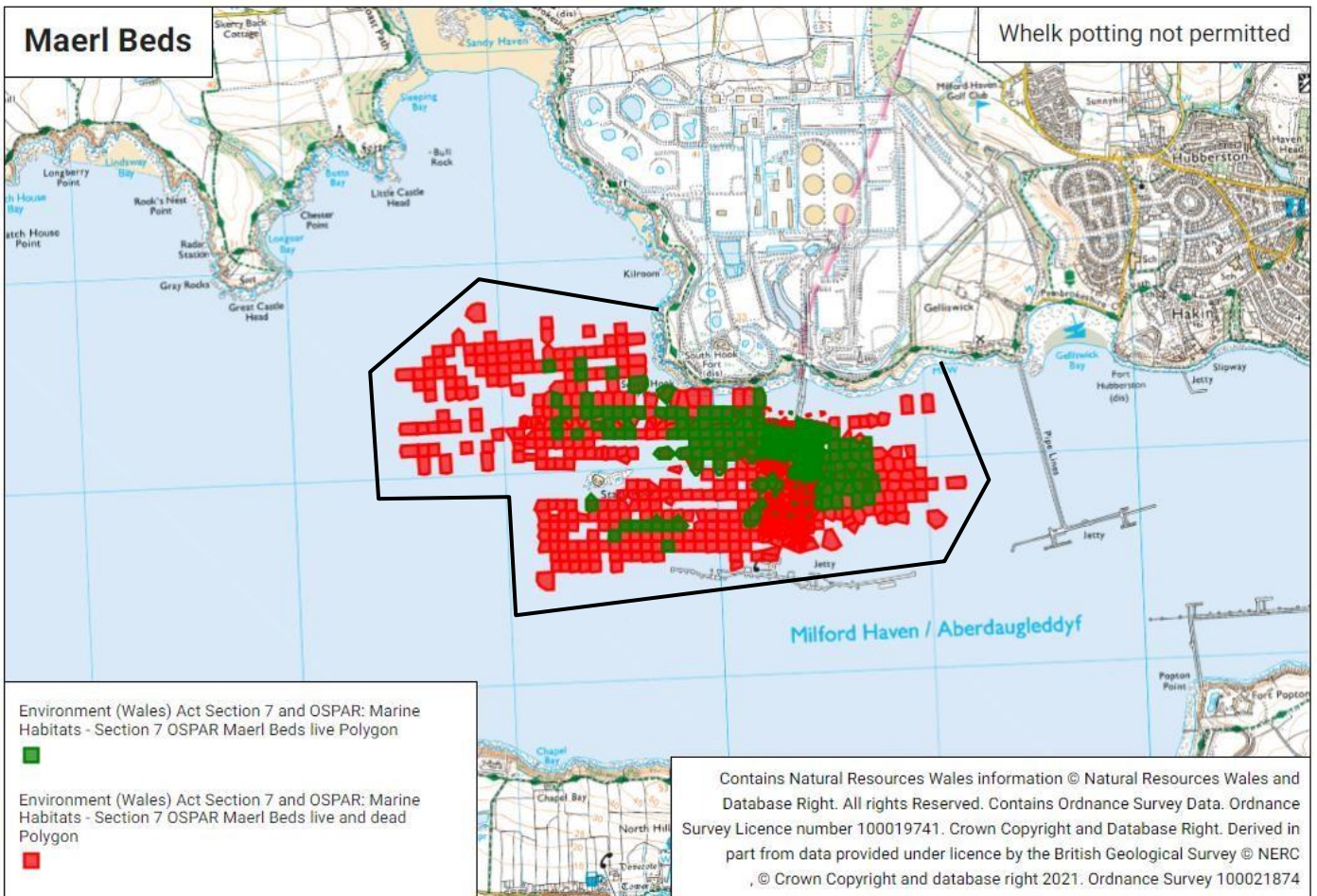
Welsh zone means the Welsh inshore region and the Welsh offshore region (See map in Annex 3).

Annexes

Annex 1. Whelk potting is not permitted in the following area:

1.1 The area within the Pembrokeshire Marine Special Areas of Conservation (SAC) identified in the map below. The area bounded by and enclosed between the coastline at mean high water springs and a line drawn between the following co-ordinates:

- 51° 42.60'N 05° 05.29'W
- 51° 42.67'N 05° 06.01'W
- 51° 42.43'N 05° 06.45'W
- 51° 42.11'N 05° 06.43'W
- 51° 42.12'N 05° 05.89'W
- 51° 41.81'N 05° 05.86'W
- 51° 41.95'N 05° 04.10'W
- 51° 42.14'N 05° 03.92'W
- 51° 42.46'N 05° 04.11'W



Annex 2. The use of whelk potting gear securing anchors, designed to penetrate the sediment, is not permitted in the following areas:

2.1.1 The areas within the Llyn Peninsula and the Sarnau Special Areas of Conservation (SAC) identified in the maps below. The area bounded by and enclosed between the coastline at mean high water springs and a line drawn between the following co-ordinates:

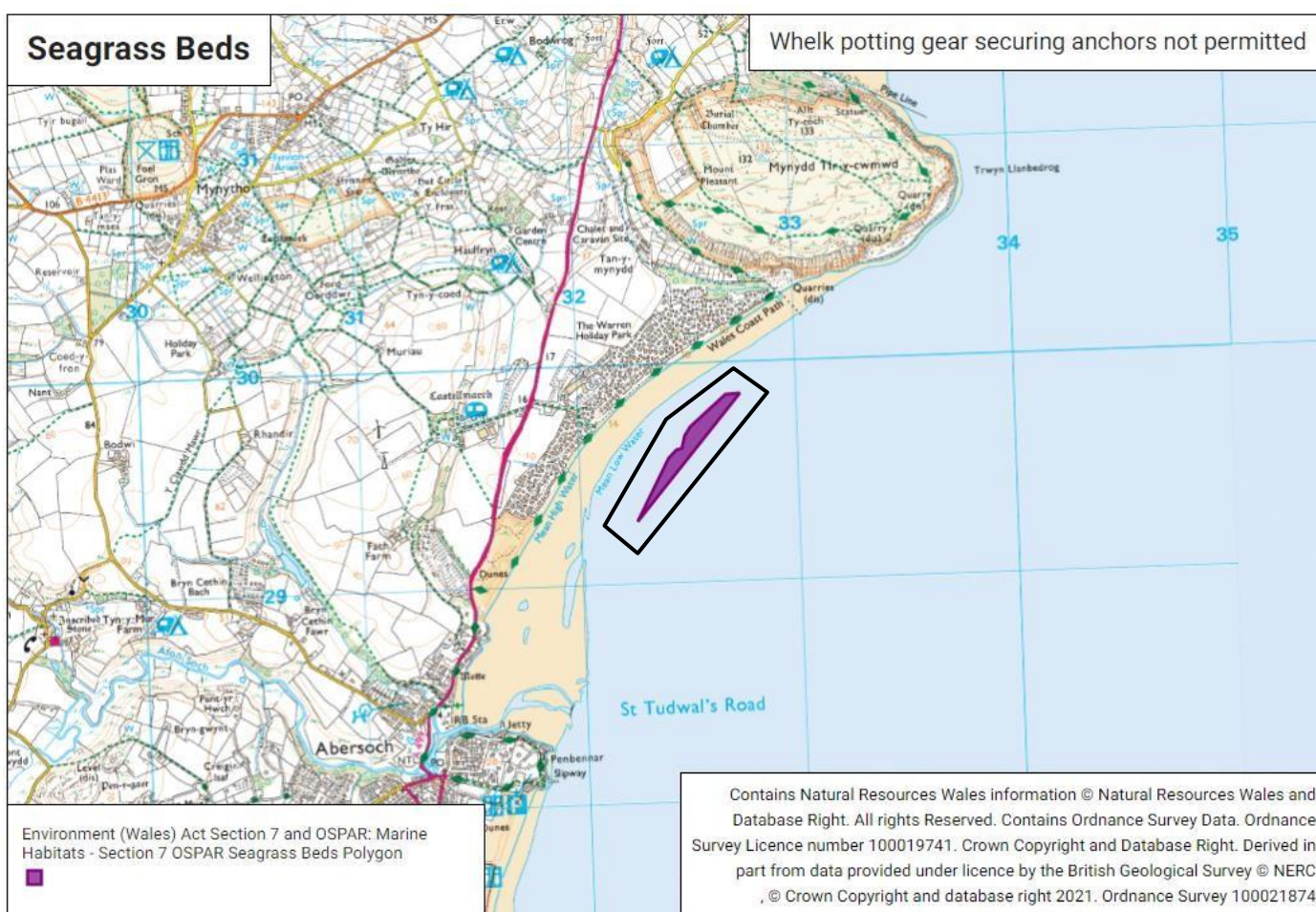
52° 50.09'N 04° 29.62'W

52° 50.36'N 04° 29.36'W

52° 50.48'N 04° 29.10'W

52° 50.42'N 04° 28.98'W

52° 50.02'N 04° 29.48'W



The area bounded by and enclosed between the coastline at mean high water springs and a line drawn between the following co-ordinates:

52° 53.54'N 04° 19.53'W

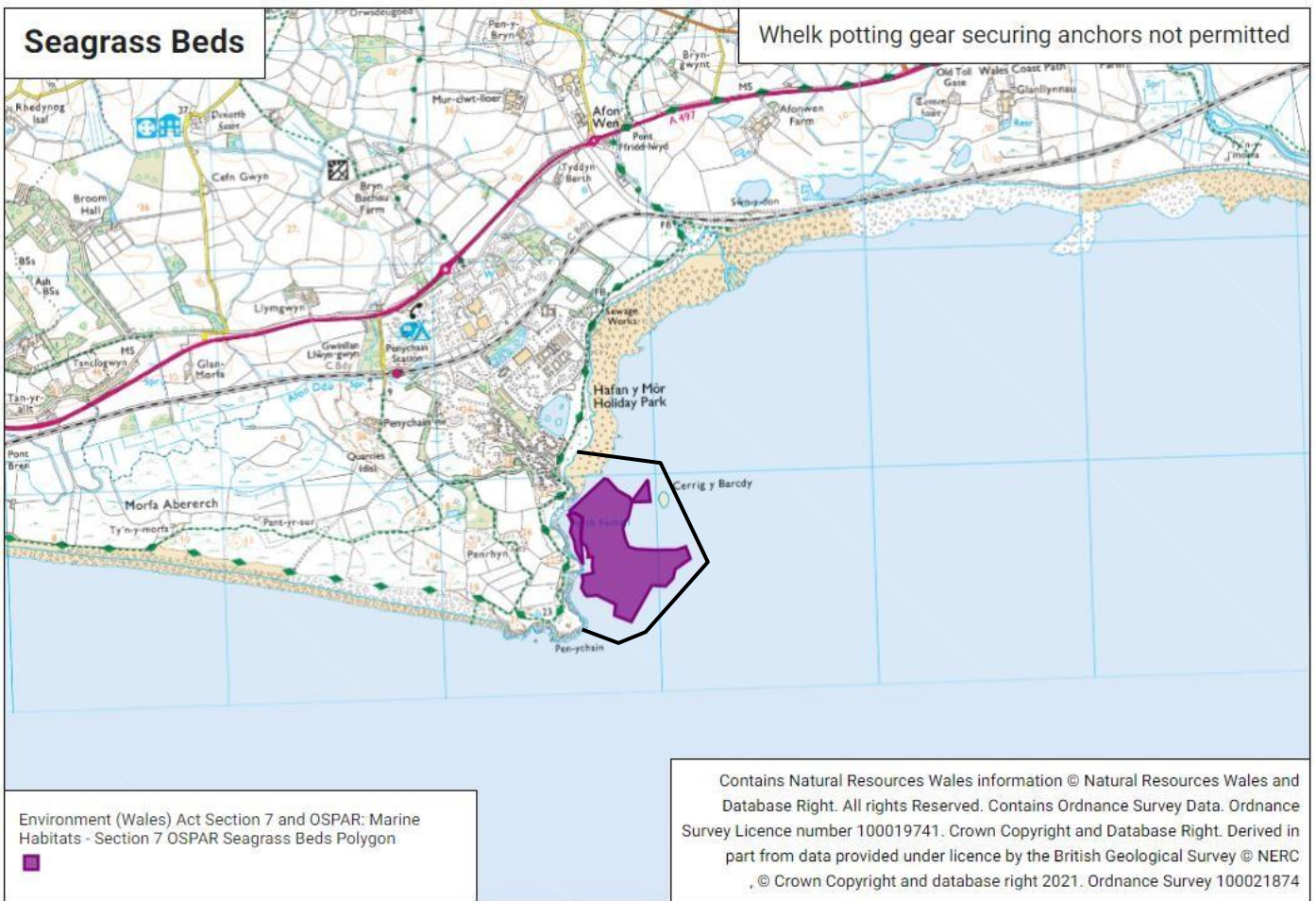
52° 53.51'N 04° 19.38'W

52° 53.54'N 04° 19.25'W

52° 53.72'N 04° 19.00'W

52° 53.95'N 04° 19.21'W

52° 53.99'N 04° 19.53'W



The area bounded by and enclosed between the coastline at mean high water springs and a line drawn between the following co-ordinates:

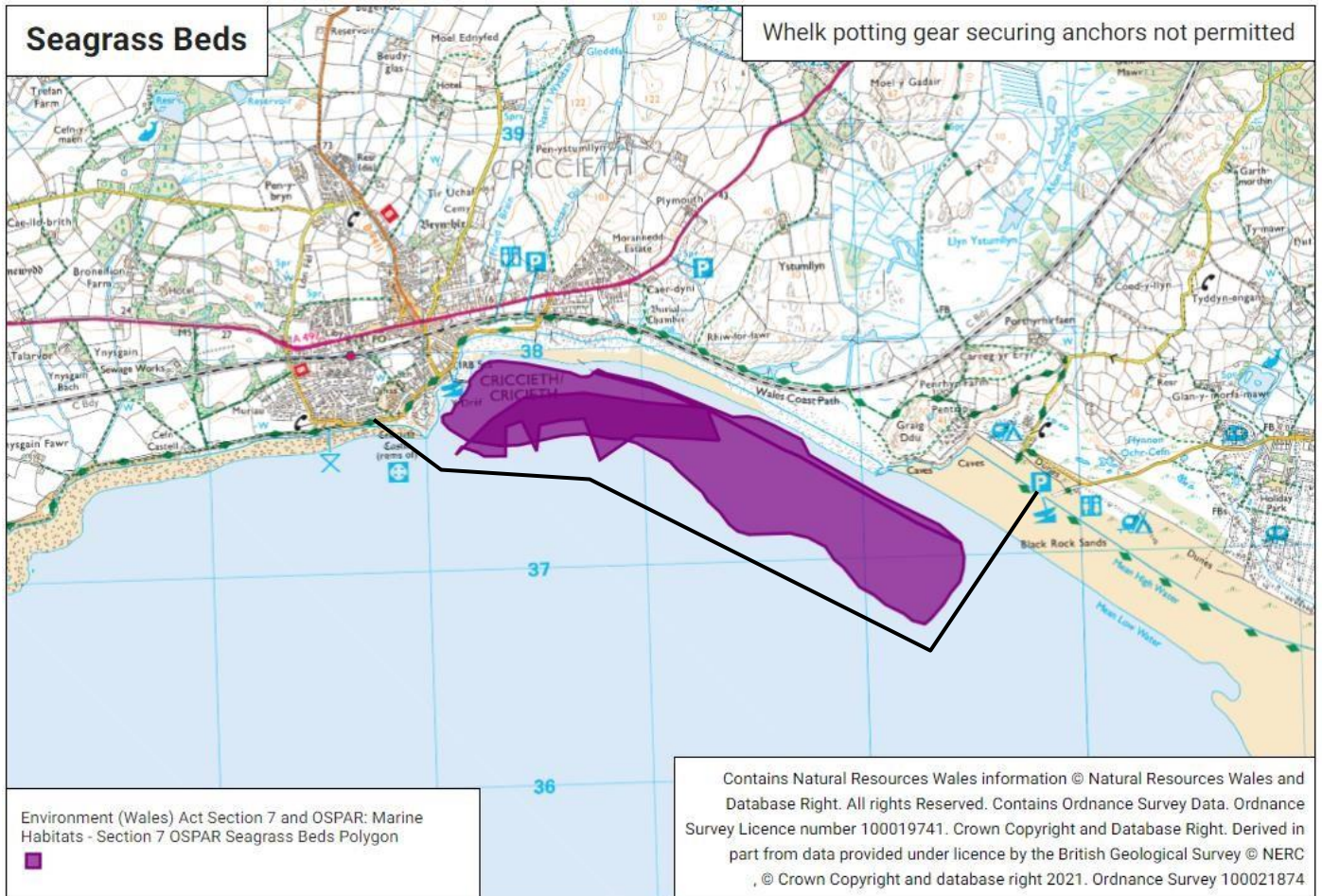
52° 54.92'N 04° 14.13'W

52° 54.81'N 04° 13.87'W

52° 54.78'N 04° 13.25'W

52° 54.35'N 04° 11.85'W

52° 54.75'N 04° 11.40'W



2.1.2 The area within the Pembrokeshire Marine Special Areas of Conservation (SAC) identified in the maps below.

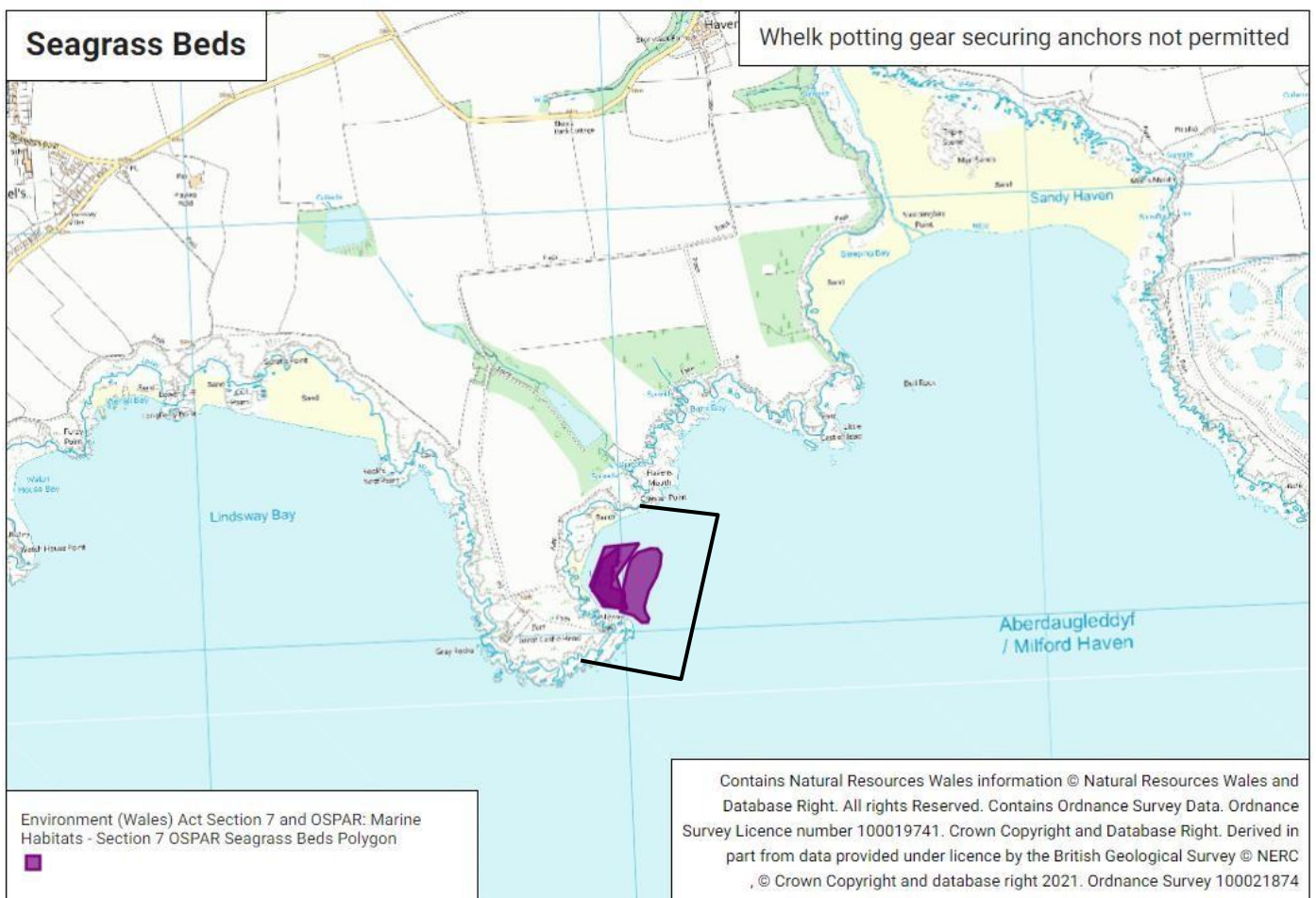
The area bounded by and enclosed between the coastline at mean high water springs and a line drawn between the following co-ordinates:

51° 42.65'N 05° 06.89'W

51° 42.63'N 05° 06.70'W

51° 42.84'N 05° 06.62'W

51° 42.85'N 05° 06.77'W



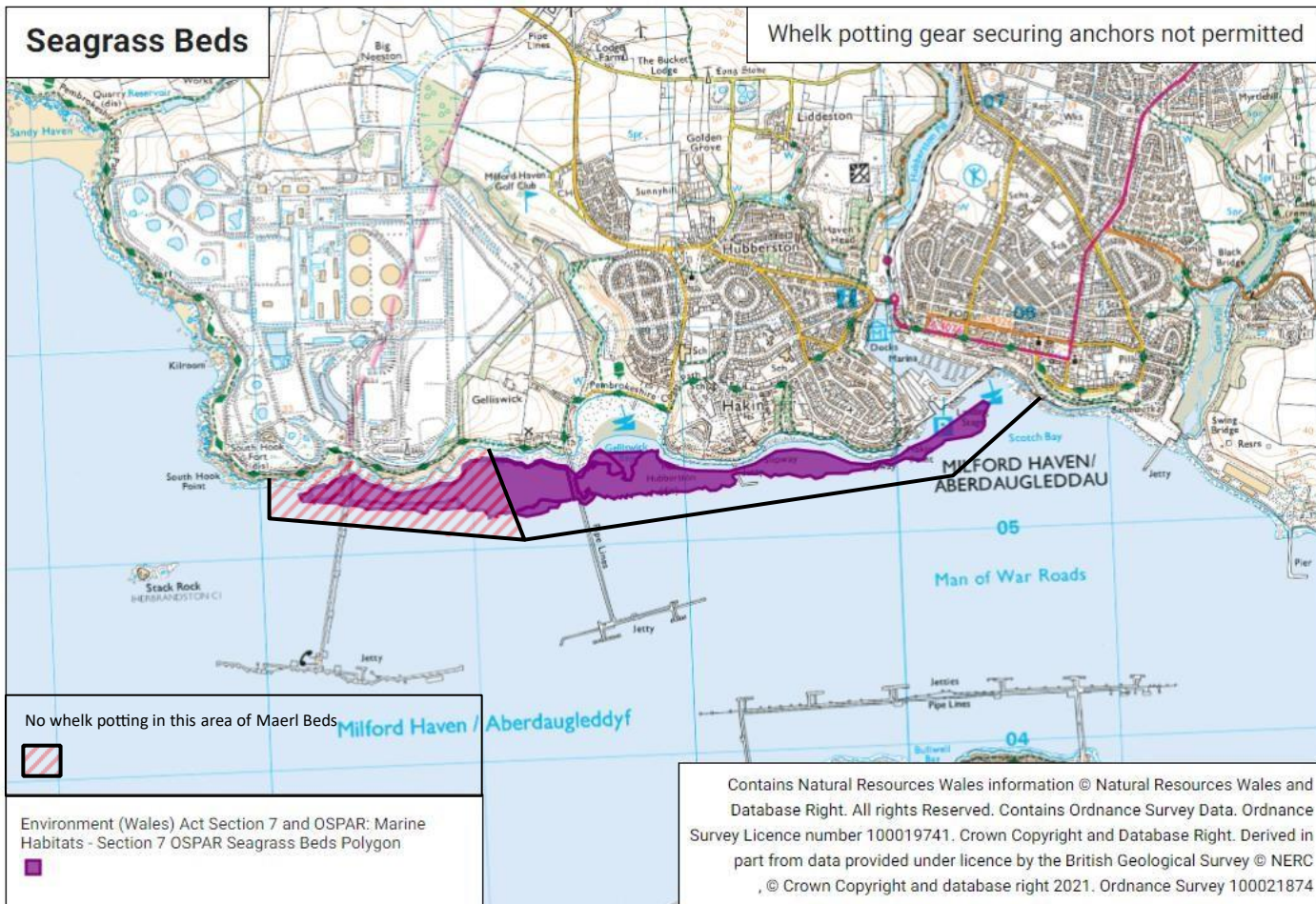
The area bounded by and enclosed between the coastline at mean high water springs and a line drawn between the following co-ordinates:

51° 42.46'N 05° 04.11'W

51° 42.24'N 05° 03.95'W

51° 42.40'N 05° 02.20'W

51° 42.58'N 05° 01.84'W



The area bounded by and enclosed between the coastline at mean high water springs and a line drawn between the following co-ordinates:

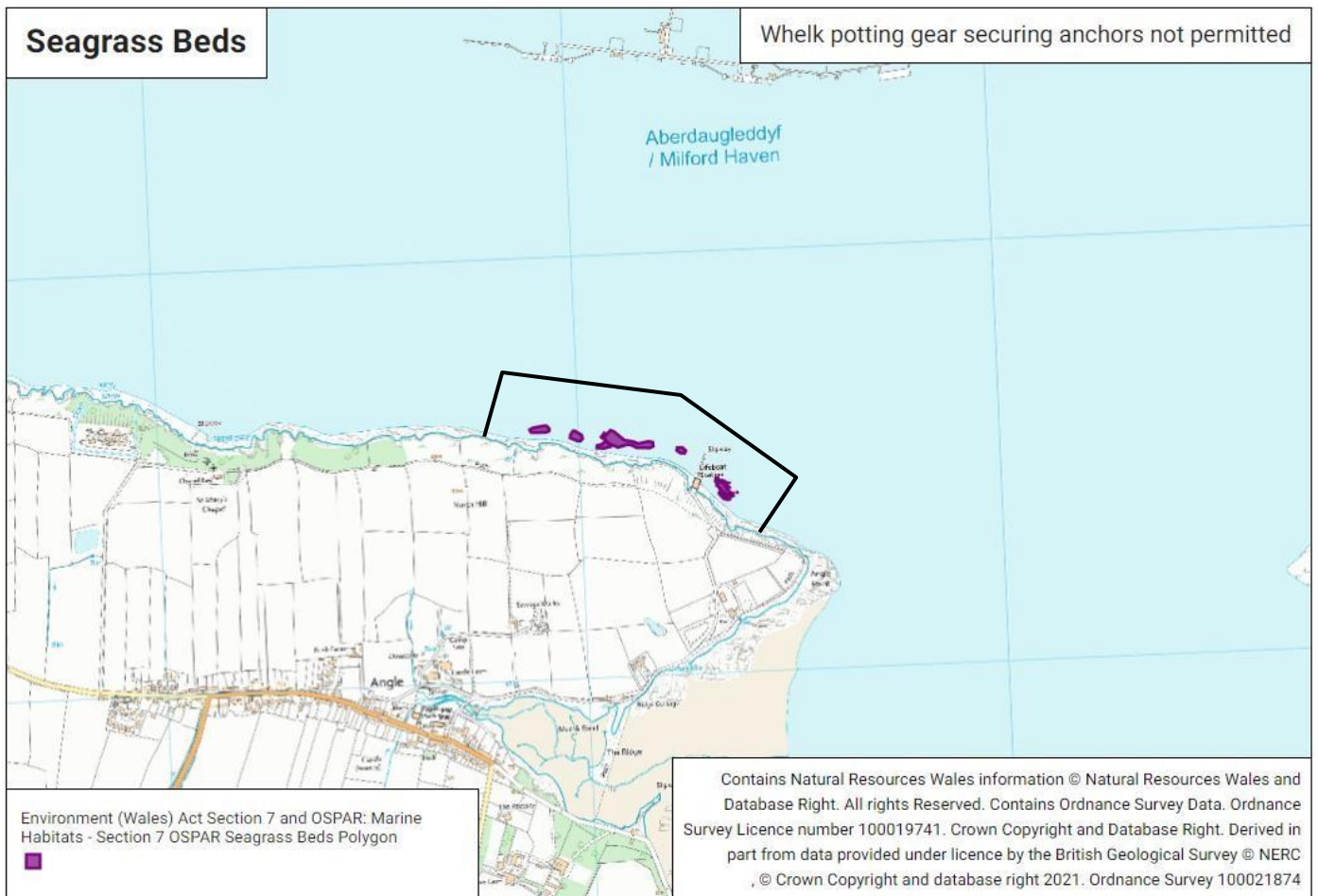
51° 41.42'N 05° 05.18'W

51° 41.50'N 05° 05.15'W

51° 41.47'N 05° 04.78'W

51° 41.37'N 05° 04.55'W

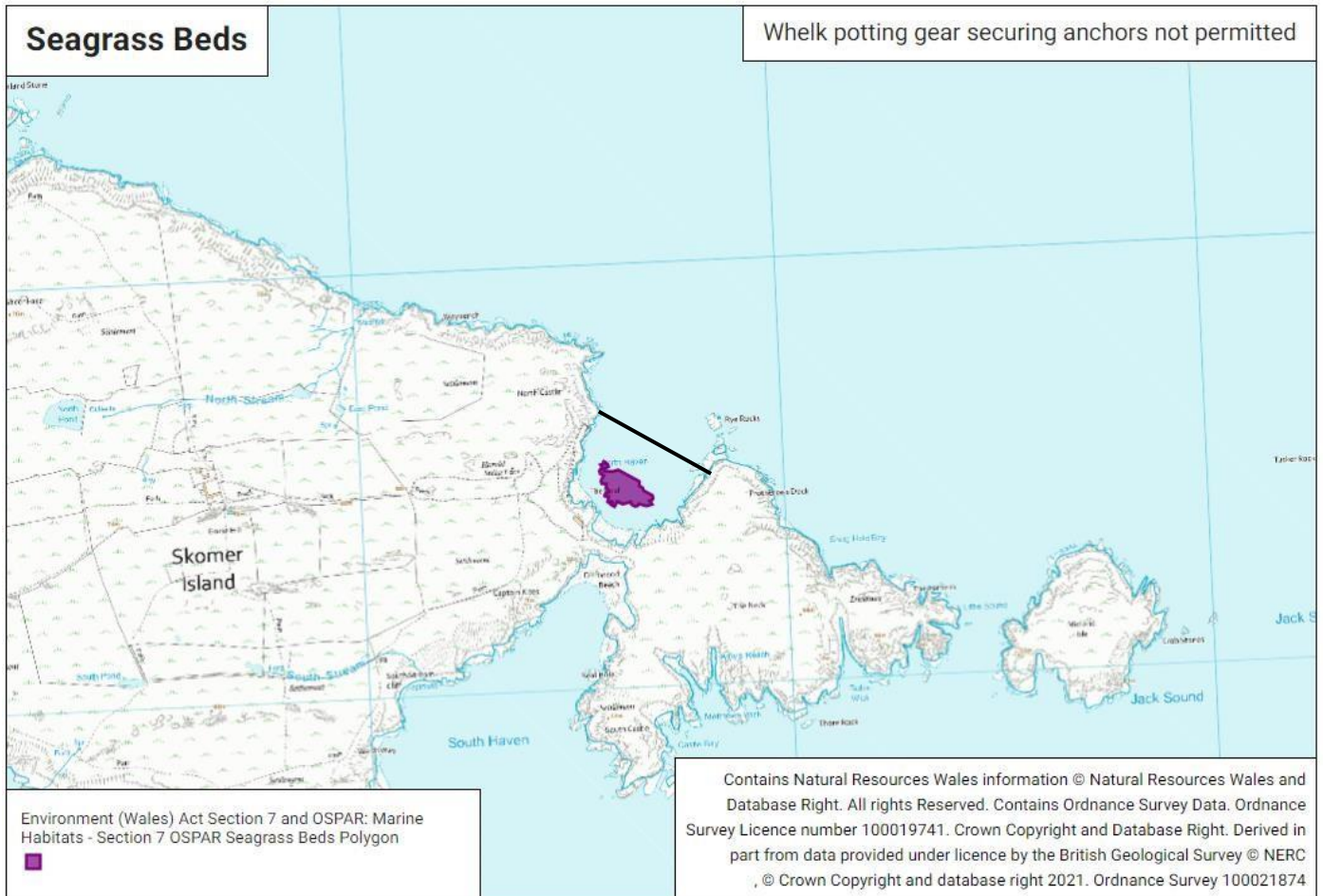
51° 41.30'N 05° 04.62'W



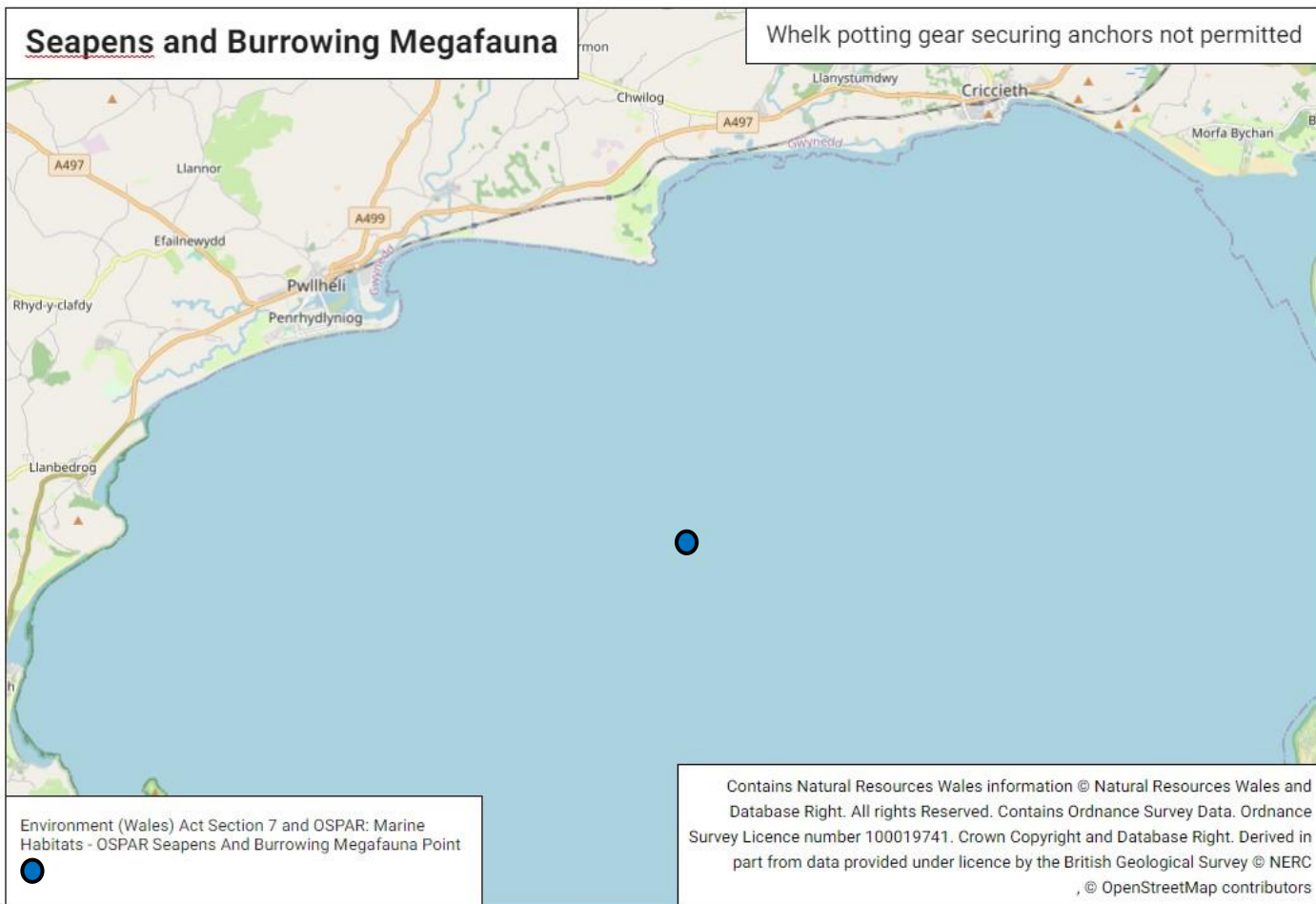
The area bounded by and enclosed between the coastline at mean high water springs and a line drawn between the following co-ordinates:

51° 44.38'N 05° 16.86

51° 44.31'N 05° 16.64



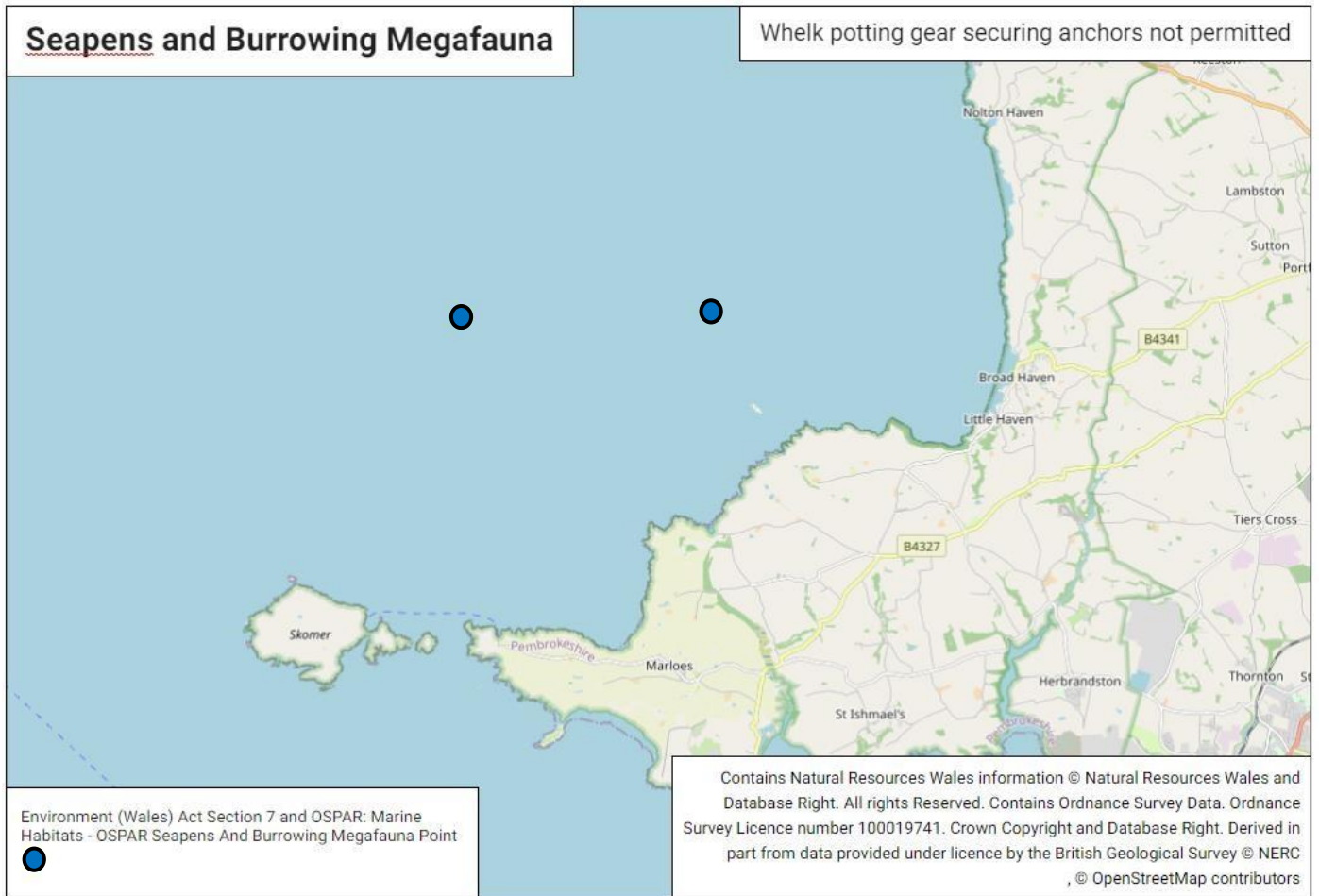
2.2.1 Not within 100 metres of the features in the Llein Peninsula and the Sarnau Special Areas of Conservation (SAC) identified in the map below and at the following co-ordinates: 52° 50.79'N 04° 19.02'W



2.2.2 Not within 100 metres of the features in the Pembrokeshire Marine Special Areas of Conservation (SAC) identified in the map below and at the following co-ordinates:

51° 47.48'N 05° 11.21'W and

51° 47.45'N 05° 15.32'W



2.3 The area within the Llyn Peninsula and the Sarnau Special Areas of Conservation (SAC) identified in the map below. The area bounded by and enclosed by a line drawn between the following co-ordinates:

52° 55.68'N 04° 41.86'W

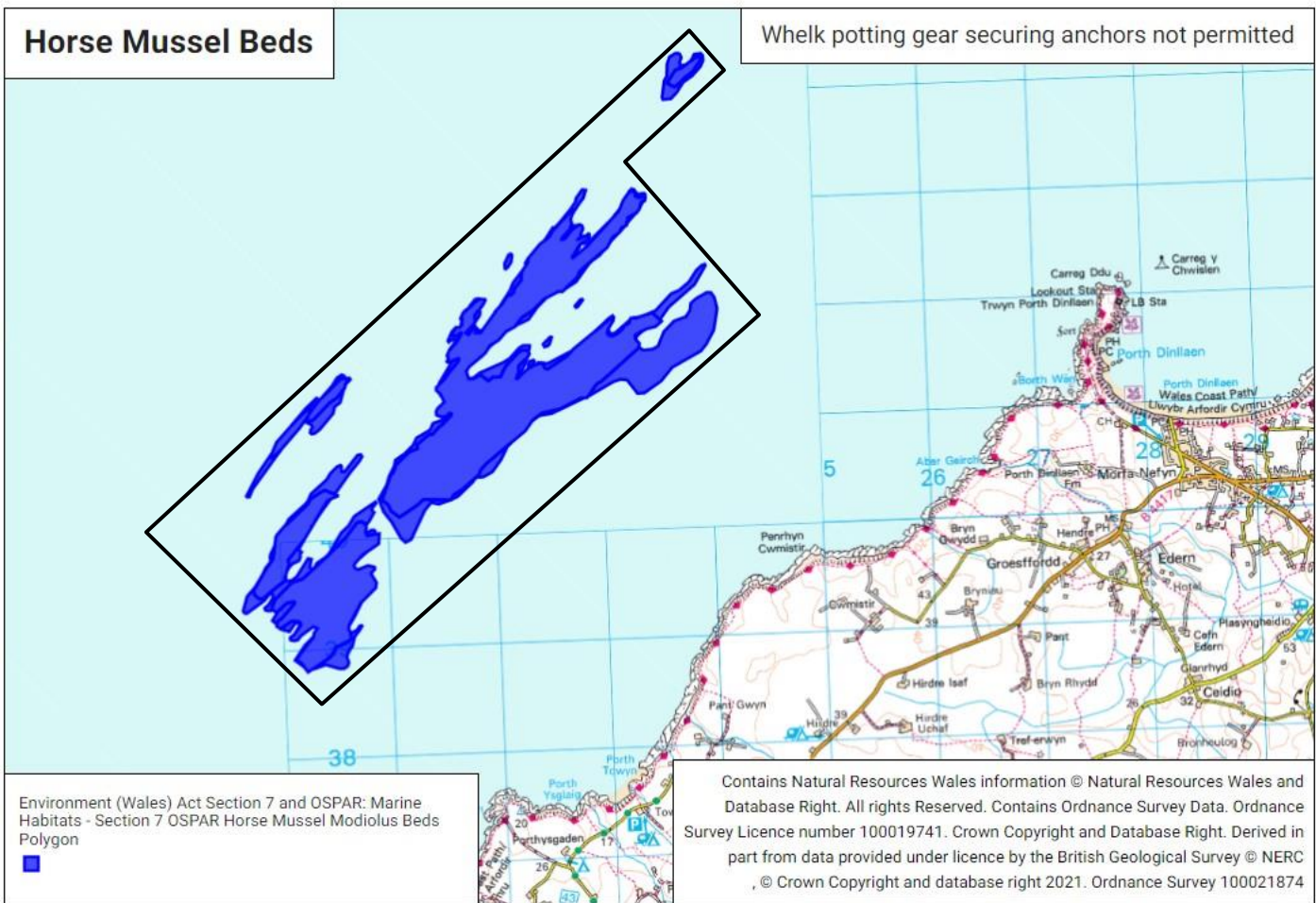
52° 58.19'N 04° 37.39'W

52° 58.00'N 04° 37.08'W

52° 57.53'N 04° 37.91'W

52° 56.77'N 04° 36.79'W

52° 54.83'N 04° 40.40'W



Annex 3. Map of the Welsh zone

