

Marine Land based – Shellfish Purification (RAS) Facilities for shellfish depuration and purification, often fully enclosed recirculatory style cultivation

Consent required	Regulatory / Authorising remit	Regulator	Contacts
<p>Planning permission</p> <p><i>Charges apply</i></p> <p><i>Target times* = 8 weeks general, 16 weeks if EIA required.</i></p>	<p>Granting of development consents for land based fish farms under the Planning (Wales) Act 2015, and Planning Act 2008</p> <p>It is the scale of the infrastructure and water use/discharge that is considered by the local planning authority as much as the usage.</p> <p>EIA, HRA, WFD assessment and WCA assessment may be required.**</p>	<p>Local Authorities</p>	<p>See relevant local authority</p> <p>http://wlga.wales/welsh-local-authority-links</p> <p>https://www.planningportal.co.uk/wales_en/</p> <p>https://www.planningportal.co.uk/wales_en/info/5/applications/56/how_to_apply</p> <p>http://adlib.eversite.co.uk/resources/000/264/299/annex_epps7.pdf</p>
<p>Marine licence</p> <p><i>An aquaculture facility pumping water ashore would require a licence for pumping / pipework and associated works that fall below Mean High water Springs.</i></p> <p><i>Covers developments out to 200NM or the median line with other countries waters.</i></p> <p><i>Charges apply</i></p> <p><i>Target Time* = 4 months if license is required</i></p>	<p>Licensing of marine activities under the Marine and Coastal Access Act (2009).</p> <p>The applicant must contact Marine and Coastguard Agency and Trinity House to determine if their development (pipework) requires navigational markers.</p> <p>EIA, HRA, WFD assessment and WCA assessment may be required.**</p>	<p>Natural Resources Wales</p>	<p>0300 065 3000</p> <p>marinelicensing@naturalresourceswales.gov.uk</p> <p>http://naturalresourceswales.gov.uk/permits-and-permissions/marine-licensing/?lang=en</p> <p>MCA: navigationsafety@mcga.gov.uk Or infoline@mcga.gov.uk</p> <p>Trinity House: navigation.directorate@thls.org</p>
<p>Water Abstraction & Discharge Licences</p> <p><i>Abstraction consent may or may not be required, depending on circumstances. Discharge consent will be required if water is returned to the marine environment.</i></p> <p><i>Charges apply</i></p>	<p>Abstraction and Discharges under Environmental permitting regulations (England & Wales) 2010</p> <p>EIA, HRA, WFD assessment and WCA assessment may be required.**</p>	<p>Natural Resources Wales</p>	<p>0300 065 3000</p> <p>permitreceiptcentre@naturalresourceswales.gov.uk</p> <p>http://naturalresourceswales.gov.uk/permits-and-permissions/?lang=en</p>

<p><i>Target time* = for full application up to 3 months due to changes to exempt uses and amounts from Jan 2018.</i></p>			
<p>Authorisation to operate an Aquaculture Production Business</p> <p>(An authorisation in principle may be available before the APB is up and running)</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, consult NRW as part of process.</p> <p>FHI are a regulatory body under the nature conservation directives, HRA and consideration under the WCA may also be required.</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>
<p>Approval as a Shellfish Purification Establishment</p> <p>(Conditional approval may be available after requirements of initial inspection are satisfied to enable new systems to be thoroughly tested)</p> <p><i>Shellfish from class B production areas must be subject to purification before sale for human consumption. A purification centre' is an establishment with tanks fed by clean seawater in which live bivalve molluscs are placed for the time necessary to reduce contamination to make them fit for human consumption.</i></p>	<p>Issue purification establishment approval and monitor in accordance with Article 32 of Regulation 882/2004</p> <p>In addition to those requirements, businesses producing Products of Animal Origin are also required to apply the rules laid down by Regulation (EC) 853/2004. These ensure operator parameters are met for the safe operation of shellfish purification tanks.</p> <p>Finally, regulation (EC) 852/2004 sets-out general hygiene rules that apply to all registered and approved food establishments.</p>	<p>Food Standards Agency (FSA) are competent authority.</p> <p>Local Authorities are the enforcement authority- issue the approval and monitor (inspections) operator's compliance with the Regulations</p>	<p>02920 678956</p> <p>Lasupportwales@foodstandards.gsi.gov.uk</p> <p>https://www.food.gov.uk/enforcement/monitoring/shellfish/shellfish-purification</p> <p>https://www.food.gov.uk/sites/default/files/fsa-purification-guidance-7-november-2016.pdf</p>

<p>Authorisation as a Dispatch Centre</p> <p><i>A dispatch centre' means any on-shore or off-shore establishment for the reception, conditioning, washing, cleaning, grading, wrapping and packaging of live bivalve molluscs fit for human consumption.</i></p>	<p>Ensure operator is able to carry out functions of a dispatch centre under EC Regulation 853/2004. These ensure operator parameters are met for the safe operation of shellfish purification tanks, and all functions associated with packaging.</p> <p>Issue premises with approval as a dispatch centre</p>	<p>Food Standards Agency is the central Competent Authority</p> <p>Local Authorities are the enforcement authority- issue the approval and monitor (inspections) operator's compliance with the Regulations</p>	<p>02920 678956</p> <p>https://www.food.gov.uk/enforcement/monitoring/shellfish/shellfish-purification</p> <p>https://www.food.gov.uk/sites/default/files/fsa-purification-guidance-7-november-2016.pdf</p>
<p>Authorisation to import livestock</p> <p><i>Required if seed stock are to be sourced from anywhere outside England, Wales or Scotland</i></p> <p><i>No charges</i></p> <p><i>Target time* = 15 to 90 days</i></p>	<p>Authorisation to import livestock for aquaculture from EU or third countries under Aquatic animal health Directive 2006/88.</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/import-or-export-live-fish-and-shellfish</p>
<p>Permitting farming of alien species.</p> <p><i>(FHI provide advice and carryout inspection to ensure that the facility can be classed as <u>fully enclosed</u> and be exempt from permitting under ASR)</i></p> <p><i>No charges</i></p>	<p>Permitting under the Alien and Locally Absent Species in Aquaculture (England & Wales) Regulations 2011.</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/introduce-or-keep-non-native-fish-and-shellfish</p>

<p><i>(If a system is deemed not to be fully enclosed and a Risk Assessment is required then can costs fall to the applicant and can be significant)</i></p> <p>Target time* = 15 to 90 days</p>			
<p>Disposal of mortalities</p>	<p>Disposal of fish mortalities under Council Regulation EC 1069/2009 on animal by-products. Fish 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> <p>FHI control the disposal of mortalities where premises are subject to control for the presence of a notifiable disease. Otherwise it is the remit of local authorities.</p>	<p>Regulation via Local authorities</p> <p>Fish Health Inspectorate (FHI)</p>	<p>http://wlga.wales/welsh-local-authority-links</p> <p>01305 206700</p> <p>fhi@cefas.co.uk</p>

*Target times are indicative and may take longer if there are complicated considerations

** EIA = Environmental impact assessment, HRA = Habitats risk assessment, WFD = Water framework directive assessment, WCA = Wildlife and countryside act assessment

Assessments that may be required as part of planning permission or other permissions. Please contact your Local Planning Authority and/or Natural Resources Wales for confirmation of if you require such assessments.

Assessment type	Legislation	Competent authority *	Contact details
Environmental Impact Assessment (EIA)	<p>The local authorities, if issuing planning permission, will consult with relevant statutory consultees (including NRW) on specific environmental impacts of development proposals under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.</p> <p>For a shellfish purification centre development you will most likely require planning permission so consult your local planning authority early in the application process on the requirements for EIA.</p> <p>For any inflow/outflow pipework: The Marine Works (Environmental Impact Assessment) Regulations 2017 as amended requires applications for a marine license to NRW to be screened against its Annex II to check if an EIA is required (mainly sections 1 (f) and (g)).</p>	<p>Local Authorities</p> <p>Natural Resources Wales (NRW)</p>	<p>http://wlga.wales/welsh-local-authority-links</p> <p>http://naturalresourceswales.gov.uk/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/the-role-of-natural-resources-wales-in-environmental-assessment/?lang=en</p> <p>0300 065 3000</p> <p>marinelicensing@naturalresourceswales.gov.uk</p> <p>http://naturalresourceswales.gov.uk/permits-and-permissions/marine-licensing/environmental-impact-assessment/?lang=en</p>
Habitats Risk Assessments (HRA)	<p>Any application for works within or adjacent to a European or RAMSAR site will be subject to the provisions of The Conservation of Habitats and Species Regulations 2017.</p> <p>This means that the Local Planning Authority will carry out a Habitats Regulations Assessment (HRA) as part of issuing planning permission' NRW are consulted as part of this process.</p>	Local Authorities	<p>http://wlga.wales/welsh-local-authority-links</p> <p>http://naturalresourceswales.gov.uk/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/the-role-of-natural-resources-wales-in-environmental-assessment/?lang=en</p>

	<p>This means for any offshore pipework the competent authorities/regulatory bodies will carry out a Habitats Regulations Assessment (HRA) where necessary.</p> <p>The assessment process, if required, will involve data gathering, for which the applicant may be responsible.</p>	Natural Resources Wales (NRW)	<p>0300 065 3000</p> <p>marinelicensing@naturalresourceswales.gov.uk</p> <p>http://naturalresourceswales.gov.uk/permits-and-permissions/marine-licensing/habitats-regulations-assessment/?lang=en</p>
Water Framework Directive (WFD)	<p>The Local authority will work closely with Natural Resources Wales (the Competent Authority for WFD) and will be advised of any likely effects before issuing planning permission.</p> <p>NRW will carry out a WFD assessment where necessary as part of marine licensing under the Water Framework Directive (2000/60/EC) and The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003.</p>	Local Authorities and Natural Resources Wales	<p>http://wlga.wales/welsh-local-authority-links</p> <p>http://naturalresourceswales.gov.uk/guidance-and-advice/environmental-topics/water-management-and-quality/water-quality/improving-water-quality/?lang=en</p>
Wildlife and Countryside Act (WCA) 1981 assessment for SSSI's	<p>If your proposal will fall within a SSSI speak to your Local Planning Authority and/or Natural Resources Wales about the possible implications of the WCA 1981 on your development at an early stage of the application process.</p>	Local Authorities and Natural Resources Wales	<p>http://wlga.wales/welsh-local-authority-links</p> <p>http://naturalresourceswales.gov.uk/permits-and-permissions/protected-species-licensing/uk-protected-species-licensing/information-on-uk-protected-species-licensing/?lang=en</p>

*Note that where more than one competent authority requires the same assessment for different permissions, a lead authority should be identified to co-ordinate work so that the assessment only needs to be done once, but ensuring it fulfils the requirements of each permission. This reduced burden on the applicant and streamlines the regulatory process.