

Shian Fisheries Ltd.

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Eri: CH

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Email: oysters@btclick.com

Date: 07/02/06

Your ref:

Our ref:

Angus Yarwood
Fisheries Bill Team,
SEERAD,
Room 409 Pentland House,
47 Robbs Loan,
Edinburgh EH14 1TY

Dear Mr Yarwood,

Aquaculture and Fisheries Bill Consultation

I am responding to the consultation Process on this Bill, as a private individual. This response may be made available to the public as well as my name and address and I am happy for SE to contact me in the future.

I am a shellfish farmer.

I cannot use the consultation form because nowhere in the Paper is it made clear whether or not shellfish farming is included in the proposals, and the questions asked are inappropriate for shellfish farming.

A first reading indicates that shellfish farming is included in the general proposals. However in the sections on parasite control, containment, fish farm relocation, compensation, fish movements, it is quite clear that it is marine finfish farming that is under consideration. On page 10-30 shellfish farms are specifically proposed to be exempted. Since elsewhere they are not specifically excluded, by implication they must be included, but that would make the discussion on, for example sealice, gyrodactylus, and well boats inappropriate.

Turning to the annex, pages 44-14 and 46-28 and 59 -85 covering parasites, containment and fish movements respectively, state that shellfish farming will not be affected. Presumably then, shellfish **are** included but at the moment will not be affected., which is not the same thing. On the other hand, page 55-69, states that shellfish farms are not to be covered by the proposal on compensation, so for this section they are **not** included. Is this the intention? If so it is quite obviously flawed.

Moreover, all the assessments regarding competition are incorrect if shellfish farms are included .

Are shellfish included or excluded from the freshwater fisheries section?

It is quite clear that the thrust of the proposals is intended to cover only finfish farms. That being the case, it would be very bad government to accidentally include shellfish farms in a bill whose provisions are simply not appropriate for that branch of aquaculture.

Neither shellfish farmers nor the general public need special provisions covering similar issues to those affecting finfish farming, and the bill should be drafted to specifically exclude shellfish


farming. If it is felt that this bill must include shellfish farming, then a specific section in each proposal must be devoted to shellfish farming, the assessments must be reworked, and new consultations carried out.

It cannot be the best way to proceed to invite shellfish farmers to comment on proposals from which they are apparently excluded, although we welcome the opportunity to comment on finfish farming procedures which might affect us.

As I am sure you are aware the Association of Scottish Shellfish Growers has recently published its comprehensive Code of Practice, and it would seem to be unnecessary to introduce further regulation on this industry for which there is no great public demand for greater regulation. I would urge you to specifically exclude shellfish farming from this Bill.

Perhaps a better title would be "Finfish Aquaculture and Fisheries Bill"

Yours sincerely,

A handwritten signature in black ink, appearing to read "R A Thwaites". The signature is fluid and cursive, with a large initial "R" and "A" followed by the surname "Thwaites".

R A Thwaites