



Our reference: PS.SG

Direct email: PScott@hcrlaw.com

12th February 2016

CAN ALL ENQUIRIES RELATING TO THIS LETTER BE SENT TO THE DIRECT E-MAIL QUOTED ABOVE.

5 Deansway, Worcester WR1 2JG

Telephone: 01905 612001

Fax: 01905 744899

DX: 716260 Worcester 1

**LICENSING AND REGULATORY
DEPARTMENT**

Dear Sir/Madam

Fishery Order Application – The River Stour Mussel Fishery Order

We act for Wash Mussels Limited, who have applied to DEFRA to make an order enabling a 5 year trial fishery for the cultivation of mussels in the estuary of the River Stour. Mr Peter Scott, who acted for the applicant previously is now a consultant with this firm

We are writing to you and to everyone else who wrote to DEFRA or to our clients' previous agents with comments on the proposals as part of the statutory consultation which is required as a matter of law and took place in March of last year.

As you may be aware, there was a lot of interest in the proposals, and a large number of representations were made, and these covered a number of different areas. Some representations asked for clarification as to aspects of the project which were not precisely set out in the consultation documents, others of which suggested that further investigations should be carried on to clarify potential implications of the project.

Following discussions with DEFRA of the responses to the consultation, and the applicant's comments on these, it was agreed that the applicants would put in hand studies in several different areas which would clarify not only the likely extent of what would be undertaken as part of the project, but also the implications for other activities concerns about which had been flagged up during the statutory consultation. Our clients are also very grateful to the officers and members of representative bodies who have assisted Mr Scott and the applicants and the work of the consultants carrying out these studies with their comments.

The purpose of this letter is to give you advance notice, as agreed with DEFRA, that there will fairly shortly be available a further set of reports which you will be invited to consider and

to provide any further comments or questions you have on them to ourselves or to DEFRA, in exactly the same way as in relation to the statutory consultation.

For your information, the new consultation package will consist of:

- 1 An introductory document prepared by Mr Scott
- 2 A supplementary ecological report addressing potential implications for species and habitats covering the additional areas suggested by stakeholders.
- 3 A supplementary fishery report considering representations based on existing fishery operations in the estuary and any potential conflicts in relation to gear fishing techniques etc.
- 4 A report to confirm estimated noise levels of the mussel dredger in operation, which will be useful in establishing any potential disturbance to protected species.
- 5 A legal report prepared by Mr Scott in consultation with DEFRA on the legal position arising from the fishery order if confirmed by the Secretary of State, and the text of an amendment suggested by DEFRA for the reassurance of statutory undertakers.

At the present time favourable weather for the noise tests is awaited, in the light of which the remaining reports can be finalised. Presently we anticipate that the reports should be available within 4-6 weeks of the present.

Please be assured that, in addition to issuing a press release at the time, we will contact you again to give you specific notice that the new documents are available for consultation.

All representations received within a further period of one month after notice is given of the new documents being available for consultation will we are advised be taken into account by the Secretary of State.

We apologise on behalf of our clients for this delay in progressing the matter, because we are aware that not only the applicants but also other parties wish to resolve this; unfortunately there have been a number of circumstances which has rendered it impossible to meet the timetable which was initially anticipated.

Yours faithfully

Peter Scott
Consultant
For and on behalf of
Harrison Clark Rickerbys

Warning: Copyright Harrison Clark Rickerbys Limited. Where the content of this e-mail and/or attachment includes materials prepared by Harrison Clark Rickerbys Limited the use of those materials is subject exclusively to the conditions of engagement between the practice and its client.

This communication is confidential and may contain legally privileged information. By the use of e-mail over the Internet. Harrison Clark Rickerbys Limited is not waiving either confidentially of, or legal privilege in, the content of the e-mail and of any attachments.

If you have received this e-mail in error please contact Harrison Clark Rickerbys Limited on telephone number 01905 612001 or e-mail lawyers@hcrlaw.com. Harrison Clark Rickerbys Limited will communicate with you by e-mail, however, the practice cannot guarantee the confidentiality, reliability or speed of these communications, or of any attached documents. If you wish to send to the practice any urgent, critical or encrypted e-mail communication please notify the addressee first by telephone on 01905 612001. The preferred format for receiving word-processed documents is Microsoft Word.

As the addressed recipient of this e-mail you must not copy, or forward, or disclose this communication, or any information in it, to anyone without our consent.

Regulatory information: Harrison Clark Rickerbys, Harrison Clark Shawcross, Simon Jackson Solicitors and wills@work are all trading names of Harrison Clark Rickerbys Limited.

Harrison Clark Rickerbys Limited is a limited company incorporated in England under 7033248 and practising English Law. A list of directors is open to inspection at the registered office which is at 5 Deansway, Worcester, WR1 2JG. All directors are solicitors or barristers. The firm is authorised and regulated by the Solicitors Regulation Authority. A copy of the Authority's rules is available at <http://www.sra.org.uk/code-of-conduct.page>

Address: 5 Deansway, Worcester, WR1 2JG.

Telephone: 01905 612001

Email: lawyers@hcrlaw.com

VAT registration number: GB 979 9180 43

Data Protection Act 1998: Harrison Clark Rickerbys Limited is a Data Controller for the purposes of the Data Protection Act 1998. The firm recognises that the appropriate treatment of personal data is essential in maintaining confidence with its clients. Any personal data which the firm collects, records or uses in any way will have appropriate safeguards applied to it to ensure the Data Protection Act 1998 is complied with.