



Our reference: PS.SG

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

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**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**

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