

GLA9/8.4 Shellfish Gathering Update

15 March 2006

Issue

1. To update the Board on progress towards introducing licensing for shellfish gathering.

Recommendations

2. The Board are asked to note the GLA's approach for developing the licensing arrangements for the shellfish-gathering sector.

Current Position

3. Following the Gangmasters Licensing Consultation, more work needs to be done to adapt the GLA Licensing Standards to the unique arrangements that apply in the shellfish industry. Where gathering of shellfish is involved, the Gangmasters (Licensing) Act defines acting as a gangmaster as both the supply and the use of workers to gather shellfish. "Use" includes the direct employment of workers by an employer and direction of self-employed workers by a principal (such as a shellfish merchant who enters into an agreement with the self-employed workers to purchase the cockles they have gathered).
4. A provision is included in the Exclusions Regulations keeping shellfish gathering outside the scope of licensing arrangements until 1 October 2006. From this date applications will be invited for licences. The offences for operating without a licence and using unlicensed gangmasters in this sector will be commenced on 6 April 2007.
5. In order to introduce licensing by 1 October, the GLA intends to consult during Spring / early Summer on the proposed arrangements and licence fee levels. As this is a second consultation, the GLA intends to consult for 6 weeks. This exercise will be supported by consultation events near the main areas of cockling activity. The GLA plans to hold events in Morecambe, North and South Wales, Scotland and the South East.
6. To initiate this work, the GLA held a shellfish-gathering workshop on 10 February, which was well attended by industry and Government enforcement agencies. The event provided useful background information on the shellfish industry. Complemented by visits to key cockling areas alongside other Government Department colleagues
7. In developing the proposals for consultation, the GLA will work closely with industry and other key stakeholders, including the Sea Fisheries Committees. In addition, the GLA is liaising with Government enforcement agencies operating in the shellfish gathering sector over intelligence sharing and possible joint working for enforcement activities.
8. The Board will be provided with regular updates on progress towards licensing for shellfish gathering.