
EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers on Pembrokeshire Seafarms Ltd (Company Number: 07587777) (“the Grantee”) a right of several fishery for mussels (*Mytilus edulis*) over an area of approximately 168.4 hectares near Lydstep Haven, Pembrokeshire for a period of 15 years starting on 13 December 2013.

The extent of the fishery is defined using the co-ordinates set out in the Schedule to this Order and is shown, for illustrative purposes only, on a map which is available for inspection (subject to prior appointment) at the offices of the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

Article 3 confers the right of several fishery.

Article 4 requires the Grantee to mark the limits of the fishery in such manner as the Welsh Ministers may from time to time direct and to maintain those markers in position and good repair.

Article 5 requires the Grantee to submit an annual catch return setting out specified information to the Welsh Ministers.

Article 6 requires the Grantee to provide annual accounts and to comply with all requests for information made by the Welsh Ministers. It also requires the Grantee to allow any person authorised by the Welsh Ministers to inspect the area of the fishery and all accounts and other documents in the possession of the Grantee relating to this Order and that area.

Article 7 provides that nothing in this Order will affect prejudicially the rights of the Crown and article 8 provides that nothing in this Order will affect prejudicially the exercise of any statutory functions by a statutory undertaker.

Article 9 prohibits the assignment or other transfer of the right of several fishery created by this Order without the prior written consent of the Welsh Ministers.

Section 5(1) of the Sea Fisheries (Shellfish) Act 1967 provides that where the Welsh Ministers are not satisfied that the Grantees are properly cultivating or carrying into effect the restrictions and regulations contained in the Order, the Minister may make a certificate to that effect which will absolutely determine the fishery in relation to the area in respect of which the certificate has been made.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefit of complying with this Order.