



Press Release 6-Mar-18

UPDATE ON OYSTER RACK HAZARD

The Marine Management Organisation (MMO) has granted the Whitstable Oyster Fishery Company an exemption notification to construct an oyster farm without the requirement for a Marine License, which would normally be the case. Unusually, the exemption has been granted after rather than before the construction of the oyster farm, which now consists of over 3000 steel trestles covering a large area of the foreshore. The Whitstable Beach Campaign has concerns that not only have the MMO possibly acted unlawfully in granting this exemption; they also seem to be abdicating their statutory responsibilities to public safety.

Canterbury City Council, the local planning authority, is taking the issue more seriously thanks to the efforts of local councillors Ashley Clark and Bernadette Fisher and MP Rosie Duffield. Rob Davies, spokesman for CCC, considers that the racks may require planning permission and CCC have written to the WOFC asking them to make an application to the council for permission or to request a certificate of lawfulness, neither of which has been received so far. CCC has powers available to it to take enforcement action in respect of development undertaken in breach of planning controls, or to require the WOFC to apply for planning permission through the normal processes.

How the MMO (an unaccountable government quango), arrived at its decision is not known as their enquiry was conducted behind closed doors and the only local consultees involved in the decision appear to have been the WOFC, a council employee and Whitstable Yacht Club (who are in the invidious position of being tenants of the WOFC). We question that this development makes any sense at all in planning terms in the context of a seaside town like Whitstable, whose local economy is quite heavily dependent on leisure and tourist industries. No sensible planning authority would locate such development on the Town's main beach in an area widely used for swimming, recreational sailing and other watersports. There are remoter parts of the coast where a case might be made that such development was sustainable, but this is not one of them.

The WBC, Councillor Ashley Clark and many other groups and individuals have submitted witness statements and an enormous amount of evidence to the MMO which illustrate that placing metal structures, firstly with spikes and now with hooks, on the foreshore of one of the most popular seaside destinations in the south east (particularly popular for water sports) is both an 'obstruction and or danger to navigation' and therefore proper Marine Licensing requirements must apply.

We are urging the MMO to reconsider their decision in the light of all the evidence that has been presented to them, not least from their own advisory bodies; the Marine Coastguard Agency and the Marico Marine report commissioned to inform their decision both clearly state that the new trestle development "posed a navigational hazard to local recreational sea-users".

These steel obstructions affect sailors, swimmers, kayakers and windsurfers who have always been attracted to Whitstable for its unparalleled sailing conditions, especially for children and for novice sailors and windsurfers. However, water users now have to sail much further offshore to avoid the hazards presented by the steel racking in the inter-tidal zone. This is a particular deterrent to children and novice sailors and makes landing, even for experienced sailors, much more precarious in the case of an emergency.

There is also a “secret” proposal to erect more trestles east of the harbour on Long Beach. This is likely to affect sea scouts and their dinghy sailing, kite surfers, paddle boarders and even threaten major water ski competitions from being held there. We are concerned that small local businesses may be at risk if Whitstable’s reputation as a prime sailing & water-sports destination is spoiled because such a large area of the sea has been made inaccessible.

How can the MMO ignore all of these concerns and allow the WOFC to continue expanding this development west and, as proposed, east of Whitstable Harbour? If a tragedy happens as a result of this decision we ask the MMO to consider how the Public Inquiry that must follow will view their actions in this matter.

Application for a full marine license would require proper public consultation. However, the MMO refused to meet with either of our Councillors, the Whitstable Society, the Windsurfers Group, The local Water Safety Committee, the Beach Campaign or any other residents affected by this development. In a town of 35,000 residents, much of whose economy relies on our proximity to the sea and the visitors and residents who enjoy the water sports and leisure available, how can this lack of consultation be defended?

An application for a Marine Licence or for development consent would also require consideration to be given to environmental impact because the size and scale of the development and the proximity of environmentally protected areas. The MMO and LPA would have to consider the carrying out of the relevant environmental investigations to assess the adverse environmental impact of the cultivation and potential escape of the non-native Pacific oysters.

Unlike Native oysters, which have traditionally been fished much further offshore, the species now being factory-farmed on trestles in the intertidal zone by the WOFC (and deposited directly on the seabed) are Pacific oysters. This oyster species is known to escape from aquaculture trestles and become feral causing severe environmental damage and is listed on the European Alien Invasive Species Information Network as of potentially “high impact”. It is also considered likely that the herpes virus that decimated the Whitstable oyster population several years ago was introduced via imported Pacific oysters, probably from France.

Kent Wildlife Trust is currently working with groups of volunteers along the North Kent Coast to eradicate Pacific oysters and there are 4 sessions planned off Hampton Harbour at the end of this month. The MMO have already ordered the removal of colonies of these oysters from other locations in the UK. We are at a loss to understand why the MMO permit the large-scale cultivation of this species at Whitstable without assessing the environmental impact of allowing it.

Whitstable’s previous MP Julian Brazier actively campaigned against this development and we are pleased that our new MP, Rosie Duffield, is continuing to support our concerns about the public safety issue that this development presents and the potential environmental damage to this foreshore, which has national and international environmental protections.

Sarah Pout

Whitstable Beach Campaign