

[REDACTED]

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**From:** Murdoch I J (Ian)  
**Sent:** 17 November 2015 08:53  
**To:** 'GSX - Kenny MacLeod | G'  
**Cc:** Cox IDA (Ian); Ambrose N (Nick) Dr; Macaldowie C (Colin)  
**Subject:** RE: Letter from Whiteshore Cockles Ltd

Kenny

Thank you for sight of the letter from Whiteshore Cockles Ltd seeking a formal burial derogation extension for their Bayhead site until September 2016.

As you are aware the Scottish Government is amending the Animal By-Products (Enforcement) (Scotland) Regulations 2013, and for the provisions to come into force as of 1 January 2016. Once amended, these Regulations will specify to which species of animals the remote areas derogation should apply, so fish farms located in remote areas will no longer be able to send their waste to a landfill site, or the other means of disposal listed in Article 19(1)(b) of the EU Control Regulation (EC) No 1069/2009. The amended Regulations will therefore ensure full compliance with European legislation.

Whiteshore contends that a derogation extension would allow them to put the necessary infrastructure in place to provide them a suitable alternative route for disposal of category 2 waste. For their proposal to proceed the Scottish Government would need to make a case to the European Commission for their approval. There is precedent in that there a similar proposal has recently gone forward to the Commission from a [REDACTED] producer. That proposal has however set out a sound infrastructure plan, the key issues being faced by [REDACTED], and the plans that are in place for alternative disposal routes for category 2 waste. This plan will also not be operational until end-June 2016, but it does outline a relatively persuasive case for an extension, and moreover how it will allow the producers sufficient time to put the necessary infrastructure in place. The proposals also sets out clear milestones in the run-up to the proposed end date.

On this basis we would welcome a similarly more structured approach from Whiteshore on their proposals and it would clearly be in Whiteshore's interests if they were to make a more robust case in its argumentation for a derogation extension.

As I mentioned on the phone to you, I have taken on a new role within the Animal Health and Welfare Division and will no longer be the policy lead for animal by-products. My colleague Ian Cox recently joined the Division at the start of November to take over this role from me and I would be grateful if you could reply to him. Ian can be contacted on [REDACTED] or by email at [REDACTED]

Ian

Ian Murdoch  
The Scottish Government  
Directorate for Agriculture, Food & Rural Communities  
Animal Health & Welfare  
P-Spur, Saughton House,

Broomhouse Drive,  
Edinburgh, EH11 3XD



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**From:** GSX - Kenny MacLeod |   
**Sent:** 10 November 2015 10:53  
**To:** Murdoch I J (Ian)  
**Subject:** FW: Letter from Whiteshore Cockles Ltd

As discussed  
Kenny

[Kenny Macleod](#)  
[Animal Health Inspector](#)

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**From**   
**Sent:** 09 November 2015 10:50  
**To:** Kenny MacLeod | G.  
**Subject:** Letter from Whiteshore Cockles Ltd

Hi Kenny,

Hope you have survived the storms.

Please find attached the letter as discussed last week.

We would be grateful for your assistance in this matter.

Regards



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[REDACTED]

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**From:** Purcell, Jenny (APH [REDACTED])  
**Sent:** 23 November 2015 08:42  
**To:** Murdoch I J (Ian)  
**Cc:** Macaldowie C (Colin); Ambrose N (Nick) Dr; Cox IDA (Ian)  
**Subject:** RE: Letter from Whiteshore Cockles Ltd

Hi Ian  
(cc: as before)

I agree with Nick's suggestion.

Whiteshore Cockles have been discussing this proposal with [REDACTED] for over a year. They have also been in discussion with APHA about approval. They do appear to be serious about the proposal.

Like you, I have reservations about Whiteshore Cockles' continuing use of an unofficial landfill site. Would it be appropriate to get a report from the Local Authority on how the landfill site has been operated over the past 18 months?

Best wishes,  
Jenny

**Jenny Purcell BVSc PhD MRCVS**  
Veterinary Officer  
APHA Hamilton Field Services

**Animal and Plant Health Agency (APHA)**

Telephone: [REDACTED] Mobile: [REDACTED] | Email [REDACTED]  
Website: [www.gov.uk/apha](http://www.gov.uk/apha) | Twitter: [@APHAgovuk](https://twitter.com/APHAgovuk) | Facebook: [aphagov](https://www.facebook.com/aphagov)  
Address: c/o APHA Galashiels Field Services, Cotgreen Road, Tweedbank, Galashiels, TD1 3SG

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**From:** Nick.Ambrose@gov.scot [REDACTED]  
**Sent:** 11 November 2015 16:0  
**To:** Ian.Murdoch@gov.scot [REDACTED]  
**Cc:** Purcell, Jenny (APHA); [REDACTED]  
**Subject:** RE: Letter from Whiteshore Cockles Ltd

As discussed – see below

**Nick Ambrose**  
*Animal Health - Disease Prevention | Agriculture Food and Rural Communities | Scottish Government | [REDACTED]*

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**From:** Murdoch I J (Ian)  
**Sent:** 11 November 2015 10:33  
**To:** Macaldowie C (Colin); Ambrose N (Nick) Dr [REDACTED]  
**Cc:** Cox IDA (Ian)  
**Subject:** FW: Letter from Whiteshore Cockles Ltd

All

Pease see the letter from Whiteshore Cockles requesting an extension to the burial derogation for their site. Can I have your comments on how we should reply to this please?

We have wrote to the Commission about extending the derogation fo [REDACTED] after receiving a request from [REDACTED]. The request from [REDACTED] set out quite a sound infrastructure plan that required time to put in place.

This requests feels like they have delayed to the last minute, albeit due to waiting for information about possible funding. It does not feel right to me to just allow Whiteshores to continue to bury fish waste at their site. However, they are trying to comply with ABP legislation. I would definitely want to tie them down to an action plan, similar to the [REDACTED] request.

A few questions from me:

- Should we put this request to the fish waste working group? **Yes, the group should know about developments and they would be interested to know about the opportunity of the fish drier project (and the possibility of EMFF support), so put this in the reply and**
- Do we also need to inform the Commission? **Yes, we should be consistent**

Another thing to consider is that the fish waste project has identified it would be cheaper for fish farms to send their waste to the mainland. Current landfill costs are £327 per tonne. Future disposal at Gask AD or or Keenan's IVC is £174 per tonne potentially reducing even further once the AD plant on Lewis can take the waste.

Regardless of what we decide, enforcement will be from the Western Isles Council who have been reluctant to do anything about this site in the past.

Ian

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**From:** GSX - Kenny MacLeod | G [REDACTED]  
**Sent:** 10 November 2015 10:53  
**To:** Murdoch I J (Ian)  
**Subject:** FW: Letter from Whiteshore Cockles Ltd

As discussed  
Kenny

**Kenny Macleod**  
**Animal Health Inspector**

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**From:** [REDACTED]  
**Sent:** 09 November 2015 10:50  
**To:** Kenny MacLeod | G.  
**Subject:** Letter from Whiteshore Cockles Ltd

Hi Kenny,

Hope you have survived the storms.

Please find attached the letter as discussed last week.

We would be grateful for your assistance in this matter.

Regards

[Redacted]

[Redacted]

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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[REDACTED]

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**From:** Cox IDA (Ian)  
**Sent:** 07 January 2016 10:34  
**To:** [REDACTED]  
**Cc:** Murdoch I J (Ian)  
**Subject:** RE: Automatic reply: Extension to burial ban

Hi [REDACTED]

Yes no problem. Just to recap there has still been no word back from the Commission. Whilst the legislation changed on 1 January we are just working on the assumption that the application for the derogation will be accepted. I hope this helps clarify the situation even if we are still waiting for an official line.

Will be in touch

Thanks again

Ian

**IAN COX**

Scottish Government | Animal Health and Welfare Division | Disease Prevention Team | P Spur | Saughton House | Broomhouse Drive | EDINBURGH | EH11 3XD

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 07 January 2016 09:47  
**To:** Cox IDA (Ian)  
**Subject:** Re: Automatic reply: Extension to burial ban

Hi Ian

Thanks for the chat this morning and sorry for starting your year off with a problem.

I will have to send off an email to the fish farms today to keep everybody happy and up to date with proceedings.

Is it possible for you to send me a one line email giving consent for us to "carry on as usual" as discussed so I have it in writing in case of any feedback.

Thanks again for your assistance.

Regards

[REDACTED]

Sent from my iPhone

On 6 Jan 2016, at 12:19, [REDACTED] > wrote:

I am now out of the office until Thursday January 7 and will pick up emails on my return. If your email is urgent please call [REDACTED]

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