

Menai Strait Fishery Order Management Association

Agenda

25th September 2018

FV Valente, Port Penrhyn

1. Chair's announcements
2. Apologies
3. Minutes of last meeting ([attached](#))
4. Matters Arising
5. Membership of the Association ([report](#))
6. Financial update (report to follow)
7. Welsh Government Activity ([report](#))
8. North West IFCA Activity ([report](#))
 - a. Mussel Fishery Management Plan
9. Menai Strait East ([report](#))
 - a. Menai Strait East Fishery Order Renewal
 - b. Code of Conduct for Invasive Non-Native Species.
 - c. Leased areas update
10. Menai Strait West Fishery Order ([report](#))
11. Project funding update (verbal)
12. Fishery management issues
 - a. Coastal / marine developments
 - i. Bangor Pier
 - ii. Dickies development
 - iii. Sand in the dock
 - b. Environmental / health issues
 - i. *Bonamia* in the western Strait
 - ii. Non-native species
 - iii. Norovirus - update
 - iv. Ballast water Directive
13. Any Other Business (verbal)
 - a. Correspondence
14. Date for next meeting

Menai Strait Fishery Order Management Association

Meeting, 2nd July 2018
Myti Mussels, Port Penrhyn

Minutes

Attendance

Alan Winstone
James Wilson
Keith Andrews

Chair
Bangor Mussel Producers Ltd
Licensed hand pickers

Observers

Kim Mould
Trevor Jones
Rowland Sharp

BMWAG
Menai Strait (West)
Natural Resources Wales

Advisors

Jim Andrews

MSFOMA Secretariat

1. Chair's announcements

There were no announcements.

2. Apologies

Ioan Thomas
Stuart Evans

Gwynedd County Council
Welsh Government (Head of Fisheries
Policy)

Lewis le Vay
Tim Croucher
Iwan Huws

Bangor University
Welsh Government
Isle of Anglesey County Council

3. Minutes of last meeting

The minutes of the meeting that took place on 26th April 2018 were accepted, pending some minor corrections.

4. Matters Arising

It was considered that most of the matters arising from the last meeting were addressed on the agenda for the current meeting. Some items were discussed:-

Wales National Marine Plan

Jim Andrews indicated that he had been in contact with Phil Coates from Welsh Government. Mr Coates had clarified the position on "Strategic Resource Areas". All of the Fishery Orders in Wales were excluded from these areas. It was agreed that clarification on the policy implications of this would be helpful.

Action: Secretariat

Community Fund

It was noted that this fund had been discussed at previous meetings. It was considered that it would be appropriate to write to The Crown Estate to enquire

whether they are interested in developing a Fund in partnership with the Association.

Action: Secretariat & James Wilson

5. Membership of the Association

It was noted that Lewis LeVay had indicated that he was unable to take up the invitation to act as a Director of the Association because of a potential conflict of interest.

Alan Winstone and Jim Andrews both indicated that they would be happy to act as Directors. It was considered that Jim could also have a potential conflict of interest.

It was noted that landowners had not yet been approached to invite a representative to participate in meetings of the Association. It was agreed that this should be done.

Action: Secretariat

It was noted that a list of user groups that MSFOMA should liaise with also needed to be produced. It was agreed that this should be done.

Action: Secretariat

6. Financial Update

Papers from the accountants were not available for discussion at the meeting. It was agreed that an update on Association Finances should be considered at the next Association meeting, which should be an Annual General Meeting.

Action: Secretariat & James Wilson

7. EU General Data Protection Requirements

The meeting discussed the report outlining the work that had been carried out to ensure compliance with these Regulations.

It was agreed that compliance with the GDPR should be kept under review.

8. Welsh Government Activity

a) Meetings of Fisheries Groups

It was noted that two meetings of the Welsh Marine Fisheries Advisory Group had taken place (7th March and 16th May). The Association noted that at the March meeting it had been agreed that the Aquaculture Advisory Group should be reformed.

The meeting felt that the AAG was important for ensuring that progress was being made with the Welsh Government's strategic objectives for aquaculture development. It was agreed that enquiries should be made to WG to find out whether there had been any progress with this.

Action: Secretariat

b) Consultations

Members had collaborated to prepare a response to the National Assembly's Climate Change, Environment & Rural Affairs Committee on the impact of Brexit on fisheries in Wales. The National Assembly had proposed a meeting with stakeholders in Milford Haven on the 12th July. Members were keen to take part in this process but as a consequence of the location and short notice, nobody was able to attend the meeting. There was also concern that the "workshop" format of the meeting was less likely to be productive than a formal hearing of stakeholders' individual views.

It was agreed that apologies should be submitted to the National Assembly in respect of this meeting. It was also agreed that the National Assembly should be encouraged to adopt a format that would ensure that the Committee heard a balanced range of views.

Action: Secretariat

c) Meeting with Welsh Government officials

The Chair and Secretariat reported that a very productive meeting had been held with Welsh Government officials on the 13th June 2018. The renewal of both the Menai West Fishery Order and the eastern Order had been discussed. All who had met with Janet Perry, the officer now responsible for Fishery Order applications, were very impressed with the progress she had made in a very short time.

It was agreed that it would be important to maintain regular contact with Janet Perry. The Secretariat was asked to ensure that this happened.

Action: Secretariat

d) Meeting with Cabinet Secretary

A brief but very productive meeting had taken place with Lesley Griffiths, Cabinet Secretary for Energy, Planning & Rural Affairs on the 21st June 2018. The Cabinet Secretary had visited the FV Valente. She had made a commitment to take a decision on the Menai West Fishery Order application within 2 months, and had also shown interest in visiting the Menai Strait again for a trip aboard one of the mussel dredgers.

Following the meeting, the Chair had written to the Cabinet Secretary to thank her for the visit and to propose dates for a further visit to Port Penrhyn. No response had yet been received. It was agreed that this offer should be followed up.

Action: Chair & Secretariat

9. NW IFCA Activity

The report on recent activities of the NW IFCA was received and accepted by the meeting.

It was noted that a helicopter flight over the seed mussel beds in Morecambe Bay was scheduled for 16th July. Mandy Knott from the IFCA and Katherine Nisbet from Natural England were due to be participating.

It was reported that hand gatherers had collected around 30t of seed mussels from South America mussel skear.

The group discussed the policy basis used by the IFCA to identify “ephemeral” mussel beds that could be harvested for seed mussels; and also to distinguish mussel beds that should be reserved for hand gatherers from those where dredging was permissible. It was agreed that enquiries could be made to the IFCA about the status of the “Fishery Management Plan” that has been proposed for the mussel fishery.

Action: Secretariat

It was further agreed that Jim Andrews should circulate the most recent version of the mussel Fishery Management Plan.

Action: Secretariat

10. Menai Strait East Fishery Order Renewal

a) Renewal of Order

It was reported that the uncertainties about the application forms that should be used had been resolved at the meeting with WG officials in June. The application would be completed and submitted as soon as possible.

Action: Secretariat

The Association had taken up an invitation to meet with Beaumaris Town Council on the 2nd July in the evening. It was agreed that the Association should be represented by the Chair & Secretariat. Kim Mould and Trevor Jones also offered to attend the meeting to provide practical advice.

Action: Secretariat & Chair

b) Code of Good Practice

Rowland Sharpe reported that NRW now has an additional member of staff in place and would be able to work with the Association to review this Code.

Action: James Wilson, Rowland Sharpe, Secretariat

c) Lease fees

The meeting discussed the letter from Keith Andrews and Dewi Morris about lease fees for the Ballast Bank laying. The Chair reported that he had walked around this laying with the lessees in the morning prior to the meeting to inspect the site and discuss mussel cultivation opportunities there.

It was agreed that the decision to defer requests for lease fees for the next 12 months that was taken at the last meeting was appropriate.

It was noted that the Association had considered the lease fee charged for this area previously, and had resolved that an equal fee should be charged for all layings. It was felt that the Association should defer any decision on the charge for leasing this laying until a future meeting with more Members present.

It was agreed that a formal letter should be sent to the lessees of the new layings to communicate the Association’s position.

Action: Secretariat & Chair

d) Communications

It was agreed that the Association should seek opportunities for improving communication and interaction with a wider community of stakeholders in the

area. It was noted that the Beaumaris Food Festival was taking place on September 1st-2nd, and that this could provide a good opportunity.

It was also noted that the University holds a science open day in April, and that this would be a useful opportunity.

It was agreed that once the application for the Fishery Order had been submitted it would be appropriate to hold some “drop in” sessions for members of the public. Plans for this could be made at the next Association meeting.

Action: Secretariat

11. Menai Strait West

The report on this matter was received and discussed. It was noted that Welsh Government officials had now visited the western Menai Strait, and that the Cabinet Secretary had committed to taking a decision on the Fishery Order application by mid-August 2018.

It was agreed that action should continue to be taken to encourage progress with the application for renewal of this Fishery Order.

Action: Chair & Secretariat

12. Funding proposals

James Wilson provided a brief update on progress with projects.

Offshore area - anchors and lines were installed in June. There are now 6 full sized headlines in the area. Settlement media were due to be installed

EMFF Bid - a bid for funding to explore regulatory & technical compliance issues in the industry has been submitted.

The Association would be updated on progress with these projects.

13. Fishery Management Issues

a) Coastal / marine developments

i. Bangor Pier

Kim Mould reported that maintenance work was continuing and that there had been no problems.

ii. Dickies Boatyard Development

There had been no further consultations about this project.

It was understood that work on the project has been delayed following the discovery of Japanese knotweed on the site.

iii. Sand in the dock

Operators confirmed that this was still an issue. The Secretariat had not yet written to the Penrhyn Estate to raise concerns about it. It was agreed that this should be done as a matter of urgency.

Action: Secretariat

b) Environmental / health issues

i. Bonamia

No additional news.

ii. Invasive Alien Species (IAS) / Invasive Non Native Species (INNS)

James Wilson reported that 2 female Chinese mitten crabs (*Eriocheir sinensis*) had been found in the Walney Channel by some anglers. The industry would liaise with the NW-IFCA, Natural England and NRW to ensure that the risk of accidental introduction of this species to the Menai Strait was managed.

Rowland Sharpe reported that *Didemnum vexillum* had been recorded on the hull of the old trawler FV Fair Isle in the harbour. The vessel is immobile and has no engine; however there was a new outfall pipe being assembled in the vicinity of this trawler. He understood that this pipe was destined for installation in Blackpool

Rowland also reported that during September an NRW team is due to survey areas of seashore in the areas where material from the destroyed pontoon had become stranded.

iii. Ballast Water Convention

Kim Mould reported that the FV *Valente* is now fully compliant with the requirements of this Convention.

iv. Food Standards Agency

James Wilson provided an update on progress with the FSA's "Regulating Our Future" project¹. This sought to move some of the responsibility for monitoring food hygiene from regulators to producers, and applies to fish and shellfish production. As part of this project the SAGB is chairing a "Shellfish Stakeholder Working Group" to discuss proposals and provide advice. Two meetings of this group have already taken place, and the next is due to be held in July.

Once the projects and processes developed under this project have been identified, the FSA is due to submit a funding application to support further work.

It was agreed that MSFOMA should monitor progress with this work. There could be a role for MSFOMA in the implementation of proposals arising from the project.

James Wilson agreed to provide a summary of the project for information.

Action: James Wilson

v. Norovirus

As reported at the previous meeting, two studies on *Norovirus* are due for publication later in 2018.

vi. Discharge pipe,

James Wilson reported that a new discharge pipe had been installed from the new housing development near to Port Penrhyn. This pipe discharged into Afon Cegin opposite the junction with the drainage channel for Cegin

¹ Website here: <https://www.food.gov.uk/about-us/regulating-our-future>

Pool. It was agreed that the developer (Watkin Jones) should be asked about the nature of this pipe.

Action: Secretariat

c) Meetings attended

i. Caernarfon Harbour Trust

No information.

14. Any Other Business

a) Funding for Research and Innovation in Food, Agriculture, Marine and the Rural Economy

Trevor Jones reported that he had been informed that a workshop on this matter was being held on the 10th July. He would investigate further to see if attendance by MSFOMA might be useful.

Action: Trevor Jones

15. Date for next meeting

It was agreed that the next meeting should take place in September: either on the 10th, 11th, or the week commencing the 24th. The Secretariat was asked to canvass Members for the preferred date.

Summary of Actions

Item	Action	Responsibility
1.	Wales National Marine Plan - clarify policy with respect to existing Fishery Orders	Secretariat
2.	Community Fund - write to Crown Estate, provide update to next meeting.	JW, Secretariat
3.	Membership - write to landowners to seek representative.	Secretariat
4.	User / liaison groups - compile list, seek representation	Secretariat
5.	Finances - report to next meeting.	JW, Secretariat
6.	Welsh Government Aquaculture Advisory Group - enquire about status.	Secretariat
7.	Brexit implications - submit apologies for meeting on 12 th July and explain why.	Secretariat
8.	Menai West - liaise with WG officials to ensure progress is maintained.	Secretariat
9.	Cabinet Secretary - liaise to organise site visit and maintain progress with Menai West	Chair, Secretariat
10.	NWIFCA Mussel Fishery Management Plan - circulate most recent version and make enquiries to IFCA about plans for progressing this.	Secretariat
11.	Menai East - complete and submit application.	Secretariat
12.	Code of Good Practice - revise this to take account of new INNS and changes to legislation	JW, RS, Secretariat
13.	Leases, Ballast Bank & Bangor Deep - write to lessees to confirm MSFOMA position; put on agenda for next meeting.	Secretariat, Chair
14.	Beaumaris Food Festival - organise MSFOMA presence.	
15.	Menai East - make plans for stakeholder engagement at "drop in" sessions.	Secretariat
16.	Sand in Dock - MSFOMA to write to Penrhyn Estate about this.	Secretariat
17.	FSA "Regulating Our Future" - provide information about this project.	JW
18.	Afon Cegin discharge pipe - find out more about this pipe, determine if it would discharge sewage effluent.	Secretariat
19.	Funding etc event on 10 th July - find out if MSFOMA attendance likely to be helpful.	TJ
20.	Date for next meeting - canvass members	Secretariat

Membership of the Association

Background

This Association was established on 1st April 2010 for the sole purpose of acting as Grantee of the Menai Strait Oyster and Mussel Fishery Order area. Over the past 8 years, the Association has accepted the invitation to act as Grantee for any future Menai Strait (West) Fishery Order and has also considered that it could play a beneficial role in the development of other shellfish cultivation activities in North Wales.

The widening scope of MFOMA's activities warrants a review of the membership of the Association. At the February and April 2018 MSFOMA meetings it was agreed that the membership of the Association should be discussed and that options for widening the membership should be considered. This report provides an update on progress and also a report on some other membership issues for the Association's consideration.

Recommendations

1. That the report is discussed.
2. That progress with widening the membership of the Association is noted.
3. That the Association considers the need to clarify the status of each participating organisation with respect to the Articles of Association.

1. Summary of Management Framework

- 1.1 The Menai Strait Fishery Order Management Association is a company limited by guarantee. It was incorporated on 19th February 2010. The management framework for the Association comprises of two documents:-

- a) **The Articles of Association** – this is a legal document that sets out the constitution of the Association. The Articles were made in 2010 and limited the role of the Association to acting as Grantee for the Menai Strait Oyster and Mussel Fishery Order 1962.

The Articles were subsequently revised in 2014 to allow the Association to take on the role of Grantee of other Fishery Orders in North Wales. The revisions included an amendment to the Articles to increase the number of Directors of the Association.

- b) **Standing Orders** – these are a set of procedures that determine how the Association should conduct its business. They include, for instance, requirements to appoint a Chair biennially; a requirement to hold an AGM, and directions on the Order of Business for Association meetings.

- 1.2 The Articles of Association allow for organisations to become “Members” and optionally “Directors” of the Association, and determine the quorum for meetings.

The list of Members and Directors of the Company set out in the Articles of Association was drawn up in 2010 to replicate the balanced composition of local authority, scientific and fishing industry members seen in the Association's predecessor organisation the North Western and North Wales Sea Fisheries Committee. The objective at that time was to maintain continuity.

1.3 The role of Directors and Members is set out in the Standing Orders. In summary, their role is to ensure that the Association carries out its functions correctly, and to be a spokesperson and ambassador for the Association. Directors & Members also ensure that the work of the Association is transparent and subject to independent scrutiny.

1.4 The powers and duties of Members and Directors are briefly outlined below.

a) **Members of the Association** are defined as the subscribers to the memorandum of association. They are entitled to vote on motions discussed at meetings of the Association.

The maximum number of Members is set at 8, drawn from the statutory bodies around the Menai Strait (NRW, Gwynedd County Council and Ynys Môn County Council); the School of Ocean Sciences; a representative of the lease holders in Menai East; a representative of the licensed fishermen in Menai East; and a representative from the Menai West Fishery Order (if and when it is made). The Chair of the Association is also a Member.

The Members of the Association are currently the Chair, James Wilson, Keith Andrews, Lewis le Vay and the representative appointed by Gwynedd County Council.

NRW have indicated in the past that it is inappropriate for them to be a Member of the Association, and attend meetings as an Observer. Ynys Môn County Council have adopted the same approach.

The quorum for meetings of the Members of the company is set at 3, unless the number of directors is less than 3 in which case the quorum is all of the Members.

b) **Directors of the Association** are responsible for the management of the Company's business.

All of the Members of the Association are eligible, under the Articles of Association, to become Directors. The public bodies that are Members have declined the invitation to do so because it is considered inappropriate for them to take on this role.

There are presently two directors of the company: James Wilson and Keith Andrews.

The quorum for meetings of the directors of the company is set at 3, unless the number of directors is less than 3 in which case the quorum is all of the directors.

1.5 The Articles also allow for organisations that are eligible to be Directors or Members but have not taken on that role to participate in meetings as Observers. The Minister

is also entitled to send a representative to meetings as an Observer. Observers can speak at meetings but cannot vote and do not contribute to the quorum.

- 1.6 It has recently been noted by the Association that Natural Resources Wales has a role as a consultee in Fishery Order applications, and that it may be appropriate to formally clarify the role of this organisation as well as Ynys Môn County Council as an Observer at MSFOMA meetings.

2. Options for expanding involvement

- 2.1 The list of potential Members and Directors of the Association was first set in 2010. It was revised by the Association's lawyers in 2014 to allow for representation from the Menai Strait (West) Fishery Order if and when that Order is renewed and to respond to institutional reforms that had merged the Environment Agency and Countryside Council for Wales into a new organisation, Natural Resources Wales.
- 2.2 Over the period since 2014, and particularly as a result of discussions of the renewal of the Menai West Fishery Order, it has become very clear that stakeholders which are not presently eligible to participate as Observers, Members or Directors of the Association may have an interest in the activities of MSFOMA. It may be appropriate to allow such organisations to participate in Association meetings as Observers, Members or Directors.
- 2.3 Following discussions at the April and July meetings of the Association, it was agreed that the landowners within the Menai Strait (East) Fishery Order area should be contacted and invited to nominate a representative of their interests to attend MSFOMA meetings.
- 2.4 A copy of a letter sent by the Chair to the landowners within the Fishery Order area is attached at Annex A. At the time of writing this report, responses had been received from the National Trust (who had politely declined the invitation) and from Bangor City Council, who have nominated a councillor (see Annex B).

MSFOMA Secretariat
September 2018

Annex A: Letter from MSFOMA Chair to landowners within the Menai Strait Oyster and Mussel Fishery Order 1962. (List of recipients overleaf)

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

«AddressBlock»

10th August 2018

Dear «Salutation»

Menai Strait Fishery Order Management Association: Representation of Landowners

I am writing on behalf of the Menai Strait Fishery Order Management Association to you and to representatives of the other landowners in the eastern Menai Strait to enquire whether you would be interested in collectively nominating a representative to the Association.

The Association is a company limited by guarantee that was established in 2010 for the specific purpose of allowing a range of stakeholders to work together to manage the mussel fishery in the Menai Strait. The membership of the Association is set out in its Articles (attached), which were approved by the Minister in 2010.

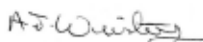
At a recent meeting of the Association we reviewed the range of members listed in our Articles and felt that a significant omission is a representative from the landowners in the area. It was agreed that we should write to you all to invite representation.

To assist you in considering this request we have attached a map showing the extent of the Fishery Order and also the information we have been able to obtain from the Land Registry showing the extent of different land holdings in the area. We have also attached an address list to enable you to correspond with one another and discuss this invitation independently.

We would propose that if you are able to nominate a representative, they should attend an initial meeting as an "Observer" to see what is involved; and if the experience is favourable we would then proceed to amend our Articles to allow for a formal change in membership.

We very much hope that you are able to accept this invitation. If you require further information before responding, please don't hesitate to get in touch with me.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA

Encs.

1. List of Landownership Contact Details

Paul Green
Beaumaris Town Council
Town Hall
Castle Street
Beaumaris
Anglesey LL58 8AP
beaumaristowncouncil@tiscali.co.uk

Alice Lovegrove-Jones
Jones Peckover
47 Vale St
Denbigh
LL16 3AR
alice@jonespeckover.com

Will Richards
Penrhyn Estate
Carter Jonas
The Estate Office
Porth Penrhyn
Gwynedd LL57 4HN

Harri Williams
Gwynedd County Council
Maritime & Country Parks Office
Embankment Road
Pwllheli
Gwynedd LL53 5AA
HarriFonWilliams@gwynedd.llyw.cymru

Rupert Jones
Anglesey Boat Company
Gallows Point
Beaumaris
Anglesey LL58 8YL
nemo@abcpm.co.uk

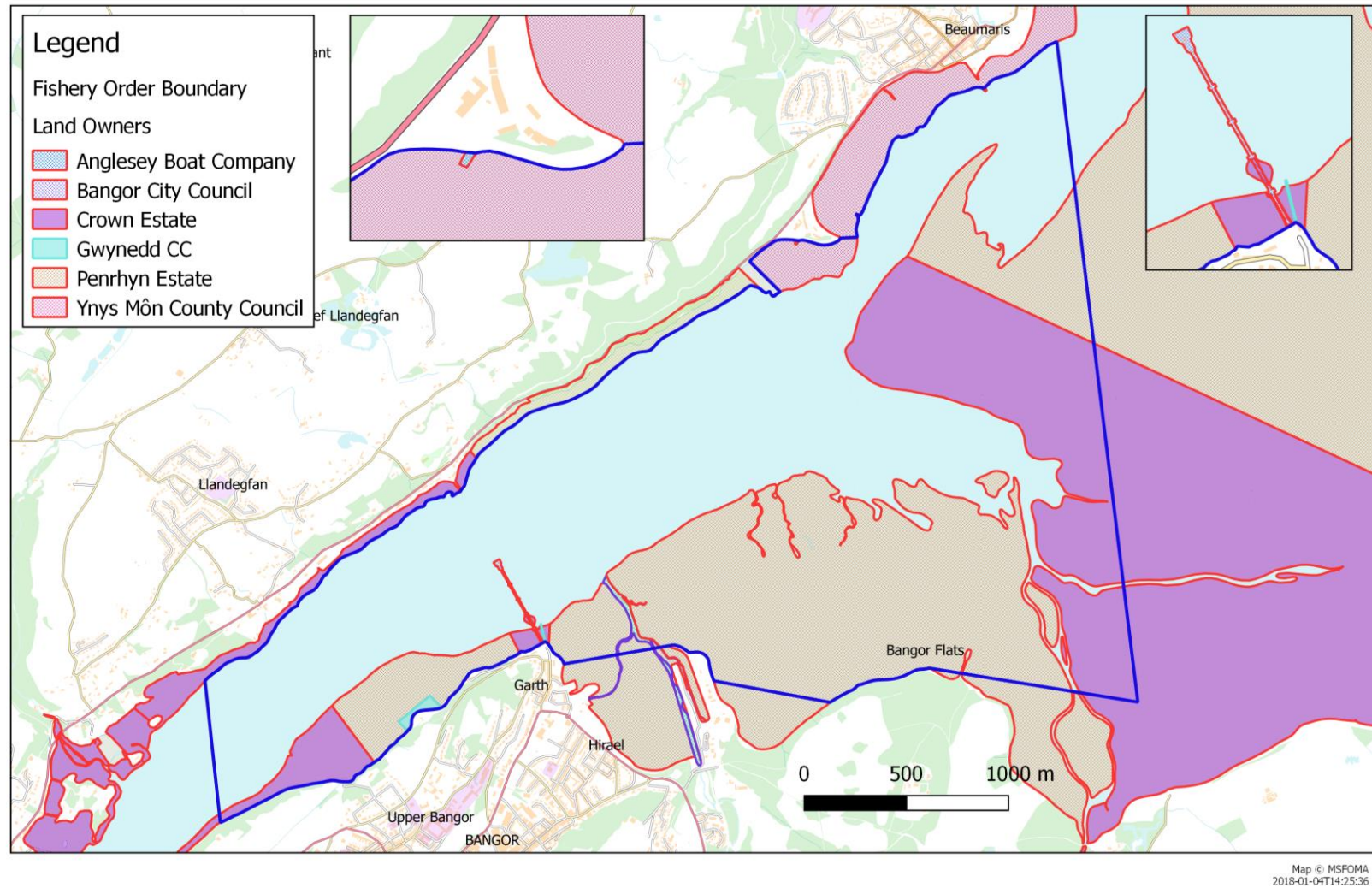
Gary Thompson
Crown Estate Commissioners
16 New Burlington Place
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gary.thompson@thecrownestate.co.uk

Nick Wynne
National Trust
Priest House
Tredegar House
Newport
South Wales NP10 8YW

Dylan Edwards
Ynys Môn County Council
Head of Property Services
Council Offices
Llangefni
Anglesey LL77 7TW
mikebarton@anglesey.gov.uk

Ian Jones
Bangor City Council
City Council Offices
Ffordd Gwynedd
Bangor
Gwynedd LL57 1DT
townclerk@bangorcitycouncil.com

2. Map of land holdings (based on data obtained from Land Registry)



Annex B: Response to invitation from City of Bangor Council

MSFOMA

From: Town Clerk <townclerk@bangorcitycouncil.com>
Sent: 10 September 2018 09:53
To: info@msfoma.org
Subject: MSFOMA Representation

FAO The Chair – Alan Winstone

Dear Alan

I confirm the City Council is happy to nominate a representative to sit on the Association's Board.

The nominee is Councillor Gareth Roberts who represents the Dewi Ward, he is also a Gwynedd Councillor – contact details below.

Gareth Roberts: 4 Bryn Heulog Terrace Bangor, LL57 4SY
Email: councillor-gareth-roberts@bangorcitycouncil.gov.wales
Phone: 01248 372930 / 07540265886

Ian

Cofion/regards

Ian Jones ACIS, B A (Hons), CiLCA

Clerc y Dref / Town Clerk

Cyngor Dinas Bangor / City of Bangor Council

e-bost / e-mail: townclerk@bangorcitycouncil.com

Tel: 01248 352 421

Web: <http://bangorcitycouncil.gov.wales>

<http://www.bangorcitycouncil.gov.wales/Hafan>

Pan fyddwch yn cysylltu â ni

Bydd yr wybodaeth a roddwch (gwybodaeth personol e.e. enw, cyfeiriad, cyfeiriad e-bost, rhif ffôn, sefydliad) yn cael ei phrosesu a'i storio i'n galluogi ni i gysylltu â chi ac ymateb i'ch gohebiaeth, rhoi gwybodaeth a/neu fynediad i'n cyfleusterau a'n gwasanaethau. Ni fydd eich gwybodaeth personol yn cael ei rhannu na'i rhoi i unrhyw drydydd parti. Fodd bynnag gall eich gwybodaeth gael ei chyhoeddi yn y parth cyhoeddus oes yw'n destun trafodaeth i'r Cyngor, cysylltwch â ni i gael gwybod mwy. Am ragor o wybodaeth gweler ein hysbysiad preifatrwydd llawn ar ein gwefan www.bangorcitycouncil.gov.wales

When you contact us

The information you provide (personal information e.g. name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party. Your information may however be published in the public domain if you require the Council to discuss please contact us.

For further information please see our full privacy notice on our website www.bangorcitycouncil.gov.wales

Financial Update

Report to follow.

Welsh Government Activity

Background

The Welsh Government is responsible for managing inshore fisheries in Wales. This report provides a brief update on some Welsh Government Activities that may be relevant to the work of MSFOMA.

Recommendations

1. That the report is received, along with any verbal updates from the Welsh Government officials invited to the meeting.

1. Background

- 1.1 The Welsh Government website provides information about consultations and meetings of various stakeholder groups that are relevant to the Welsh Fishing industry. A brief summary of recent activity is provided below.

2. Meetings of Fisheries Groups

- 2.1 Welsh Government has established several groups to assist with the administration and management of Welsh fisheries. The key groups are:-
 - a) **Inshore Fisheries Groups** - these groups provide stakeholder with a forum for communicating and engaging with Welsh Government. The Association has been advised that the future role of these groups will be determined by the Welsh Marine Fisheries Advisory Group.
 - b) **Welsh Marine Fisheries Advisory Group** - this group was established to assist with the formulation of appropriate policies, plans, strategies and laws relating to marine fisheries in Wales.
 - c) **Aquaculture Advisory Group** - this Group was established to help Welsh Government meet its targets for aquaculture production of 2,000t of finfish and 16,000t of shellfish by 2020.
- 2.2 There is currently no information available about the activities of these groups on the Welsh Government website, because the WG website is in the process of being upgraded.
- 2.3 Following the last meeting of the Association the Secretariat made enquiries about the status of the Aquaculture Advisory Group. WG officials have indicated that it is due to meet in mid-October.
- 2.4 A verbal update on recent meetings of these and related groups will be provided at the meeting by Members and Observers who attend these meetings.

3. Consultations

- 3.1 There have been no WG consultations that are relevant to the objects of the Association since the last MSFOMA meeting.

4. Meetings with Welsh Government Officials

- 4.1 There have been no further meetings with WG officials since the MSFOMA meeting in July, but following staff changes earlier this year there has been regular contact through phone and e-mail in connection with the renewal of both of the Fishery Orders in the Menai Strait. WG officials are due to attend the MSFOMA meeting.

5. Meeting with Cabinet Secretary

- 5.1 It was reported to the last meeting of the Association that the Cabinet Secretary visited Port Penrhyn on the 21st June 2018 where she met with the Chair of the Association and shellfish farmers from both the eastern and western Menai Strait aboard the mussel dredger *Valente*.
- 5.2 This meeting with the Cabinet Secretary was very positive. She made a firm commitment to progress the application for renewal of the Menai West Fishery Order within 2 months; and demonstrated a keen understanding of the importance of renewing the Fishery Order in the Eastern Menai Strait. The Cabinet Secretary subsequently sent a letter of thanks to the Chair (attached at Annex A).

MSFOMA Secretariat
September 2018

Annex A: Letter from Cabinet Secretary for Environment & Rural Affairs, Lesley Griffiths AM.

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Our ref DC/LG/001150/18

Alan Winstone,
Chair,
Menai Strait Fishery Order Management Association,
Port Penrhyn,
Bangor,
LL57 4HN
alanwinstone@gmail.com

27 June 2018

Dear Alan,

Thank you and members of MSFOMA for meeting with me on 21 June.

I was particularly impressed to learn on how Welsh shellfish farmers have developed the area into the leading shellfish aquaculture site in the UK and also the first mussel farming area in the world to meet the Marine Stewardship Council standard for sustainable fisheries.

I was also interested to hear about the renewal of the Fishery Orders for Menai West and Menai East and how it would work in practice. I am hopeful I can consider the Menai West application and decide on the next steps in the next month or so.

My officials are currently looking at my programme for the summer months to see if we can incorporate a longer visit, so I can arrange to go on one of your vessels to look at your operations first hand.

Regards

Lesley Griffiths

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Goheblaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

Rydym yn croesawu derbyn goheblaeth yn Gymraeg. Byddwn yn ateb goheblaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

North West Inshore Fisheries and Conservation Authority Activity

Background

The North West Inshore Fisheries and Conservation Authority (NWIFCA) are responsible for managing sea fisheries including mussel fisheries in the coastal waters lying between the Dee and the Solway Firth. This area includes the UK's largest seed mussel resource, which is vital to the ongoing success of the Menai Strait mussel fishery. This report provides a brief update on NWIFCA activities that could have an impact on the Menai Strait mussel fishery.

Recommendations

1. That the report is received.

1. IFCA Meetings

- 1.1 Since the last meeting of the Association the NW-IFCA has held one Quarterly Meeting (on the 13th September 2018). The Technical, Scientific and Byelaws Sub-Committee met on the 7th August 2018.
- 1.2 Some of the matters that are relevant to the Menai Strait mussel fishery that have been considered by the NW-IFCA are summarised briefly below.

2. Changes to Byelaws

- 2.1 It was noted at previous Association meetings that the IFCA has now implemented a new byelaw on the use of dredges. This would have formed the basis for managing any seed mussel dredging this year.
- 2.2 The NW-IFCA is continuing to work on a revision of its existing Byelaw 3 which establishes a permit scheme for cockles and mussels. There has been no significant progress with this since the last MSFOMA meeting.

3. Bivalve Mollusc Working Group

- 3.1 A meeting of the Bivalve Mollusc Working Group took place on 4th July 2018. The meeting considered opportunities for seed mussel harvesting this year. Representatives from MSFOMA participate in BuMWaG and will provide a verbal update on any issues arising.

MSFOMA Secretariat
September 2018

Menai Strait Oyster & Mussel Fishery Order 1962

Background

The Menai Strait Oyster and Mussel Fishery Order was made in 1962, and provides the legal foundations for the mussel fishery in the eastern Menai Strait.

The Order was made for a period of 60 years and is due to expire in 2022. MSFOMA needs to consider options for renewal of the Fishery Order to protect the local businesses and jobs that depend upon it.

This report considers both some ongoing management issues associated with this Fishery Order and progress that has been made with its renewal.

Recommendations

1. That the report is received
2. Comments are invited on options for allocating lease fees in the Fishery Order
3. Comments are invited on progress with the renewal of this Fishery Order to date and proposals for stakeholder / public engagement work in the next quarter.

1. Introduction

- 1.1 The Menai Strait Fishery Order sets out provision for both the cultivation of mussels and oysters and for the regulation of the fishery for wild mussels in the eastern end of the Menai Strait. It has been the most successful Fishery Order in the UK, allowing the Menai Strait mussel industry to develop and flourish.

2. Lease fees

- 2.1 At the meeting of the Association in February 2018 it was resolved that lease fees should be increased in line with inflation (2.8%pa) for the remainder of the duration of the Fishery Order. The income from the leases is used to fund the administration and renewal of the Fishery Order.
- 2.2 At the last meeting of the Association it was agreed that there should be a deferral of lease fees for the two new cultivation areas in the Menai Strait. The Chair has written to both lessees in this regard (see Annexes A & B).
- 2.3 At previous meetings of the Association there have been some discussions about the formula used to determine lease fees. At present, the fee charged for each laying is identical. It has in the past been suggested that fees could be linked to the geographic extent or relative productivity of each laying. Some scenarios for this were discussed at the February 2018 meeting of the Association. These are included in Annex C of this report for information.

3. Renewal of the Fishery Order

- 3.1 The existing Fishery Order will expire on 31st March 2022. The experience of the mussel farmers in the Western Menai Strait indicates that it can take many years for a Fishery Order to be renewed. At the July 2016 meeting of the Authority it was resolved that work should start on the process of renewing this Fishery Order.
- 3.2 Members are advised that the formal application for renewal of the Fishery Order was submitted to the Cabinet Secretary for Environment and Rural Affairs on the 9th August 2018 (Annex D).
- 3.3 At previous meetings the Association has drawn up a timetable for progressing the renewal of the Fishery Order. It is important that this is kept under review to ensure that adequate progress is being made. A copy of the timetable is attached at Annex E. This timetable has been updated to show progress to date.
- 3.4 At the last meeting of the Association Members were advised that a meeting with Beaumaris Town Council had been scheduled for the evening of the 2nd July, immediately following the Association meeting. This meeting proved to be very productive, and the Chair subsequently wrote to the Mayor to thank him for the meeting (Annex E).
- 3.5 At previous Association meetings it has been agreed that once the application for renewal of the Fishery Order, it would be appropriate to start a period of public engagement ahead of the formal consultation on renewal of the Fishery Order. It is now appropriate for the Association to consider how best to progress this. Options that have been considered in the past and which would progress this part of the renewal process are:-
 - a) **Attendance at stakeholder meetings:** MSFOMA has identified that there are a number of existing stakeholder groups in the Menai Strait (including the Caernarfon Harbour Trust, local authorities, community councils and recreational groups such as yacht clubs), and it would now be appropriate to contact these groups and offer to attend an upcoming meeting to provide a briefing on the renewal of the Fishery Order.
 - b) **“Drop in” sessions:** MSFOMA representatives could invite the public to “drop in” for an informal discussion about the renewal of the Fishery Order at some suitable local venues. These events would be advertised locally to ensure there was good awareness beforehand.
- 3.6 All of the stakeholder groups that could be The Association is invited to discuss opportunities for developing wider stakeholder engagement at the meeting.
- 3.7 Members are advised that information about the renewal of the Fishery Order has been available on the MSFOMA website (www.msfoma.org) since February 2018.

4. Code of Good Practice for mussel seed movements

- 4.1 The Menai Strait mussel fishery operates in accordance with a Code of Good Practice which was drawn up in collaboration with the Countryside Council for Wales in 2008. The purpose of this Code is to manage the risk of Invasive Non Native Species (INNS)

being translocated as a consequence of mussel seed movements. The Code identifies eight INNS that have the potential to become present in mussel seed areas and could subsequently be transported into North Wales.

- 4.2 At the last meeting of the Association it was reported that Natural Resources Wales had recruited a new officer, and that one of their duties would be to work with the industry to update this code. A verbal update on progress will be provided at the meeting.

MSFOMA Secretariat
September 2018

Annex A: Copy of letter sent to Menai Mussels Ltd in connection with lease fees.

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

Keith Andrews
Menai Mussels Ltd
36 Stad Ty Croes
Llanfair PG
Anglesey
LL61 5JR

9th August 2018

By Post and e-mail

Dear Keith

MENAI STRAIT OYSTER AND MUSSEL FISHERY ORDER 1962: LEASE FEES

I am writing further to recent discussions at MSFOMA about the payment of lease fees for your laying ("Ballast Bank") in the Menai Strait, your letter of 25th June 2018 and our subsequent site visit to the laying at Ballast Bank on 2nd July 2018 with you and Dewi Morris.

You have indicated to the Association that you are not presently able to cultivate this area, and that because of this you are unable to pay the lease fee. You have also asked the Association to review the fee charged for leasing this area.

At the meeting of the Association on 26th April 2018 it was agreed that your lease fee for the current financial year would be deferred by 12 months and therefore you would be given a period of 12 months to pay your outstanding lease fees and any fees due during this Financial Year. This decision would then be reviewed again in 12 months' time. The meeting of the Association on the 2nd July 2018 upheld this view.

I am obliged to point out to you that this decision was discretionary and is without prejudice to the terms of the lease which require that the laying is cultivated and that lease fees are paid within 30 days. The decision to grant you extra time to meet the lease requirements was very much due to the long-standing relationship that you and your business partner have had with the Fishery Order, and the commitment of MSFOMA to encourage a locally owned business to develop.

On behalf of the Association I would be very grateful if you could keep us informed of the plans that you and your business partner have for commencing operations by the end of March 2019. This information would help the Association to evaluate the future viability of this laying and to take an informed decision about the appropriate level of lease fees for the area.

If you have any further comments or queries, please get in touch with me.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA

Menai Strait Fishery Order Management Association
Company registered in England and Wales No 07163689

Annex B: Copy of letter sent to Môn Mariculture in connection with lease fees.

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

James Wilson
Môn Mariculture
Gronant
Llanfachraeth
Holyhead
Anglesey
LL65 4NH

9th August 2018

By Post and e-mail

Dear James

MENAI STRAIT OYSTER AND MUSSEL FISHERY ORDER 1962: LEASE FEES

I am writing further to recent discussions at MSFOMA about the payment of lease fees for your laying (known as "Bangor Deep") in the Menai Strait.

You have indicated to the Association that you are not presently able to cultivate this area, and that because of this you are unable to pay the lease fee. You have also asked the Association to review the fee charged for leasing this area.

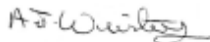
At the meeting of the Association on 26th April 2018 it was agreed that your lease fee for the current financial year would be deferred by 12 months and therefore you would be given a period of 12 months to pay your outstanding lease fees and any fees due during this Financial Year. This decision would then be reviewed again in 12 months' time. The meeting of the Association on the 2nd July 2018 upheld this view.

I am obliged to point out to you that this decision was discretionary and is without prejudice to the terms of the lease which require that the laying is cultivated and that lease fees are paid within 30 days. The decision to grant you extra time to meet the lease requirements was very much due to your long-standing relationship with the Fishery Order, and the commitment of MSFOMA to encourage a locally owned business to develop.

On behalf of the Association I would be very grateful if you could keep us informed of the plans that you and you have for commencing operations by the end of March 2019. This information would help the Association to evaluate the future viability of this laying and to take an informed decision about the appropriate level of lease fees for the area.

If you have any further comments or queries, please get in touch with me.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA

Menai Strait Fishery Order Management Association
Company registered in England and Wales No 07163689

Annex C: Alternative lease allocation scenarios discussed at the February 2018 MSFOMA meeting.

Table 1: Comparison of "status quo" and area-based lease fee allocations.*

Lay	Area (ha)	Company	Illustration for 2018-19				
			Current (Equal allocation)		Equal Price / ha		
			Fee	% of total	Fee	Change	% of total
1	92.8	Myti Mussels	£ 3,899.62	12.5%	£ 4,578.79	£ 679.17	14.7%
2	117.1	Myti Mussels	£ 3,899.62	12.5%	£ 5,777.76	£ 1,878.14	18.5%
3	57.0	Extramussel	£ 3,899.62	12.5%	£ 2,811.91	-£ 1,087.71	9.0%
4	25.7	Deepdock	£ 3,899.62	12.5%	£ 1,265.58	-£ 2,634.04	4.1%
5	169.2	Ogwen Mussels	£ 3,899.62	12.5%	£ 8,348.39	£ 4,448.77	26.8%
6	50.2	Deepdock	£ 3,899.62	12.5%	£ 2,478.37	-£ 1,421.25	7.9%
7	105.3	Menai Mussels	£ 3,899.62	12.5%	£ 5,195.54	£ 1,295.92	16.7%
8	15.0	Môn Mariculture	£ 3,899.62	12.5%	£ 740.60	-£ 3,159.02	2.4%
Total	632.3		£31,196.92		£ 31,196.92		

Table 2: Comparison of "status quo" with dynamic (production based) scenarios using annual fixed fees per laying of £0, £1000 and £2000. Note that the production values given are arbitrary; either tonnage or monetary value could be used. The production values should not be regarded as indicative of the relative production of different areas in recent years, but have simply been used to allow illustration of the scenario.*

Lay	Production (arbitrary units, illustrative only)	Company	Illustration for 2018-19										
			Current (Equal allocation)		Share: No Annual Fee			Share: Plus Annual Fee			Share: Plus Annual Fee		
			2018-19	% of total	2018-19	Change	% of total	2018-19	Change	% of total	2018-19	Change	% of total
1	80	Myti Mussels	£ 3,899.62	12.50%	£ 6,239.38	£ 2,339.77	20.0%	£ 5,639.38	£ 1,739.77	18.1%	£ 5,039.38	£ 1,139.77	16.2%
2	80	Myti Mussels	£ 3,899.62	12.50%	£ 6,239.38	£ 2,339.77	20.0%	£ 5,639.38	£ 1,739.77	18.1%	£ 5,039.38	£ 1,139.77	16.2%
3	40	Extramussel	£ 3,899.62	12.50%	£ 3,119.69	-£ 779.92	10.0%	£ 3,319.69	-£ 579.92	10.6%	£ 3,519.69	-£ 379.92	11.3%
4	20	Deepdock	£ 3,899.62	12.50%	£ 1,559.85	-£ 2,339.77	5.0%	£ 2,159.85	-£ 1,739.77	6.9%	£ 2,759.85	-£ 1,139.77	8.8%
5	80	Ogwen Mussels	£ 3,899.62	12.50%	£ 6,239.38	£ 2,339.77	20.0%	£ 5,639.38	£ 1,739.77	18.1%	£ 5,039.38	£ 1,139.77	16.2%
6	80	Deepdock	£ 3,899.62	12.50%	£ 6,239.38	£ 2,339.77	20.0%	£ 5,639.38	£ 1,739.77	18.1%	£ 5,039.38	£ 1,139.77	16.2%
7	10	Menai Mussels	£ 3,899.62	12.50%	£ 779.92	-£ 3,119.69	2.5%	£ 1,579.92	-£ 2,319.69	5.1%	£ 2,379.92	-£ 1,519.69	7.6%
8	10	Môn Mariculture	£ 3,899.62	12.50%	£ 779.92	-£ 3,119.69	2.5%	£ 1,579.92	-£ 2,319.69	5.1%	£ 2,379.92	-£ 1,519.69	7.6%
Total	400		£31,196.92	100.00%	£ 31,196.92			£31,196.92			£31,196.92		
Annual Fixed Fee per Lay			NA		£ -			£ 1,000.00			£ 2,000.00		

* Please note that in both tables the actual sum of laying fees may differ by a few pence from the total shown. This is a result of rounding of the fee for each laying to the nearest penny. It does not affect the overall outcome.

Annex D: Copy of e-mail sent to Welsh Government with application for renewal of the Menai Strait Oyster and Mussel Fishery Order 1962.

MSFOMA

From: MSFOMA <info@msfoma.org>
Sent: 09 August 2018 22:17
To: 'fisheries@wales.gsi.gov.uk'
Cc: Evans, Stuart (RA - FMDD); Janet.Perry@gov.wales; Alan Winstone (alanjwinstone@gmail.com)
Subject: Application for renewal of Menai Strait Oyster and Mussel Fishery Order 1962
Attachments: MSFOMA Menai East Renewal Letter 100818.pdf; Menai Strait Application forms 10th August 2018.zip; MSFOMA Menai East Application Annexes 100818.zip

Dear Sir / Madam

Please find attached our application for the renewal of this Fishery Order. We have attached:-

1. A covering letter from the MSFOMA Chair
2. Application form, Management Plan and Additional Information forms.
3. Documents and maps in support of the application.

We have attached some of this information in "zip" folders that contain several files. If you have any difficulty opening these please let us know.

We have a minor query – the "Additional Information" form asks for us to submit two paper copies of the Admiralty Chart for the area. This seems a rather dated request. We have instead included two electronic versions of the Admiralty Chart of this area, one of which shows the Fishery Order area. We hope that this meets the application requirements. Please let us know if this is not acceptable and we will arrange for paper copies to be sent to you.

We would be very grateful if you could acknowledge safe receipt of this e-mail and its attachments.

If you have any queries please don't hesitate to get in touch with me.

Regards

Jim Andrews

Dr J Andrews BSc LLM
On Behalf of the Menai Strait Fishery Order Management Association, MSFOMA
T: +44(0)845-880-2540
M: +44(0)7908-225865
Skype: jimwandrews

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Annex E: Copy of letter sent by Chair to the Mayor of Beaumaris, August 2018.

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

Cllr J.P. Zalot
Mayor
Beaumaris Town Council
Town Hall
Beaumaris
Ynys Môn

9th August 2018

By Post and e-mail

Dear Cllr Zalot

SHELLFISH FARMING IN THE MENAI STRAIT

I am writing further to our meeting with you at the council meeting last month on the 2nd July.

We were very grateful for the opportunity to meet with the Council to discuss the proposals for renewal of the Menai Strait Oyster and Mussel Fishery Order. As we explained at the meeting, this process is vital to ensure the future of mussel farming in the Menai Strait and to safeguard the local jobs that depend on the Fishery Order.

A concern that was raised at the meeting was how the Fishery Order may affect the legality of moorings in the Menai Strait. We agreed that we would write to you formally about this matter.

This is an issue that has been raised with us previously by Beaumaris residents, and we have reassured them that mooring located within the Fishery Order but outside areas that are being cultivated (such as the deep water moorings at Beaumaris) are perfectly legal with respect to the provisions of the Fishery Order. Given that the renewal of the Fishery Order would be on a like-for-like basis, there is no risk to the future of these deep water moorings.

I hope that this reassurance is satisfactory. If you require further information on this matter please don't hesitate to get in touch with me.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA

Menai Strait Fishery Order Management Association
Company registered in England and Wales No 07163689

Annex E: Updated timetable for progressing the renewal of the Menai Strait Oyster and Mussel Fishery Order 1962.

Year	Quarter	Activities	Plan / Update / Progress
2018	Q1	a) Prepare application for renewal of Fishery Order	<ul style="list-style-type: none"> Draft application forms presented to MSFOMA meetings in January & February.
		b) Ongoing liaison with stakeholders, NRW, land owners.	<ul style="list-style-type: none"> Consultation carried out with public bodies (February 2018) Meetings held with Anglesey Boat Company, Ynys Môn County Council (landowners).
	Q2	c) Prepare application for renewal of Fishery Order	<ul style="list-style-type: none"> Review of application; discussions of requirements with Welsh Government.
	Q3	d) <u>Submit formal application for renewal of Fishery Order.</u>	<ul style="list-style-type: none"> <u>Application submitted in August 2018.</u>
		e) Plan liaison with wider stakeholder community (public, recreational users, NGOs etc)	<ul style="list-style-type: none"> Arrangements for stakeholder events to be agreed by MSFOMA.
	Q4	f) Liaison with wider stakeholder community. g) Respond to WG queries about application.	<ul style="list-style-type: none"> Implement agreed liaison arrangements. Respond to queries as necessary
2019	Q1/Q2	h) Ongoing stakeholder liaison. i) Respond to queries about application.	<ul style="list-style-type: none"> Implement liaison arrangements Respond to queries as necessary
	Q3/Q4	j) (Possible) Formal consultation on Fishery Order. k) Respond to consultation feedback. l) Address consultation issues either informally or through Public Inquiry.	
2020		m) Progress application process.	
2021		n) Progress application process.	
2022	1 st April	o) DEADLINE FOR NEW ORDER	

Menai Strait West Fishery Order Application

Background

In 2012 the Association resolved to work with shellfish farmers from the western Menai Strait to renew the Menai Strait West Fishery Order, which lapsed in 2008. The renewal of the Order is essential to secure the future development of shellfish farming in this area.

A public consultation on the proposal to renew the Menai Strait West Fishery Order was carried out by the Association in October-November 2015. A significant number of objections were submitted. Since then the Association has been working with local stakeholders to address these concerns.

This report provides an update on recent progress.

Recommendations

1. That the report is received
2. That the Association discusses and considers the options for progressing with the renewal of this Fishery Order.
3. That the Association considers how to recover costs accrued during the renewal process.

1. Update on Renewal of Fishery Order

- 1.1 The Menai Strait (West) Fishery Order was established in 1978 for a period of 30 years. This Fishery Order provided the basis for the development of some oyster and mussel farming activity in the western Strait. The Order lapsed in 2008, preventing the further development of these businesses.
- 1.2 Members will be aware that over the past few years the Association has been working to renew this Fishery Order. A draft Fishery Order was published for consultation in 2015, and generated many objections from the local community. The Association has worked closely with the objectors to allay and address their concerns.
- 1.3 In July 2017 the Chair of the Association wrote to the Cabinet Secretary to ask her to determine the application for the Fishery Order. This report provides an update on recent progress in response to that request.

2. Update

- 2.1 On the 13th June 2018, a meeting and site visit was held between Welsh Government officials and representatives from MSFOMA (the Chair, Jon King & Trevor Jones). The meeting and site visit was very constructive, and has established a firm basis for progress.
- 2.2 On the 21st June 2018 the Cabinet Secretary visited Port Penrhyn (see item 7 on the agenda). At that meeting she made a commitment to determine the

application for this Fishery Order within 2 months. The Chair has recently written to the Cabinet Secretary to enquire about progress (see Annex A).

- 2.3 Representatives from Welsh Government have been in regular contact with the Secretariat and Chair of the Association since June 2018, and are due to attend this meeting. It is understood that Welsh Government lawyers have advised officials that they consider that there are two options for progressing the Order that could be recommended to the Cabinet Secretary:-
- a) **Option 1** is to call a Public Inquiry in response to the objections that have been raised.
 - b) **Option 2** is to modify the boundary of the Fishery Order to remove the areas that MSFOMA has identified will not be used for shellfish production, and which are the focus of the objections that have been raised.
- 2.4 Welsh Government officials will be able to provide further background to these proposals at the meeting, and are keen to hear the response from the Association so that this can be reported to the Cabinet Secretary.
- 2.5 The Secretariat has contacted the proponents of the Fishery Order proposal to seek their views on these options, and will provide a verbal update of their responses at the meeting.
- 2.6 The Association is asked to consider how it would like to proceed with this application process.

3. Costs

- 3.1 At previous meetings of the Association it has been noted that costs have been accrued by MSFOMA in connection with the application for the Fishery Order. These costs will be recovered from the leaseholders in the new Fishery Order area.
- 3.2 The Association is invited to consider options for recovering costs, taking account of the duration of leases for shellfish cultivation (7 years) and the proposed duration of the Fishery Order (28 years).

MSFOMA Secretariat
September 2018

Annex B: Copy of letter sent to the Cabinet Secretary for Environment & Rural Affairs in connection with the renewal of the Menai Strait (West) Fishery Order.

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

Lesley Griffiths, AM
Cabinet Secretary for Environment & Rural Affairs
Welsh Government
Cardiff Bay
Cardiff
CF99 1NA

20th September 2018

By Post and e-mail

Dear Cabinet Secretary

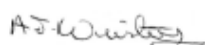
SHELLFISH FARMING IN THE MENAI STRAIT

I am writing further to our very productive meeting in Porth Penrhyn on the 21st June.

We have been wondering if you have any news of progress with our application for the renewal of the Menai West Fishery Order. At our meeting in June you were planning to give us your decision on this application within 2 months. It would be great to have an update on progress that I can share with the applicants, who are all keen to invest in their businesses and try to bring the area into production as soon as they can.

We very much look forward to hearing news of progress and to welcoming you back to the Menai Strait in the near future.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA

cc. Bethan Jones, Head of Fisheries Policy, Welsh Government