

Menai Strait Fishery Order Management Association

Meeting, 22nd April 2013, Porth Penrhyn

Minutes

Attendance

Tim Croucher	Welsh Assembly Government
Alan Winstone	Natural Resources Wales
Rowland Sharp	Natural Resources Wales
James Wilson	Bangor Mussel Producers Ltd
Lewis le Vay	Bangor University
Keith Andrews	Licensed hand pickers
Sue Utting	Chair

Advisors

Jim Andrews	
Jon King	Menai Strait (West) Fishery Order

1. Chairman's announcements

The Chair welcomed Jon King to the meeting as a representative of the mussel fishermen at the western Menai Strait.

2. Apologies

Trevor Jones	Menai Strait (West) Fishery Order
Bob Parry	Ynys Môn County Council
tbc	Gwynedd County Council

3. Minutes of last meeting

The minutes of the meeting that took place on 1st November 2012 were accepted.

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.

It was agreed that it would be appropriate to follow up the situation with regard to biotoxin sampling in the Menai Strait.

Action: JW

5. Membership of the Association

There were no new Members of the Association.

It was again noted with regret that neither Gwynedd nor Ynys Môn County Council had appointed new members to the Association. The Chair had previously written to the Chief Executive of each Council to inform them of the meeting and invite attendance, and would continue to encourage representation from the Councils.

6. Financial Update

A financial report and projection was presented to the Association and accepted by the meeting.

It was suggested that some additional matters should be considered in the budget, including:

- Provision of support to assist with general administration and book-keeping;
- The increasing technical support required for the order (concerning issues such as water quality, non native species, legislative changes at the national & UK level);
- How the costs associated with the management of the Menai Strait West Order will be met.

It was agreed that the proposed budget should be adopted, pending consideration of these issues. It was also felt that a review of the budget and the funding model should be presented for discussion at the next meeting of the Association.

Action: JW / JA

7. Fishery Activity

It was reported that harvesting had just finished. James Wilson reported that it had been a good season, with relatively good prices.

There were some signs of seed mussels at Caernarfon Bar, and also in Morecambe Bay.

8. Developing the Fishery Order Area

James Wilson and Keith Andrews declared their pecuniary interests in these agenda items and left the meeting for the duration of the discussion.

The Chair reported that there had been a meeting between all leaseholders and licence holders in the fishery prior to the Association meeting.

a) Licences for hand gathering

It was felt that it would be appropriate to review the possibility of creating new opportunities for hand gathering by licensed operators in parts of the Fishery Order other than Ballast Bank. There should be consultation with all lease holders and licence holders about these opportunities.

Action: JA

b) Development of cultivation areas

The Chair informed the meeting that two applications for the creation of new cultivation areas had been received by the Association. One of these applications proposed the creation of a new cultivation area in the Strait adjacent to the existing areas 1 and 3; the other proposed an area on the upper part of Ballast Bank adjacent to existing areas 2 and 5. Maps of these areas and a report about the background for developing the Fishery Order were considered at the meeting.

The meeting noted that there was no formal procedure in place for dealing with new applications for cultivation areas. No new areas had been created for more than 10 years.

Before considering the specifics of either proposed new area, the meeting discussed the remit, responsibilities and duties of the Association with respect to proposals of this nature. The meeting concluded that:-

- The Association has a duty to develop the Fishery Order;
- There is no statutory basis under the Fishery Order or in the constitution of the Association to refuse either application;
- The Association is not required to progress any applications for new cultivation areas itself;
- The Association would require the consent of the Minister before any new areas are designated and leased.

It was agreed that on this basis it would be appropriate for the Association to invite each applicant to progress the formal consultations that were a prerequisite of the creation of any new cultivation areas in the Fishery Order. These consultations would include, *inter alia*, consultation with Natural Resources Wales, the local authorities around the Menai Strait, and ultimately the Minister.

It was further agreed that if the application for the area on Ballast Bank was successful, then the Association would need to review the provision for hand gathering areas within the Fishery Order area.

James Wilson and Keith Andrews were invited back into the meeting. They were invited to progress their proposals through the necessary formal consultation with Natural Resources Wales and also to consult with Ynys Môn and Gwynedd County Councils. If the results of these consultations were favourable, the Association would then be able to request the consent of the Minister for the creation of the new cultivation areas.

Action: JW, KA.

It was also agreed that the Chair should write to existing lease holders to inform them of this decision.

Action: SU

9. Enforcement issues

No enforcement issues had arisen.

10.NW IFCA Activity

a) Byelaw 3

The Association had previously registered some concerns with the NWIFCA about the application of its Byelaw 3 to dredge operators in the IFCA District. These issues had not yet been resolved.

b) Morecambe Bay Fishery Order

It was understood that progress was being made with this Fishery Order. It seemed unlikely that it would be in force in time for the 2013 seed mussel dredge fishery in Morecambe Bay. The IFCA were proposing to use their Byelaw 3 as an interim measure to manage dredging activity.

c) Vessel size restrictions

There had been no news of any further progress with this byelaw.

It was agreed that the Chair should approach the IFCA to seek a meeting to discuss these matters.

Action: SU

11.Developing the Association

a) Menai Strait (West) Fishery Order

It was reported that the application for this Order was now undergoing inter-departmental and inter-agency consultations. Once any responses had been addressed it would be possible to progress to the public consultation on this Order.

Rowland Sharp reported that NRW had been asked to comment on the Draft Order and that he was currently consulting with colleagues about it.

b) Conwy Fishery Order

It was understood that discussions about the future long-term management of the Conwy mussel fishery had not yet reached any firm conclusions.

12.Fishery Management Issues

a) *Bonamia*

There were still no signs of *Bonamia* in the western Menai Strait.

b) Non-native species

Didemnum vexillum

There was no sign of this species in Holyhead in January 2013, and another survey was scheduled for July 2013 to check this.

The isolation berth in Holyhead was due to be rebuilt.

The application for funding under the EU LIFE "Pathways" programme had been unsuccessful.

Chinese Mitten Crabs (*Eriocheir sinensis*)

No reports had been received by CCW of any occurrence of Chinese Mitten Crabs in the seed mussels from Morecambe Bay or mussels from the Menai Strait.

c) Norovirus

Some concerns were raised about the Cefas proposals for monitoring Norovirus levels. It was felt that these were unrealistic and could have a huge impact on the UK mussel industry. There were also concerns about how these proposals would be implemented under the Water Framework Directive. It was agreed that the Association should write to Defra to draw attention to these concerns.

Action: SU

d) Marine Conservation Zones

A stakeholder meeting took place at the end of March, and reported to the Minister about proposed MCZ.

There was some uncertainty about the timeframe for progressing MCZs under the Marine Act, and further information was awaited on this.

13. Fishery Orders - Welsh Government Update

The meeting considered the proposals that had been put forward by WG for amending the 1967 Sea Fisheries (Shellfish) Act. It was felt that the proposals for simpler, faster and better procedures were welcome. It was agreed that a date for meeting with WG officials should be agreed and a further meeting held with them to discuss their proposals.

Action: SU

14. Any Other Business

a) Correspondence

A response had been sent to Lt Col Burkham in Beaumaris following the last Association meeting. No further response had been received.

b) Shellfish Waters Directive and Water Framework Directive

Some concerns were raised about some detailed anomalies in these two Directives concerning the areas that they extend offshore and how this might affect both the promotion of improved water quality and also the development of shellfish farming.

It was agreed that these concerns should be considered in more detail at the next meeting of the Association.

c) Biotxin sampling

It was agreed that the concerns about proposals for biotoxin monitoring should be pursued further.

Action: JW& SU

15. Date for next meeting

The next meeting is set for 18th September 2013 at 10am.