

# Menai Strait Fishery Order Management Association

Meeting, 14<sup>th</sup> December 2016  
FV *Mare Gratia*, Porth Penrhyn

## Minutes

### Attendance

Sue Utting	Chair
Trevor Jones	Menai Strait (West)
Ioan Thomas	Gwynedd County Council
Iwan Huws	Isle of Anglesey County Council
Lewis le Vay	Bangor University
Colin Charman	Natural Resources Wales
James Wilson	Bangor Mussel Producers Ltd
Tim Croucher	Welsh Government

### Advisors

Jim Andrews	
Kim Mould	BMWAG

### 1. Chair's announcements

The Chair welcomed Kim Mould (invited to attend as a participant in the North West IFCA "Bivalve Mussel Working Group) to the meeting.

The Chair proposed and it was agreed that the sequence of agenda items should be altered to allow appropriate time for discussion of the Menai Strait West Fishery Order report.

### 2. Apologies

Keith Andrews	Licensed hand pickers
Rowland Sharp	Natural Resources Wales

### 3. Minutes of last meeting

The minutes of the meeting that took place on 13<sup>th</sup> October 2016 were accepted subject to correction of some minor errors.

### 4. Matters Arising

It was considered that any matters arising from the last meeting were addressed on the agenda for the current meeting. Points of discussion that lay outside the agenda items were:-

- a) **Cabinet Secretary for Environment and Rural Affairs.** Trevor Jones reported that he had met with Lesley Griffiths AM. She seemed to be very interested in and positive about fisheries and aquaculture in Wales.

## **5. Membership of the Association**

There were no new Members of the Association.

## **6. Financial Update**

James Wilson reported that the Association's accounts had been submitted to Companies House. These showed that during the 2015-16 FY the Association had accumulated reserves of just over £36k in the bank, in line with its financial plan.

The accounts were available from Companies House and would be circulated to Members.

**Action: Secretariat**

It was agreed that it would be appropriate to review the financial plan at the next meeting of the Association.

**Action: Secretariat**

## **7. Welsh Government Activity**

### **a) Meetings & Groups**

#### **i. Welsh Marine Fisheries Advisory Group**

Lewis LeVay reported that he had attended two meetings of this group. The main priority at the most recent meeting on December 5<sup>th</sup> had been setting priorities for the European Maritime and Fisheries Fund (EMFF) in Wales.

#### **ii. North Wales Inshore Fishery Group**

Trevor Jones reported that the IFGs had now been placed on hold. As an alternative approach, each Fisherman's Association in Wales has been given a place on the WMFAG. This would enable issues to be identified with local input. "Task and Finish" groups would be established to address issues, as appropriate (such as the Welsh Sea Bass Task and Finish Group established in 2015).

It was noted that the North Wales Fishermen's Co-operative was not participating in WMFAG.

#### **iii. Welsh Aquaculture Advisory Group**

This group was established by Welsh Government to assist with its targets for aquaculture production in Wales (2,000t of finfish and 16,000t of shellfish production by 2020). Lewis LeVay thought that the next meeting of the WAAG was due to take place in spring 2017.

It was noted that MSFOMA are represented on these Welsh Government groups by Trevor Jones, Lewis LeVay and James Wilson. The feedback from these representatives was welcomed.

### **b) Consultations**

#### **i. Marine Licences**

It was noted that a consultation was underway on full cost recovery for marine licences issued for infrastructure projects. It was felt that this issue should be kept under review to ensure that any changes to the exemptions allowed for

fishing activities (i.e. for the placement of oyster frames on the shore) did not impose significant new overheads on shellfish cultivation.

Members noted a trend for cost recovery for administrative activity in the public sector. It was felt that this could prove to be beneficial in the fishing sector if the charging was linked to an appropriate Service Level Agreement (SLA).

Trevor Jones noted that the timescales for processing authorisation for seed mussel resources in Wales were much slower than in England, and that this had resulted in the seed mussel resource at Whiteford Point in South Wales being lost before licences to fish were issued. This is a reasonably predictable situation, and it was felt that an SLA could be used to improve the situation.

It was agreed that it would be appropriate to look for opportunities for encouraging the use of SLAs as a means of improving the licensing arrangements for marine fisheries.

## **ii. Nitrogen Vulnerable Zones**

It was noted that the agricultural community were actively participating in the discussion about the designation of "Nitrogen Vulnerable Zones" in water bodies. There were no NVZs proposed on the North Wales coast.

Trevor Jones noted that in Denmark and Sweden mussel farms were being used to mitigate the adverse impacts of eutrophication of coastal waters from agricultural land.

It was agreed that a response should be sent to the consultation on NVZs to welcome this work and to mention the role that shellfish cultivation could play in managing eutrophication impacts.

**Action: Secretariat**

## **c) Annual Report**

James Wilson confirmed that the Annual Report for the Fishery Order had been submitted to Welsh Government. The main constraint to development of the fishery had been identified as access to seed mussel resources.

## **8. NW IFCA Activity**

### **a) Proposed dredge byelaw**

Comments on this proposed byelaw had been submitted following the October MSFOMA meeting. Trevor Jones and Jim Andrews reported that this item had not been considered further by the NW-IFCA at its meeting on 9<sup>th</sup> December 2016. It was anticipated that it would be discussed by NW-IFCA's Technical Science and Byelaws sub-Committee again in early 2017, since the Emergency Byelaw that the IFCA had put in place was due to expire and there was a pressing need to agree and "make" the new byelaw.

It was agreed that no further action was required at this point and that progress with the introduction of this new byelaw should be kept under review.

### **b) Bivalve Mollusc Working Group**

Trevor Jones reported that he had attended the most recent meeting of this group (in place of Kim Mould who had been unavailable) and it had been constructive.

Kim Mould noted that the hand gathering community had asked for a 100m buffer zone around dredging areas, which seems to have increased the abundance of starfish in the area overall.

Some seed mussel fishing has been authorised in an area that has been dredged in the past (known as Box I). It was noted that the topography of this area has changed considerably and that the mussels are not to be found in the areas where they had been historically.

Colin Charman reported that Rowland Sharp is collaborating with officers from NW-IFCA and Natural England on the “bird model” looking at interactions between shellfish and shorebirds in Morecambe Bay. Trevor Jones agreed that the collaboration by the NW-IFCA into research of this nature is very positive.

## **9. Menai Strait East Fishery Order Renewal**

The proposed schedule for renewal of the Fishery Order was discussed and approved. It was noted that owing to the work associated with Menai West, the initial consultations proposed for late 2016 had not been completed.

It was agreed that early stakeholder engagement was crucial, and also that this process should be managed carefully so that no stakeholders felt that they were being excluded, as had been the case for some parties in Menai West.

It was agreed that:-

- a) Welsh Government should be asked to provide a list of the consultees that they would expect to be consulted as part of the Fishery Order renewal process.
- b) MSFOMA members should send comments on the draft stakeholder list to Jim Andrews.
- c) The timetable for renewal of the Fishery Order should be revised, with the aim remaining of submission of an application for renewal in late 2017 / early 2018.

**Action: Secretariat**

## **10. Menai Strait West**

The report on this matter was accepted by the meeting and discussed. Two key areas of discussion were identified: liaison with wider stakeholders; and resolving an objection raised by the company Roberts of Port Dinorwic.

### **a) Stakeholder engagement & Operating Plan**

Over the past 12 months MSFOMA has been working with stakeholders in the Port Dinorwic area to address their concerns. An “Operating Plan” has been agreed in response to the objections raised during consultation on the Fishery Order. This Operating Plan enjoyed wide support, but the RYA had raised concerns about how it would be made enforceable.

Following the previous MSFOMA meeting a response had been received from the Welsh Government about how an Operating Plan could be made enforceable. This response had not indicated any preferences for a particular course of action.

Members remained of the view that the proposal to append an “Operating Plan” to all leases provided a pragmatic and enforceable mechanism for implementation. It was noted that this mechanism is used to implement the Management Plan for Fishery Orders, and also the Code of Conduct for Invasive Alien Species in Menai East.

Members noted that the RYA were still of the view that the “Operating Plan” could only be made enforceable through a “Side Agreement” between the RYA and MSFOMA. Members felt that this was not necessary, but that it might be appropriate to discuss this further with the RYA so that a better informed view could be taken of their suggestion.

A further meeting of the “Liaison Group” was due to be held in the evening of the 14<sup>th</sup> December, and it was considered likely that discussions about the Operating Plan and side agreement would take place. It was considered that the MSFOMA position presented to the Liaison Group should be that the Operating Plan could be made enforceable by being appended to leases. Further information about what is meant by a “Side Agreement” would enable MSFOMA to consider if this was appropriate or necessary.

It was noted again that several stakeholders including the RYA had expressed concern about the absence of WG officials from meetings to discuss this issue in Port Dinorwic.

It was felt that as soon as possible MSFOMA should move to a position where objectors are asked to confirm their position with respect to the proposed renewal of this Fishery Order and that the Cabinet Secretary is then asked to determine the application.

**Action: Secretariat**

It was also agreed that it would be appropriate to seek a meeting with the Cabinet Secretary to provide a briefing on the actions that have been taken by MSFOMA to address the objections that have been made to this Fishery Order proposal.

**Action: Secretariat**

There was some further discussion about the need to ensure that expenditure on this Fishery Order application was minimised and that lessons learnt from this consultation exercise are applied to the Menai East renewal process.

**Action: Secretariat**

#### **b) Roberts of Port Dinorwic**

This company is a major local employer and operates a business which has an effluent discharge pipe that runs across the foreshore within part of the proposed Fishery Order area known as “Plot D”. The company had objected to the proposed new Fishery Order in 2015.

Representatives from MSFOMA and Roberts of Port Dinorwic had recently held a site visit. It has emerged that the company’s principal concern is to maintain access to its effluent pipe should any repairs be required.

In response to these concerns, the prospective shellfish farmer in this area, Dr Jon King, has agreed to leave a 30m-wide buffer around the outfall pipe. A response to this proposal from Roberts of Port Dinorwic is awaited.

## **11. Developing Shellfish Aquaculture in North Wales**

### **a) Conwy Estuary**

No further news had been heard from here.

### **b) Offshore areas**

James Wilson reported that he and Rowland Sharp were working on the HRA for offshore mussel cultivation.

## **12. Fishery Management Issues**

### **a) Bangor Pier**

No additional news.

### **b) *Bonamia***

No additional news.

### **c) Invasive Alien Species (IAS) / Invasive Non Native Species (INNS)**

Colin Charman reported no change in the situation with respect to *Didemnum vexillum* in Holyhead harbour. NRW were seeking to fill a post for a Marine Non Native Species officer (a temporary post for 1 year)

It was reported that the Environment Agency in England are prosecuting the Duchy of Cornwall over the release of the Pacific Oyster *Crassostrea gigas* as an IAS/INNS. It was understood that NRW have a more pragmatic view of this species.

### **d) *Norovirus***

No additional news.

### **e) Enforcement**

No enforcement issues were reported.

### **f) Proposed new SACs and SPAs**

Work in the Liverpool Bay SPA is still ongoing - there have been some changes to the proposed boundary and designated features of the site.

### **g) Dickies Boat Yard development**

It was confirmed that this development had been approved.

## **13. Any Other Business**

### **a) Correspondence**

No additional items of correspondence had been received.

## **14. Date for next meeting**

The next meeting was set for either the 22<sup>nd</sup> or 23<sup>rd</sup> March 2017.