

## **Membership of the Association**

### **Background**

This Association was established on 1<sup>st</sup> 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 2018 MSFOMA meeting 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 the basis for discussing the membership of the Association.

### **Recommendations**

1. That the report is discussed.
2. That the Association consider the benefits of widening membership of the Association.

### **1. Management Framework**

- 1.1 The Menai Strait Fishery Order Management Association is a company limited by guarantee. It was incorporated on 19<sup>th</sup> 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 2012 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 9, drawn from the statutory bodies around the Menai Strait (NRW, Gwynedd 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.

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 yet 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.

## 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 2012 to allow for representation from the Menai Strait (West) Fishery Order if and when this Order is renewed.
- 2.2 Over the period since 2012, and particularly as a result of discussions of the renewal of the Menai West Fishery Order, it has become very clear that stakeholders that are not presently eligible to participate as 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 The benefit of wider involvement in Association business would be that the Association itself would benefit from a wider perspective on management issues; and also that wider engagement might promote better understanding and awareness of the Association's activities. A further benefit could be that with wider involvement there is a lower risk of meetings not being quorate.
- 2.4 The challenge of wider involvement will be to ensure that it does not place an excessive administrative burden on the Association or its lessees. The administration of the Order is presently very cost-effective. An increase in the number of participants in administration and management is likely to increase administrative overheads.
- 2.5 A further challenge of seeking wider involvement would be managing expectations: for certain sectors there could be several organisations with a legitimate interest in the Fishery Order area. Inviting one organisation to become a Member could alienate the Association from other organisations.
- 2.6 The options available to the Association would be to revise the Articles of Association to allow more organisations to participate as:-
  - a) **Observers** - with a right to participate in discussions but no voting rights, liabilities, or role in the management of the company. Observers could be appointed without changing the quorum of the Association, and would not make any contribution to achieving a quorum.
  - b) **Members** - with a right to participate in discussions and to vote on motions, but no role in the management of the company. The appointment of new members would not affect the quorum of the Association, and would make a contribution to achieving the quorum.
  - c) **Directors** - with a right to participate in all aspects of the Association's business. The appointment of new Director(s) would increase the quorum to 3; and the new Director(s) would contribute to the quorum at Director's meetings.
- 2.7 Views are sought on which option should be favoured and which organisation(s) could be appropriate for each role.

### **3. Opportunities for improving efficiency**

- 3.1 Members will be aware that from time to time there have been difficulties ensuring that Association meetings are quorate. This has impacted on the scheduling of meetings and on one occasion resulted in a meeting taking place that could not make any resolutions.
- 3.2 If the Association is minded to revise the Articles of Association, there may be an opportunity to clarify the powers of Members and Directors to delegate their authority to a representative so that the Association can continue to transact its business.
- 3.3 Views are sought on whether it would be appropriate to take this opportunity to seek to improve the efficiency of the Association.

MSFOMA Secretariat  
April 2018

## **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.
- 1.2 Officers from Welsh Government are due to be attending this meeting, and may provide further verbal background on the items reported below and other areas of Welsh Government Activity.

### **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. There is no information available about these groups on the WG website at present. 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. The WG website reports that the most recent meeting of this group took place on December 5<sup>th</sup> 2016. No further information is available.
  - 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. No information about recent activities of this group is available on the WG website.
- 2.2 A verbal update on any recent meetings of these and related groups will be provided at the meeting by Members who attend their meetings.

### **3. Consultations**

- 3.1 The Welsh Government website indicates that no consultations relevant to marine fisheries, the marine environment, marine management are currently open.

### **4. Meeting with Cabinet Secretary**

- 4.1 At the last meeting of the Association it was agreed that the Cabinet Secretary should be invited to visit the Menai Strait mussel fishery, in response to interest she had shown at a meeting during February.
- 4.2 The Chair wrote to the Cabinet Secretary on 1<sup>st</sup> March 2018 to invite her to visit the Menai Strait (see Annex A). No response has been received to this invitation. The Chair followed up on the invitation earlier in April and was informed that a response would be forthcoming; at the time of writing none has been received.

MSFOMA Secretariat  
April 2018

**Annex A:** Letter from Chair to Cabinet Secretary.

**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

1<sup>st</sup> March 2018

By Post and e-mail

Dear Cabinet Secretary

**INVITATION TO MEET MENAI STRAIT SHELLFISH FARMERS**

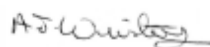
I am writing further to your recent meeting with the Welsh Fishermen's Association to invite you to meet with the Menai Strait shellfish farmers at Porth Penrhyn near Bangor in North Wales during either March or April this year.

A meeting in Porth Penrhyn would provide an opportunity for you to see 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.

Over the past few years we have been working with your officials to progress the renewal of the Fishery Orders that provide the legal foundation for shellfish farming in the Menai Strait. We have learnt a lot from this experience. We are keen to work with you and your officials to improve the management and administration of Welsh shellfish farming both pre- and post-Brexit to ensure that the Government and our businesses are ready for the challenges ahead.

We hope that you are able to accept this invitation and look forward to welcoming you to the Menai Strait in the near future.

Yours sincerely



ALAN WINSTONE  
Chair, MSFOMA

cc. Mr Stuart Evans, Head of Fisheries Policy, Welsh Government

## **North West Inshore Fisheries and Conservation Authority Activity**

### **Background**

The North West Inshore Fisheries and Conservation Authority (NWIFCA) is 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 15<sup>th</sup> March 2018). The Technical, Scientific and Byelaws Sub-Committee has not met (the next meeting is due to take place on the 15<sup>th</sup> May 2018). The Bivalve Mollusc Working Group is due to meet in April 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 the last Association meeting that the IFCA has now introduced a new byelaw on the use of dredges. This will form the basis for managing any seed mussel dredging activity during 2018.
- 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 (BuMWaG) is due to take place in the few days before the Association meeting.. Representatives from MSFOMA participate in BuMWaG and will provide a verbal update on any issues arising.

MSFOMA Secretariat  
April 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.

### **Recommendations**

1. That the report is received
2. Comments are invited on progress to date and proposals for work in the next quarter.
3. Members' views are sought on a proposal to review the Code of Good Practice for mussel seed movements.

### **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. The Cabinet Secretary was informed of the decision to increase lease fees (see Annex A).
- 2.2 At the February meeting it was further resolved that, pending confirmation that the Association was able to do this, the lessees for the two new cultivation areas should be given an option to defer payment for their areas to facilitate the start-up of cultivation activities.
- 2.3 There seems to be nothing in the Articles or Standing Orders of the Association to prevent the Association from allowing a lessee to defer payment for a leased area. However the leases for cultivation areas require that this fee is ultimately paid otherwise the lease is forfeit.
- 2.4 Members are invited to consider the option of offering these two lessees a deferral on payment for 12 months, after which the biannual lease fees would become due. Deferred fees could then be recovered over the remaining period of the lease.

### **3. Renewal of the Fishery Order**

- 3.1 The existing Fishery Order will expire on 31<sup>st</sup> 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.
- 3.2 At the July 2016 meeting of the Authority it was resolved that work should start on the process of renewing this Fishery Order.
- 3.3 At the last meeting of the Association the documents supporting the application for renewal of the Order were discussed by the Association and comments were made on them. These comments have been incorporated into the documents by the Secretariat. Some outstanding information was required to finalise the application. This has now been sourced and the application is due to be submitted to Welsh Government before the Association meeting takes place.
- 3.4 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 A, along with an update on progress.

### **4. Code of Good Practice for mussel seed movements**

- 4.1 The Menai Strait mussel fishery operated 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 In the 10 years since this Code was drawn up there have been some significant changes in legislation relating to these species. These include the implementation of the EU Regulation on Invasive Alien Species (Regulation 1143/2014) and the revision of the Great Britain Invasive Non-native Species Strategy in 2015.
- 4.3 The Code of Good Practice was drawn up in consultation with the Countryside Council for Wales (CCW) and the North Western & North Wales Sea Fisheries Committee (NW&NWSFC). Both organisations have been superseded by institutional changes in the past 10 years.
- 4.4 It would seem appropriate to revise the Code of Good Practice to reflect institutional and legislative changes in the past 10 years, and also to review whether the list of INNS within this Code remains appropriate.

MSFOMA Secretariat  
April 2018

**Annex A:** Timetable for progressing the renewal of the Menai Strait Oyster and Mussel Fishery Order 1962.

Year	Quarter	Activities	Update / Progress
2016	Q4	a) Formal notice to WG of intent to renew Fishery Order	<ul style="list-style-type: none"> <li>Letter sent to WG in October 2016.</li> </ul>
		b) Preparation for consultation activity (mapping of Order boundaries, communication with Crown Estate & Land Registry over land ownership and occupancy).	<ul style="list-style-type: none"> <li>Mapping completed.</li> </ul>
2017	Q1 & 2	c) Continue preparation for consultation (land ownership & occupancy).	<ul style="list-style-type: none"> <li>Initial consultation with Crown Estate</li> <li>Title deeds obtained from Land Registry</li> </ul>
		d) Initiate consultation with NRW	<ul style="list-style-type: none"> <li>Formal consultation with NRW in January 2017</li> <li>Initial meeting with NRW staff March 2017</li> <li>Draft Assessment of Likely Significant Effect (ALSE) sent to NRW in July 2017.</li> </ul>
		e) Initiate liaison with landowners.	<ul style="list-style-type: none"> <li>Ongoing.</li> <li>Initial round of meetings commenced in February 2017</li> <li>Meetings now held with all major landowners / tenants</li> </ul>
	Q3	f) Initial consultation with statutory bodies & utilities	<ul style="list-style-type: none"> <li>Completed Q1 2018.</li> </ul>
	Q4	g) Ongoing liaison with stakeholders, NRW, land owners.	<ul style="list-style-type: none"> <li>Ongoing liaison with landowners.</li> <li>Preparations made for consultation with public bodies.</li> <li>HRA almost completed with NRW</li> </ul>
2018	Q1	h) <b><u>Submit formal application for renewal of Fishery Order.</u></b>	<ul style="list-style-type: none"> <li>Draft application forms presented to MSFOMA meetings in January &amp; February.</li> <li>Application submitted in April 2018.</li> </ul>
		i) Initial consultation with wider stakeholder community (public, recreational users, NGOs)	<ul style="list-style-type: none"> <li>In preparation</li> </ul>
	Q2	j) Liaison with WG. k) Keep stakeholders informed.	

Year	Quarter	Activities	Update / Progress
	<b>Q3</b>	l) Liaison with WG m) Keep stakeholders informed	
	<b>Q4</b>	n) (Possible) Formal consultation on Fishery Order.	
<b>2019</b>		o) Respond to consultation feedback. p) Address consultation issues either informally or through Public Inquiry.	
<b>2020</b>		q) Progress application process.	
<b>2021</b>		r) Progress application process.	
<b>2022</b>	<b>1<sup>st</sup> April</b>	s) 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 progress.

### **Recommendations**

1. That the report is accepted

#### **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. In May 2015, the Association received confirmation from Welsh Government that the Order would be re-created. A draft Order was sent to the Association in October 2015.
- 1.2 A formal consultation was carried out on the draft Order period in line with WG directions between the 29<sup>th</sup> October – 29<sup>th</sup> November 2015. Responses were received from 75 individuals and organisations. 57 of the response were objections; 15 were letters of support; 2 were requests for minor alterations to the Order from navigation authorities; and 1 was an offer of assistance from local Gwynedd Councillor Sian Gwenllian.
- 1.3 Since November 2015, representatives of the Association and the proponents of the Fishery Order have been working with stakeholders to try to identify ways in which their objections could be addressed.
- 1.4 In March 2017 the Association resolved that it would formally agree to implement an “Operating Plan” which addresses the concerns raised by stakeholders and was agreed with them over the period 2015-17. In May 2017 the Association conducted an informal consultation with the objectors to the Order. Of the original objectors, 15 withdrew their objections, and 3 upheld their objections. No response was received from the other objectors.
- 1.5 On the 26<sup>th</sup> June 2017 a letter was sent to MSFOMA by the solicitors representing one of the objectors, Roberts of Port Dinorwic. This letter indicated that the company would be prepared to withdraw its objection to the Fishery Order if the Fishery Order was revised to ensure that no oyster cultivation took place within 30m of the company’s effluent outfall.

1.6 On the 4<sup>th</sup> July 2017 the Chair of the Association wrote to the Cabinet Secretary to ask her to determine the Fishery Order Application. An acknowledgement was received later in July.

1.7 At the MSFOMA meeting in October 2017, WG officials indicated that the Cabinet Secretary was shortly due to be presented with a report to enable her to determine the application. This assurance has been repeated several times subsequently.

## **2. Update**

2.1 On the 16<sup>th</sup> February 2018 the Chair wrote to the Cabinet Secretary to enquire about progress with the Fishery Order (Annex A). A response was received on the 27<sup>th</sup> February 2018 (Annex B). The response indicates that Officials are “*actively considering*” the application.

2.2 On the 18<sup>th</sup> March 2018 the Chair wrote to Rhun ap Iorwerth AM to inform him of the current status of the application and asking if he could encourage the Cabinet Secretary to expedite progress (Annex C). Mr Iorwerth’s office has responded to this request to indicate that he will pursue this matter.

2.3 On the 20<sup>th</sup> March Dr Jonathan King wrote to the Cabinet Secretary to raise concerns about the lack of progress with the Fishery Order application (Annex D). No response was received from the Cabinet Secretary’s office within the mandatory period. Dr King has subsequently written to the First Minister to register concern both about the lack of progress with the Fishery Order and the absence of a response to his correspondence.

2.4 Members will note (under item 7) that the Chair has written to the Cabinet Secretary to invite her to the Menai Strait, with a view to discussing these concerns directly with her. No date has yet been agreed for a meeting.

## **3. Costs**

3.1 At the last Association meeting it was resolved that all of the proponents of the Fishery Order should be advised of the costs accrued to date and the procedure for managing costs. Expenditure needs to be kept under careful review and the four proponents informed of costs accordingly.

MSFOMA Secretariat  
April 2018

**Annex A:** Letter from Chair to Lesley Griffiths AM, Cabinet Secretary for Environment and Rural Affairs, 16<sup>th</sup> February 2018.

**Menai Strait Fishery Order Management Association**

Port Penrhyn, Bangor, LL57 4HN

Lesley Griffiths, AM  
Cabinet Secretary for Environment & Rural Affairs  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

16th February 2018

By Post and e-mail

Dear Cabinet Secretary

**RENEWAL OF MENAI STRAIT (WEST) FISHERY ORDER**

I am writing on behalf of the Menai Strait Fishery Order Management Association to make enquiries about the progress with the renewal of this Fishery Order.

To recap very briefly, the Association wrote to you in July last year with an update on the extensive consultation and liaison work we carried out between 2015 and 2017, and asking for you to make your determination of our application under the Sea Fisheries (Shellfish) Act 1967.

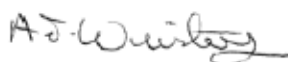
Since we wrote to you we have had some very positive meetings with your officials. Late last year they informed us that a report about the determination of the Fishery Order was due to be submitted to you shortly, an assurance that has been repeated several times over the past few months.

As winter now turns to spring we are becoming concerned that unless a determination is made soon the shellfish farmers in the western Menai Strait will face yet another year of uncertainty and frustration because they are unable plan for the future or develop their businesses.

On behalf of these shellfish farmers, please could I respectfully ask you to encourage your officials to expedite progress with this matter.

I hope that you can assist with this request. If you have any comments or queries about this letter, please get in touch with me.

Yours sincerely




ALAN WINSTONE  
Chair, MSFOMA

cc. Mr Stuart Evans, Head of Fisheries Policy, Welsh Government

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

**Annex B:** Response from Lesley Griffiths, AM.

<p><b>Lesley Griffiths AC/AM</b> Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig Cabinet Secretary for Energy, Planning and Rural Affairs</p>	 <b>Llywodraeth Cymru</b> <b>Welsh Government</b>
<p>Ein cyf/Our ref LG/00385/18</p> <p>Alan Winstone</p> <p>info@msfoma.org</p>	<p>27 February 2018</p>
<p><i>Dear Mr Winstone</i></p> <p>Thank you for your letter of 16 February regarding renewal of the Menai Strait (West) Fishery Order.</p> <p>My Officials are actively considering the application and the related environmental considerations (including the Management Plan and Operational Plan). I will write to you once the advice has been finalised and I have taken a decision on the Order.</p> <p><i>Yours sincerely</i> <i>Lesley Griffiths</i></p> <p><b>Lesley Griffiths AC/AM</b> Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig Cabinet Secretary for Energy, Planning and Rural Affairs</p>	
<p>Bae Caerdydd • Cardiff Bay Caerdydd • Cardiff CF99 1NA</p>	<p>Canolfan Cyswilt Cyntaf / First Point of Contact Centre: 0300 0604400 <a href="mailto:Gohebiaeth.Lesley.Griffiths@llyw.cymru">Gohebiaeth.Lesley.Griffiths@llyw.cymru</a> <a href="mailto:Correspondence.Lesley.Griffiths@gov.wales">Correspondence.Lesley.Griffiths@gov.wales</a></p>
<p>Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.</p> <p>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.</p>	



**Annex C:** Letter from Chair to Rhun Ap Iorwerth AM, 18<sup>th</sup> March 2018.

**Menai Strait Fishery Order Management Association**

Port Penrhyn, Bangor, LL57 4HN

Rhun Ap Iorwerth AM  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA

18<sup>th</sup> March 2018

By Post and e-mail

Dear Rhun

**RENEWAL OF MENAI STRAIT (WEST) FISHERY ORDER**

I am writing on behalf of the Menai Strait Fishery Order Management Association (MSFOMA) to ask for your help in connection with the renewal of the Statutory Instrument ("Fishery Order") that provides the legal foundations for shellfish farming in the western Menai Strait.

You will recall from previous discussions that 5 years ago MSFOMA applied for the renewal of this Fishery Order on behalf of a group of shellfish farmers from Anglesey. After several years of discussions with Welsh Government officials about this application, a "Draft Order" was eventually produced and issued for consultation in October 2015. Between November 2015 and June 2017 the Association worked with local stakeholders to address some concerns that were raised about the renewal of the Fishery Order. In June 2017 the Association wrote to the Cabinet Secretary (Lesley Griffiths AM) to ask her to make a determination on the application for the Fishery Order.

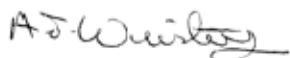
We are now writing to you to express our concern about the administrative delays that appear to be holding up progress with this Fishery Order. Since September of last year we have been assured by WG officials on several occasions that they are "just about" to submit a report on the determination of the Fishery Order to the Cabinet Secretary. As yet, no report has been submitted. I recently wrote to the Cabinet Secretary to enquire about progress, and have attached the WG response to this enquiry, which states that officials are "actively considering" our application. There is no indication of any timescale for progress nearly 9 months after we wrote to ask the Cabinet Secretary to determine our application.

We are now very concerned that unless a determination is made soon the shellfish farmers in the western Menai Strait will face yet another year of uncertainty and frustration because they are unable to plan for the future or develop their businesses.

On behalf of these shellfish farmers please could I respectfully ask if you would be able to encourage the Cabinet Secretary to ask her officials to expedite progress with this matter on our behalf, since all of our other efforts seem to be ineffective.

I hope that you can assist with this request. If you have any comments or queries about this letter, please get in touch with me.

Yours sincerely



ALAN WINSTONE  
Chair, MSFOMA

Enc.

---

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

**Annex D:** Text of e-mail of 20<sup>th</sup> March 2018 from Dr Jonathan King to Lesley Griffiths AM.

*Dear Cabinet Secretary,*

*It is now 10 years since the previous Fishery Order for Menai Strait (West) expired. This is an astonishing, Kafkaesque state of affairs that surely you must be concerned about?*

*As a lay holder for two of the areas within this Fishery Order, I must tell you that this has put a business on hold that would, in that time, turned over a 7-figure sum and what's more it would have been achieved in a sustainable fashion. The wait has resulted in further plans to develop property using income from the farm being shelved. Instead, I have watched my farm slowly rot whilst spending a huge amount of unpaid time on the renewal process in the hope that WG would come to a decision soon. The personal cost of my perhaps foolish belief in the Welsh Government has been great.*

*Having recently been made aware of your letter to MSFOMA in which you state that your officials are still considering 'the related environmental considerations' suggests that the process is actually going backwards, because in the Welsh Government's screening matrix for this Fishery Order, completed some years ago, the conclusion was that 'No Likely Significant Effect has been identified which could result from the granting of this several order'. NRW came to this view 5 years ago.*

*Furthermore, the outcome of our consultation process was sent to you last July, surely enough time to come to a view?*

*On the 10th anniversary of the expiry of the previous lease I have to respectfully ask you - am I wasting my time here? I'm sorry to have to ask such a question but I sincerely believe that it merits an answer.*

*Yours sincerely,*

*Dr Jonathan King*

## **Funding Applications**

### **Background**

At the February 2018 Association meeting an update on various funding proposals was provided by Lewis le Vay from the Centre for Applied Marine Science (CAMS) at Menai Bridge

This report provides an update on actions to support these proposals.

### **Recommendations**

1. That the report is accepted

#### **1. Update**

- 1.1 Following the discussion at the February meeting, the Chair has written to Professor le Vay to offer the Association's support with the Menai Offshore Subsurface Shellfish Systems (MOSSS) project. A copy of the letter is attached to Annex A.
- 1.2 Members will be invited to report and discuss progress with the funding proposals at the next Association meeting.

MSFOMA Secretariat  
April 2018

**Annex A:** Letter from Chair to Professor Lewis le Vay, 28<sup>th</sup> February 2018.

**Menai Strait Fishery Order Management Association**

Porth Penrhyn, Bangor, LL57 4HN

Professor Lewis Le Vay  
Centre for Applied Marine Sciences  
Marine Centre Wales  
Bangor University  
LL59 5AB

28<sup>th</sup> February 2018

Dear Lewis,

**Menai Offshore Subsurface Shellfish Systems (MOSSS)**

The Menai Strait Fishery Order Management Association (MSFOMA) was established in 2010 by the Welsh Government and is responsible for overseeing the management of the mussel fishery in the eastern Menai Strait. Research to support sustainable and consistent mussel seed supply will address one of the key external uncertainties affecting the businesses operating in Menai East, and if successful will help secure the long-term viability and growth of bottom mussel production in North Wales. The potential for production of mussels and other shellfish in offshore areas is also of considerable interest, as it offers considerable potential for expansion and diversification of shellfish production in the Menai Strait/Conwy Bay area and more widely off the North Wales coast.

MSFOMA has discussed the MOSSS Project at our recent meetings and offer our full support for this proposal for EMFF funding.

Yours sincerely



Mr ALAN WINSTONE  
Chair, MSFOMA

## **Fishery Management Issues**

### **Background**

This report provides an update on current fishery management issues.

### **Recommendations**

1. That the report is accepted

### **1. Coastal / Marine Developments**

- 1.1 **Housing development at former Dickies' Boatyard** – after consultation with Association Members, a response to the most recent planning application for this development was submitted on the Association's behalf on the 17<sup>th</sup> April 2018 (Annex A). A notification that a Marine Licence has been issued for this project was received by the Association on the 20<sup>th</sup> April 2018 (Annex B).

### **2. Environmental / health issues**

- 2.1 **Non native species** – on the 20<sup>th</sup> April 2018, the Association was notified by Natural Resources Wales that as a result of damage to Holyhead Marine during winter storms, it is possible that drifting debris may cause the spread of the carpet sea squirt *Didemnum vexillum* in the area. Remains of the marina have been reported floating in the sea 37km from the marina. A note has been produced to advise interested parties of the risk. This is attached at Annex C.

MSFOMA Secretariat  
April 2018

**Annex A:** Letter from Association to Gwynedd County Council concerning development proposal, 17<sup>th</sup> April 2018.

**Menai Strait Fishery Order Management Association**

Porth Penrhyn, Bangor, LL57 4HN

Keira Ann Sweeney  
Regulatory Department – Planning Service  
Swyddfa'r Cyngor  
Gwasanaeth Cynllunio  
Ffordd y Cob  
Pwllheli  
Gwynedd  
LL53 5AA

17th April 2018

Your Ref: C18/0238/11/LL

Dear Ms Sweeney

**Re: Former Dickies Boatyard (Phase II), Beach Road, Bangor, LL57 2SZ**

**Redevelopment of the site to provide 55 residential units, together with the creation of a new vehicular access, estate roads and associated paths, parking spaces and landscaping**

We are writing in response to your consultation with the Menai Strait Fishery Order Management Association.

The development site is adjacent to the largest shellfish farming area in the UK, which provides secure and sustainable jobs for local people. Our Association is responsible for the management and protection of this shellfish farming area.

We have limited our comments to the potential effect of the redevelopment of this site on water quality in the Menai Strait. We note that it is proposed that at the additional 55 residential units will be connected to the existing sewage and surface water drainage system. At present the two nearby Bangor Beach Road Combined Sewage Outfalls (CSOs) are documented by Dŵr Cymru to release untreated effluent into the Menai Strait over 100 times per year.

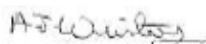
We are concerned that the frequency and duration of CSO discharges will increase as a result of this development. The receiving waters in the eastern Menai Strait are a designated European Shellfish Water. This statutory designation is in place to ensure that the quality of the marine environment in this area is maintained. An increase in CSO discharges may not be compatible with this designation, and could threaten the viability of shellfish farming in the area.

We can see no indication in the development proposal that the developer will be working with Dŵr Cymru to address the potential effect of the development on water quality, which is a direct concern to the mussel industry in the Menai Strait and which we are sure will be an issue of concern for local residents and the future residents of the proposed development.

We would urge the Council to work with the developer, Natural Resources Wales and Dŵr Cymru to address this issue and to ensure that the consenting of this development does not result in a degradation of the quality of the marine environment in this important area.

We hope that these comments are helpful.

Yours sincerely



Mr ALAN WINSTONE  
Chair, MSFOMA

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



**Cyfoeth  
Naturiol  
Cymru  
Natural  
Resources  
Wales**

Natural Resources Wales  
29 Newport Road  
Cambria House  
Cardiff  
CF24 0TP

Ffôn - Tel: 0300 065 3000

Ebost - email: [marinelicensing@naturalresourceswales.gov.uk](mailto:marinelicensing@naturalresourceswales.gov.uk)

**MARINE AND COASTAL ACCESS ACT 2009: PART 4 – MARINE LICENSING**

**Marine Licence: CML1748**

The Natural Resources Body for Wales ("NRW") acting on behalf of the Licensing Authority hereby authorise:

Watkin Jones and Son Ltd  
Llandygai Industrial Estate  
Llandygai  
Bangor  
Gwynedd  
Company No: 2539870

(Hereinafter referred to as "the Licence Holder") to carry out construction works and deposit in the sea the substances or articles the particulars of which are set out at paragraph 1.1 of the attached Schedule. The Licence is subject to the conditions of use set out, or referred to, in the said Schedule.

This Licence shall be valid from the beginning of the day of **16 April 2018**, (hereinafter referred to as the start date of this Licence) to the end of the day of, **16 October 2019** (hereinafter referred to as the end or expiry date of this Licence).

For the purposes of this Licence and attached schedule and unless indicated otherwise:-

- (i) all times shall be taken to be Greenwich Mean Time (GMT), and,
- (ii) all co-ordinates shall be taken to be Cartesian Coordinates Eastings and Northings

Signed:

A handwritten signature in dark ink, appearing to be 'E. Jones'.

For and on behalf of the Licensing Authority

Date of issue: 16 April 2018



Licence No: CML1748  
Date: 16 April 2018

## **SCHEDULE of CONDITIONS**

### **1. Particulars of the works**

- 1.1 The type of works for which the deposit of the substances or articles as specified in paragraph 1.4 of this Schedule are:

**Excavation of existing material and deposit of inert material in order to and produce rip rap coastal defence**

- 1.2 Details of the works requiring the deposit of the substances or articles as specified in paragraph 1.1 of this Schedule are:-

**Excavation and removal of existing material, and the deposit of virgin stone and field boulders in order to produce rip rap coastal defence. Reinforcement of existing dock wall through the installation of steel sheet piling.**

- 1.3. Such works are as detailed in the drawing(s) and sectional plan(s) detailed below which were submitted in support of the Licence Holder's application to NRW acting on behalf of the Licensing Authority dated 2 February 2018.

**Drawing reference:**

3475-2 200C GA General arrangement Dated 17 January 2018  
3475-2 201C Typical section Dated 17 January 2018  
3475-2 202B typical site cross section Dated 18 October 2017  
3475-2 203 Works seaward of Mean high water spings Dated 12 October 2017  
3475-2 205 SOPs dated 17 January 2018  
3475-2 206 Marine licence works dated 17 January 2018  
3475-2 207 Marine licence works dated 18 January 2018  
3475-2 210C marine licence works dated 17 January 2018  
3475-2 211A marine licence works dated 17 January 2018  
3474-2 106 Typical section A-A through sheet piling dated March 2017  
3475-2 204B Extent of MHWS dated 11 January 2018  
3475-2 213A section J-J dated 17 January 2018  
3475-2 212 section G-G I-I dated 17 January 2018  
3475-2 214 phasing rip rap plan dated 17 January 2018  
KQ03-16-223-001 Plant access and material storage dated 30 January 2018

- 1.4 The substances or articles authorised for deposit and removal at sea are:

**Deposit: virgin stone, field boulders, geotextile, steel sheet piles  
Removal: silt, sand, stone**

- 1.5. The Licence Holder and any Operator and Contractor acting on their behalf is permitted to deposit the substances or articles specified at paragraph 1.4 of this Schedule, at the following location(s):

**Former Dickes Boat yard, Bangor:  
Within the area bounded by joining the points detailed in annex 1**



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Date: 16 April 2018

- 1.6. The works shall be carried out in accordance with the works schedule and method statement as detailed in the application form dated 15 October 2016, and as detailed in the following:

- Construction Environment Management Plan for marine licence application version 1.5 dated 12 April 2018
- Rip Rap Method Statement dated 30 January 2018
- Surface Water Monitoring Plan version 1.2 dated 12 April 2018
- 77\_1616 Rock Armour Design Note dated 5 April 2017
- Middlemarch Environmental – Habitat Regulations Assessment: Stage 1 Screening Report – RT-MME-126872-03-Rev B dated March 2018
- RA61 Rock Armour risk assessment dated 26 June 2016
- Waste Planning Assessment version 1.1 dated 22 February 2016
- Middlemarch Environmental - Winter Bird Survey RT-MME-126872-02-Rev C dated March 2018
- Benthic Invertebrate RT-MME-126872-04-RevB dated February 2018
- Middlemarch Environmental - Preliminary Ecological Appraisal RT-MME-126872-01-Rev B Dated February 2018

**2. Additional Persons Responsible for the Deposit of the Substances or Articles**

- 2.1 The Licence Holder must ensure that details of the Operator(s) and Contractor(s) utilised to undertake the works are submitted to NRW acting on behalf of the Licensing Authority prior to the commencement of works.
- 2.2 The Licence Holder must ensure that the details of the vehicles utilised to undertake the works are submitted to NRW acting on behalf of the Licensing Authority and Welsh Government Enforcement Officers prior to the commencement of the works.
- 2.3 Only those Operator(s) or Contractor(s) and vehicles whose details have been notified to NRW acting on behalf of the Licensing Authority may operate under the terms of this Licence. Any changes must be notified to and be approved by NRW acting on behalf of the Licensing Authority in writing prior to operating under this Licence.

**3. Distribution of copies of this Licence**

- 3.1 The Licence Holder is required to ensure that a copy of this Licence and attached Schedule, any special conditions and any subsequent revisions or amendments thereto is given to:
- 3.1.1. All Operator(s) and Contractor(s) whose names have been provided to NRW acting on behalf of the Licensing Authority and
  - 3.1.2 The transport managers responsible for the vehicles employed in the pursuance of this Licence whose details have been submitted to NRW as detailed at paragraph 2.2.
- 3.2 Copies of this Licence shall also be available at the following locations:
- 3.2.1 at the address of the Licence Holder;

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- 3.2.2 at any site office, located at or adjacent to the site of the works, used by the Licence Holder, operator(s) or contractors(s) responsible for the loading transportation or deposit of those substances or articles detailed at paragraph 1.4 of this Schedule; and,
- 3.2.3 at the office of any transport manager with responsibility for vehicles from which licensed deposits are to be made.

#### **4. Inspection of the Operation**

- 4.1 The documents referred to in paragraph 3 shall be available at all reasonable times for inspection by officers appropriately authorised by NRW acting on behalf of the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in that paragraph.
- 4.2 The Licence Holder must notify NRW acting on behalf of the Licensing Authority and authorised Marine Enforcement Officers **10 days** before the licensed operation, or an individual phase of the operation is expected to commence.
- 4.3 The Licence Holder must notify NRW acting on behalf of the Licensing Authority and authorised Marine Enforcement Officers within **10 days** of completion of the works.
- 4.4 The Licence Holder must allow officers of the Maritime and Coastguard Agency, Welsh Government Marine Enforcement Officer or any other person authorised by NRW acting on behalf of the Licensing Authority to inspect the works at any reasonable time.

#### **5. Contacts**

- 5.1 Except where otherwise indicated, the primary point of contact with the Licensing Authority and the address for returns and correspondence shall be:-

**Marine Licensing Team  
Natural Resources Wales  
Permitting Service**

Licence No: CML1748  
Date: 16 April 2018

29 Newport Road  
Cambria House  
Cardiff  
CF24 0TP

Email: [marinelicensing@naturalresourceswales.gov.uk](mailto:marinelicensing@naturalresourceswales.gov.uk)

- 5.2 For the purposes of this Licence any references to Marine Enforcement Officers shall mean the relevant officers located at:-

Welsh Government  
Suite 3  
Cedar Court  
Haven's Head Business Park  
Milford Haven Pembrokeshire  
SA73 3LS

Tel: 03000253500  
Email: [milfordhavenfisheryoffice@wales.gsi.gov.uk](mailto:milfordhavenfisheryoffice@wales.gsi.gov.uk)

#### 6. Force Majeure

- 6.1 If, by reason of "force majeure" the substances or articles specified at sub-paragraph 1.4 of this Schedule, are deposited otherwise than in the area authorised by this Licence at paragraph 1.5, full details of the circumstances shall be notified to NRW acting on behalf of the Licensing Authority within 48 hours of the incident occurring.

"Force majeure" may be deemed to apply when, due to stress of weather or any other cause, the master of a vessel determines that it is necessary to deposit the substances or articles because the safety of human life and/or of the vessel is threatened.

#### 7. Changes to this Licence

- 7.1 In the event of the Licence Holder becoming aware that any of the information on which the granting of this Licence was based has changed or is likely to change, he/she shall notify NRW acting on behalf of the Licensing Authority at the earliest opportunity of the details.
- 7.2 Similarly in the event that the Licence Holder wishes any of the particulars set down in the Schedule to be altered he/she shall inform NRW acting on behalf of the Licensing Authority at the earliest opportunity before taking any further action.

#### 8. Project Specific Conditions

- 8.1 The Licence Holder must ensure that the works are maintained in a safe condition that does not represent a danger to the environment, or other marine users, at all times.
- 8.2 The Licence Holder must ensure that HM Coastguard is made aware of the works prior to commencement by contacting The National Maritime Operations Centre: [nmoccontroller@hmcg.gov.uk](mailto:nmoccontroller@hmcg.gov.uk).

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- 8.3 The Licence Holder must ensure that local mariners and fishermen's organisations are made fully aware of the activity through local notices to mariners 5 days prior to the commencement of the works.
- 8.4 The Licence Holder must ensure all equipment, materials, machinery and PPE used are in a clean condition prior to their arrival on site, and upon removal from site, to minimise risk of introducing non-native species into the marine environment.
- 8.5 The Licence Holder must ensure bunding and storage facilities are installed to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment.
- 8.6 The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to Natural Resources Wales using their hotline number 0300 065 3000; NRW acting on behalf of the Licensing Authority must also be notified at the earliest possible date.
- 8.7 The Licence Holder must ensure that plant, vehicles and machinery are not refuelled on the foreshore.
- 8.8 The Licence Holder must ensure that no recycled or waste stone or concrete is deposited at the location specified at paragraph 1.5 and only virgin material as described in paragraph 1.2.
- 8.9 The Licence Holder must ensure that rock material to be imported must be fit for purpose, and come from an uncontaminated inert source.
- 8.10 The Licence Holder must ensure that silt laden run off from construction, excavation, material storage areas (including excavated material storage), haul roads or any other associated activities is kept to a minimum.
- 8.11 The Licence Holder must ensure if work is to take place between 1<sup>st</sup> March and 30<sup>th</sup> September that a survey must be undertaken to identify the presence of breeding birds. If breeding birds are discovered and they are likely to be disturbed as a result of the works then work must not commence until the chicks have fledged.
- 8.12 The Licence Holder must ensure during the period of 1<sup>st</sup> September and 31<sup>st</sup> March that any works with the potential to disturb or displace roosting birds cease 1 ½ hours prior to high tide and does not recommence until 1 ½ hours after high tide.
- 8.13 The Licence Holder must produce and implement a works timetable detailing the daily restricted work periods around high tide as specified at paragraph 8.12. The works timetable must be available for inspection at all reasonable times at the locations detailed in paragraph 3 by NRW acting on behalf of the Licensing Authority and/or Marine Enforcement Officers.
- 8.14 The Licence Holder must ensure that all precautionary recommendations outlined in Middlemarch Environmental – Habitat Regulations Assessment: Stage 1 Screening Report – RT-MME-126872-03-Rev B dated March 2018 are implemented. Any proposed changes to the actions outlined in this document must be submitted to, and agreed in writing by NRW acting on behalf of the Licensing Authority prior to any changes being enacted.

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- 8.15 The Licence Holder must ensure that any actions outlined in the Construction and Environmental Management Plan For Marine Licence Application version 1.5 dated 12 April 2018 are implemented. Any proposed changes to the actions outlined in the documents must be submitted to, and agreed in writing by NRW acting on behalf of the Licensing Authority prior to any changes being enacted.
- 8.16 The Licence Holder must ensure that any actions outlined in the Surface Water Monitoring Plan version 1.2 dated 12 April 2018 are implemented. Any proposed changes to the actions outlined in the documents must be submitted to, and agreed in writing by NRW acting on behalf of the Licensing Authority prior to any changes being enacted.
- 8.17 The Licence Holder must ensure that if percussive piling is used, soft-start procedures are used to ensure incremental increase in pile power over a set time period until full operational power is achieved. The soft-start duration should be a period of not less than 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated.
- 8.18 The Licence Holder must ensure that all equipment, waste and/or debris associated with the works are removed on completion of the works.



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Date: 16 April 2018

### EXPLANATORY NOTES

*This page does not form part of this Licence CML1748 or its associated schedule but the licence holder is recommended to read the following guidance notes.*

1. The granting of this licence does not absolve the Licence Holder from obtaining such other authorisations, consents and approvals which may be required under any other legislation, controls or regulations.
2. Under Section 72 of the Marine and Coastal Access Act 2009, NRW acting on behalf of the Licensing Authority may vary or revoke this Licence if it appears to the NRW that the Licence Holder is in breach of any conditions in it or for any other reason that appears to NRW to be relevant.
3. A person who contravenes Section 65 (1) of the Marine and Coastal Access Act 2009, or fails to comply with any condition of a Marine Licence, commits an offence under Part 4, Chapter 3, Section 85 of the Marine and Coastal Access Act 2009.
4. It is a defence, Under Part 4, Chapter 3, Section 86 of the Marine and Coastal Access Act 2009, for a person charged with an offence under Section 85 (1) to prove that:
  - a) the activity was carried out for the purpose of securing the safety of a vessel, aircraft or marine structure or for the purpose of securing life, and,
  - b) that he/she took steps within reasonable time following the incident to inform NRW acting on behalf of the Licensing Authority of:
    - (i) the fact that the activity was carried out,
    - (ii) the locality and circumstances in which it was carried out, and
    - (iii) any substance or objects concerned.
5. If the works authorised by this Licence are unlikely to be completed by the expiry date of this licence, the Licence Holder should apply for a replacement licence at least 4 months prior to the expiry date of this Licence.

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Date: 16 April 2018

**Annex 1 –Area of works seaward of Mean High Waters Springs**

<b>Easting</b>	<b>Northing</b>
258607	372979
258611	372982
258613	372986
258613	372991
258612	372996
258610	373001
258608	373005
258606	373010
258604	373014
258603	373019
258601	373024
258596	373024
258592	373022
258593	373019
258595	373015
258597	373010
258598	373005
258599	373000
258601	372996
258602	372991
258604	372987
258605	372982
258604	372979
258599	372977
258595	372975
258590	372973
258585	372971
258581	372969
258576	372968
258571	372966
258567	372964
258563	372961
258564	372956
258564	372955
258566	372950
258570	372951
258575	372953
258580	372955
258584	372956
258589	372958
258594	372959
258597	372959
258602	372961
258607	372963
258611	372965
258616	372966
258619	372969
258623	372973
258626	372977
258629	372981

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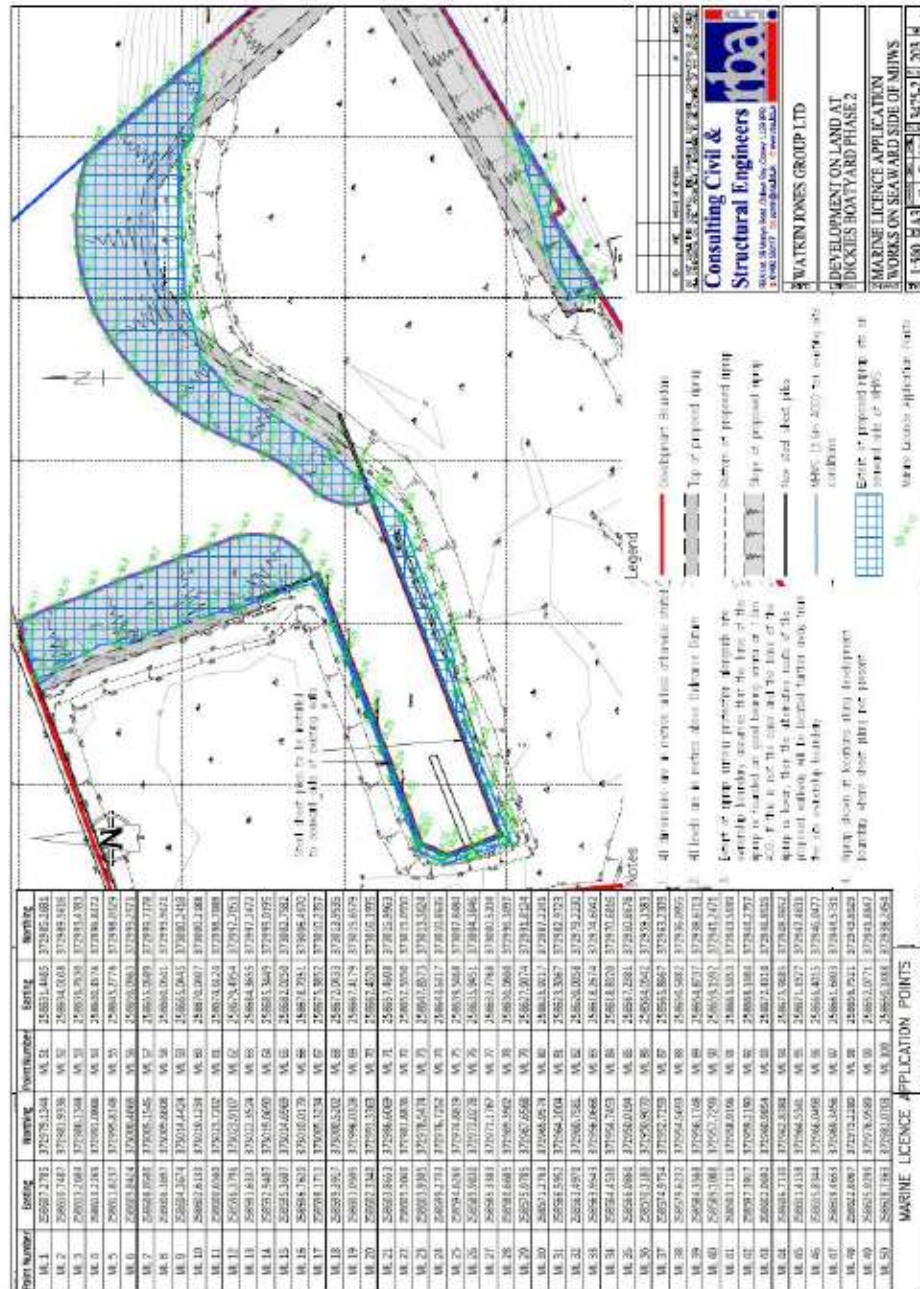
Date: 16 April 2018

258631	372985
258634	372990
258637	372993
258640	372997
258645	372998
258650	372999
258655	373000
258660	373000
258665	373000
258670	373000
258675	372999
258679	372998
258684	372997
258685	372999
258682	373003
258679	373006
258675	373010
258672	373014
258667	373016
258662	373016
258657	373016
258653	373015
258648	373013
258644	373011
258640	373008
258636	373004
258633	373001
258630	372996
258628	372992
258626	372987
258623	372983
258620	372979
258618	372975
258619	372971
258567	372951
258564	372959
258566	372963
258651	372936
258655	372939
258659	372941
258664	372944
258668	372944
258672	372947
258676	372949
258671	372947
258666	372946
258662	372945
258657	372944
258652	372942
258650	372938



Date: 16 April 2018

Drawing 3475-2 203 Works seaward of Mean high water springs Dated 12 October 2017





## MARINE INVASIVE NON-NATIVE SPECIES ADVICE NOTE

### Holyhead marina incident and potential spread of the marine invasive non-native species *Didemnum vexillum*

On 2 March, storm Emma caused significant damage to Holyhead Marina in North Wales. Clean-up operations followed and are on-going.

As part of clean-up operations, actions are being taken to reduce any potential environmental impacts that may occur as a result of this incident.

This advice note has been prepared to advise interested parties, despite efforts to contain debris from the damaged marina, some debris has drifted out of the harbour area into the wider marine environment.

A consequence of this means there is potential for the carpet sea-squirt *Didemnum vexillum* (*D. vex*), a marine invasive non-native species, to spread to other areas. However, the risk of spread may be reduced due to the current sea temperature, which at this time of year is not thought to be favourable for *D. vex* to reproduce.

Prior to storm Emma, *D. vex* was being contained in the marina after being discovered living on the submerged artificial structures, commonly found on the floating pontoons, ropes and chains. (Fig 1-2). The resin surface of the floating pontoons provided a suitable area for *D. vex* to live.



Fig 1. *D. vex* on submerged pontoon surface in Holyhead



Fig 2. *D. vex* growing on native species in Holyhead

*D. vex* (click [here](#) for factsheet) is considered to be an invasive species because it has the potential to negatively impact fisheries, aquaculture and the conservation of native marine habitats.

### Areas of potential spread

Evidence suggests that debris has the potential to spread quite far from Holyhead. Remains of a floating pontoon with resin coating has been recorded approx. 37km away from the marina (Fig. 3).

There have also been reports of polystyrene (believed to be from Holyhead pontoons) washing up in Wicklow in Ireland. There have been no further reports of debris at other locations at this time.



Fig 3. Remains of floating pontoon with surface resin (Photo credit: Ashley Williams)

### What to do if you see any potential debris.

Where it is possible and safe to do so, we suggest any debris found, an example is provided at figure 4-5 below, is bagged up and moved above the high tide line to prevent it from returning to the sea and to help remove the risk of *D. vex* spreading. The relevant Local Authority should then be contacted.

We suggest also that any locations where fouled debris has been collected from be revisited later in the year to check for the presence of *D. vex*.



Fig 4-5 Specimens in the fouling community appeared similar to *D. vex* but had dried out too much to confidently identify.