

Menai Strait Fishery Order Management Association

Agenda

13th December 2018

Annual General Meeting

1000 FV *Mare Gratia*, Porth 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](#))
7. Welsh Government Activity ([report](#))
8. North West IFCA Activity ([report](#))
9. Menai Strait East ([report](#))
 - a. Menai Strait East Fishery Order Renewal
 - b. Code of Conduct for Invasive Non-Native Species.
 - c. Review of lease fees (report)
10. Menai Strait West Fishery Order ([report](#))
11. Project funding update (verbal)
 - a. EMFF Project
 - b. Shellfish Centre Workshop (feedback from event on 4th December)
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
13. Any Other Business (verbal)
 - a. Correspondence
14. Dates for next meetings:-
 - a. Q1 2019
 - b. Q2 2019
 - c. Q3 2019
 - d. Q4 2019

Menai Strait Fishery Order Management Association

Meeting, 25th September 2018
FV *Mare Gratia*, Port Penrhyn

Minutes

Attendance

Members

Alan Winstone
James Wilson*
Keith Andrews*
Ioan Thomas
Lewis le Vay

Chair
Bangor Mussel Producers Ltd
Licensed hand pickers
Gwynedd County Council
Bangor University

Observers

Kim Mould
Rowland Sharp
Iwan Huws
Bethan Jones
Janet Perry

BMWAG
Natural Resources Wales
Isle of Anglesey County Council
Welsh Government
Welsh Government

Advisors

Jim Andrews

MSFOMA Secretariat

** These Members are also Directors of the Association*

1. Chair's announcements

The Chair welcomed Bethan Jones and Janet Perry to the meeting.

2. Apologies

Trevor Jones Menai Strait (West)

3. Minutes of last meeting

The minutes of the meeting that took place on 2nd July 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

James Wilson indicated that he had been involved in discussions of this plan recently. It appeared that there had been some adverse comments on Strategic Resource Areas identified in the plan for some sectors. It seemed likely that the plan would be altered to ensure it adopted a similar approach across sectors.

The Association noted that there could be further requests for input into the development of the plan from the Association and that no further action had been requested.

Community Fund

Jim Andrews reported that he had written to the Crown Estate to seek their advice on the idea of establishing a Community Fund. No response had been received. It was noted that Alice Lovegrove-Jones is currently on maternity leave and that the contact at TCE's land agents was now Rosie Wilson.

It was agreed that it would be appropriate to make further enquiries on this matter.

Action: Secretariat

5. Membership of the Association

Jim Andrews reported that landowners had been contacted following the last meeting to seek a single representative from this sector. Bangor City Council had offered to provide a representative and the National Trust had indicated that they would not be able to. It was agreed that a further letter should be sent to the landowners to clarify the role that might be expected and to inform them that Bangor City Council had offered a representative who could, with the support of other landowners, fulfil this role.

Action: Secretariat

It was noted that the original intention when MSFOMA was established had been to replicate the membership of the old North Western & North Wales Sea Fisheries Committee within MSFOMA. Several of the organisations invited to become "Members" or "Directors" of the Association had declined this invitation to avoid any risk of a conflict of interest.

It was agreed that it would be useful to prepare a document listing the existing Members and Directors of the Association and their roles and to circulate this to all of the potential Member organisations with a request for them to confirm that the role that they feel it is appropriate for them to fulfil.

Action: Secretariat

It was agreed that a list of user groups that MSFOMA could liaise with in the Menai Strait should be circulated for any additions or amendments.

Action: Secretariat

6. Financial Update

James Wilson indicated that a copy of the accounts were available for inspection at the meeting, and provided a verbal report on the balance of funds in the MSFOMA bank account.

It was agreed that a formal financial report should be presented at the next meeting of the Association. This report should provide a summary of the accounts, and also consider whether the accounting period for the Association (FY end in October) should be adjusted.

Action: Secretariat & James Wilson

It was agreed that the next meeting of the Association should be its Annual General Meeting.

Action: Secretariat

7. Welsh Government Activity

Bethan Jones and Janet Perry provided an update to the meeting. It was reported that Alison Kitchener had been appointed the new head of fisheries.

It was reported that WG officials are working to ensure sector readiness for Brexit. Guidance has been issued on live animal exports to Europe post-Brexit, and this was discussed.

a) Meetings of Fisheries Groups

It was reported by WG officials that:-

- **Inshore Fisheries Groups** - are still suspended, so there have been no recent meetings.
- **Welsh Marine & Fisheries Advisory Group** - is due to meet in October 2018.
- **Aquaculture Advisory Group** - a meeting is due to be held in the autumn.

b) Meeting with Welsh Government officials

The Chair reported that since the first meeting with Janet Perry in June, progress was now being made with the Menai West Fishery Order, and Janet had also been very helpful with the application for renewal of the Menai East Order.

c) Meeting with Cabinet Secretary

It was noted that it had not been possible to organise a repeat visit to Porth Penrhyn with the Cabinet Secretary since the successful meeting in June.

8. NW IFCA Activity

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

It was reported that there had been no dredge seed mussel fishery this year. There had been a good settlement of seed mussels early in the year but this had been largely lost to starfish predation. There had also been some geomorphological changes in Morecambe Bay which may mean that there is a long-term change in the availability of seed.

It was noted that the NW-IFCA "BUMWAG" group was providing an opportunity to develop the relationship between the mussel dredge industry from the Menai Strait and the hand gathering sector in Morecambe Bay.

9. Menai Strait East Fishery Order

a) Lease fees

It was noted that following the last meeting the Chair had written to James Wilson and Keith Andrews with respect to the lease fees for their respective layings. It was agreed that this situation should be kept under review at future meetings of the Association.

Action: Secretariat

The meeting discussed a range of options for linking the lease fee for layings in the Fishery Order area to their productivity, and also options for determining the annual income required by the Association.

It was agreed that a further range of scenarios should be presented at the next meeting, which would consider the lease fees that would result from the Association varying its total levy so that its fixed overheads were met annually, and a reserve was accrued in years when production was good.

Action: Secretariat

b) Renewal of Order

It was reported that the application for renewal of the Fishery Order had been submitted to Welsh Government in August.

It was agreed that stakeholder engagement was now a priority. It was reported that the meeting with Beaumaris Town Council in July had been very well received. The Chair and Secretariat agreed to prepare a schedule of meetings with key stakeholders in the area over the coming months and to circulate this to the Association.

Action: Secretariat

It was also agreed that two “drop in” sessions should be held to secure wider involvement: one of these should be on Anglesey; the other should be in Gwynedd. A venue and dates should be proposed to the Association by the Secretariat.

Action: Secretariat

It was agreed that a list of stakeholders should be circulated. Iwan Huws asked that the Beaumaris Pier Stakeholder Group should be included on the list.

Action: Secretariat

It was noted that there may be other opportunities for engagement with stakeholders (such as food festivals and other events) and that it could be useful to have some publicity / interpretation material for such events.

Action: Secretariat / James Wilson

c) Code of Good Practice

Rowland Sharp & James Wilson reported that an NRW officer (Catherine Griffiths) has been working on an update of the Code of Good Practice for Invasive Alien Species. A draft of the revised Code would be presented to the Association in December.

Action: James Wilson, Rowland Sharpe, Secretariat

10. Menai Strait West

The report on this matter was received and discussed. An e-mail from Trevor Jones had been received and was circulated to the meeting.

A long discussion of the options available for progressing the Order took place. This was wide ranging and included a review of the significance of the objections received; advice provided by WG lawyers; a review of the Association’s efforts to progress the Order; and the views of the prospective tenants.

It was noted that all of the prospective tenants had been contacted and had provided their views of the options for progress.

It was agreed that it was vital to be reassured formally by Welsh Government that any agreement to proceed with a reduced Fishery Order boundary following the objections received should not set a precedent that would apply to the renewal of the Fishery Order in the eastern Menai Strait.

It was moved by James Wilson that there should be a vote by the Members present on the two options presented in the report. The results of this vote were:-

- In favour of Option 1 (Public Inquiry on the Order as advertised): 0
- In favour of Option 2 (Modified Fishery Order boundaries which exclude the areas identified in the Operating Plan agreed with stakeholders): 4
- Abstentions: 1

It was agreed that this decision should be formally communicated to the Welsh Government and to all of the prospective tenants of the Fishery Order.

Action: Chair & Secretariat

Welsh Government officials requested that MSFOMA provide the up-to-date coordinates of the revised boundaries of Plots A & D.

Action: Secretariat

11. Funding proposals

Lewis LeVay provided an update on the funding proposals being progressed by the University:-

- Shellfish Centre - European Regional Development Funds (ERDF) had been secured to establish a 3 year project fund for both researchers and resources at the university who would be available to work on shellfish cultivation projects (and also on projects relating to under exploited bivalves such as razor fish). The university would be seeking opportunities to work in partnership with MSFOMA and the shellfish industry on this project.
- Offshore mussels - an application has been submitted for EMFF funding for further work on offshore mussel cultivation / seed collection. This would support further work on the site near Puffin Island that has been used in initial trials and enable work in other areas. A decision on funding is due to be taken shortly.

James Wilson reported that he is working on a separate application for EMFF funds for a shellfish processing centre at Port Penrhyn.

12. Fishery Management Issues

a) Coastal / marine developments

i. Bangor Pier

No news.

ii. Dickies Boatyard Development

There had been no further consultations about this project.

iii. Sand in the dock

It was reported that a letter had been written to the Penrhyn Estate to raise concern about the accumulation of sand in the dock. No response had been received, but it had been noted some action had been taken to tidy up the sand on the quayside. It was felt that the Association should contact the Estate again about this issue.

Action: Secretariat

b) Environmental / health issues

i. *Bonamia*

No additional news.

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

No additional news.

iii. *Norovirus*

No additional news.

iv. Discharge pipe,

It was reported that in response to enquiries from the Association, Watkin Jones had clarified that the new discharge point was for surface water.

c) Meetings attended

i. Caernarfon Harbour Trust Marine Advisory Committee

Ioan Thomas indicated that the next meeting of this Committee would take place on the 8th October.

13. Any Other Business

No items were raised.

14. Date for next meeting (and AGM)

13th December 2018, 10am.

The venue would be either the Centre for Applied Marine Science at Menai Bridge, or aboard one of the mussel dredgers in Porth Penrhyn. Also a buffet lunch will be provided after the meeting to recognise the contribution of attendees to MSFOMA over the past 12 months.

Summary of Actions

Item	Action	Responsibility
1.	Next meeting - to be Annual General Meeting	Secretariat
2.	Community Fund - write to Crown Estate for advice again, provide update to next meeting.	JW, Secretariat
3.	Membership - write to landowners again to clarify request and seek representative.	Secretariat
4.	Membership - write to all potential members to clarify existing membership and views of statutory bodies to becoming/remaining as Members / Directors	Secretariat
5.	User / liaison groups -circulate list to Association for comment.	Secretariat
6.	Finances - report to next meeting.	JW, Secretariat
7.	Leases, Ballast Bank & Bangor Deep - keep under review.	Secretariat, Chair
8.	Lease fees - prepare scenarios for alternative, flexible / adaptive methods for determining lease fees for consideration at next meeting.	Secretariat
9.	Menai East - make plans for stakeholder engagement, "drop in" sessions & prepare for opportunistic stakeholder engagement.	Secretariat
10.	Code of Good Practice - revise this to take account of new INNS and changes to legislation	JW, RS, Secretariat
11.	Menai West - formally inform Welsh Government and prospective lessees of Menai West of the Association's decision on how to proceed.	Chair & Secretariat
12.	Menai West - provide Welsh Government with coordinates for the revised boundaries of Plots A & D.	Secretariat
13.	Sand in Dock - MSFOMA to write to Penrhyn Estate about this again.	Secretariat
14.	Date for next meeting - 13 th December 2018	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 MSFOMA's activities warrants a review of the membership of the Association. At MSFOMA meetings earlier in 2018 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 the status of each organisation participating in the Association is formally confirmed.
3. That progress with widening the membership of the Association to include landowners is noted.

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 "Articles of Association", which identify the individuals and organisations that can participate in meetings of the Association, and "Standing Orders" which govern how the Association is required to carry out its business. A summary of this Management Framework is provided at Annex A to this report.
- 1.2 It was noted at the last meeting that some participating organisations could usefully review the role that they play in the work of the Association to ensure that their interests are appropriately represented.

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 In August 2018 the Chair wrote to the landowners with an interest in the land within the eastern Menai Strait to invite them to nominate a representative to participate in meetings of the Association. Responses were received from the National Trust (who declined the invitation) and Bangor City Council, who nominated a representative. None of the other landowners responded.
- 2.5 After discussions at the September 2018 meeting of the Association it was agreed that Bangor City Council should be asked whether they would be happy to represent the interests of landowners. A letter was sent to the Council in December (see Annex B). If the response from the Council is favourable then it would be appropriate to seek the endorsement of other landowners for this role before formally inviting the Council to attend meetings of the Association as a representative of landowning interests.

MSFOMA Secretariat
December 2018

Annex A: Summary of the MSFOMA Management Framework

1. Management Framework

1.1 The management framework for the Association comprises of:-

- 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 is 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.

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

Ian Jones
Bangor City Council
4 Bryn Heulog Terrace
Bangor
LL57 4SY

5th December 2018

By Post and E-mail

Dear Ian

Menai Strait Fishery Order Management Association: Representation of Landowners

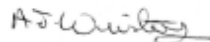
I am writing further to our correspondence in August and September about the representation of landowners on the Menai Strait Fishery Order Management Association, MSFOMA.

At the most recent meeting of MSFOMA we reported that the only landowner who had responded to our invitation was yourselves. The Association therefore concluded that it would be appropriate to seek confirmation from the Council that Cllr Roberts would be prepared to participate in MSFOMA as a representative of landowners, and also to seek confirmation from the other landowners that they were happy with such an arrangement.

I wonder if I could ask you to confirm that Cllr. Roberts is prepared to take on this role? If you can confirm this, I will write to the other landowners to seek their support for this arrangement.

I hope that this proposal meets with your approval. If you have any queries about this, please do not hesitate to get in touch with me.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA

Encs.

Financial Update

Background

As a company limited by guarantee, the Association is required to submit a record of its accounts at the end of each Financial Year. This report provides a brief financial update.

Recommendations

1. That the financial statement for the year ended 28th February 2018 is accepted.
2. That performance with the 2017-18 budget is noted.

1. Financial Statement for past Financial Year

- 1.1 A copy of the financial statement drawn up by the Association's accountants, Fraser Wood Ltd is attached at Annex A.
- 1.2 The key points to note from this statement are an income to the Association of £30,347 from lease fees in both of the past financial years, and an increase in total expenditure from £17,977 in 2016-17 to £21,930 in 2017-18. The main reason for the increase in expenditure is an increase in fees paid to the MSFOMA Secretariat, which are attributable to work that was carried out on the renewal of the Menai Strait (West) Fishery Order during 2017-18.
- 1.3 The Association made surplus of £8,648 during 2017-18 and finished the FY with a bank balance of £28,535.

2. Financial Plan

- 2.1 A new 5-year Financial Plan for the Association was agreed at the January 2018 meeting. The objectives of this Financial Plan are:-
- 2.2 The Association agreed to an increase in lease fees of 2.8%pa for the next 5 years. The agreed Financial Plan for the next 5 years is set out in Annex B of this report. Note that this
- 2.3 A summary of performance relative to the budget in the 2017-18 FY is set out in Table 1 below. Members are advised that expenditure was £499 higher than budgeted (mostly due to the cost associated with the renewal of the Menai Strait (West) Fishery Order). At the end of the 2017-18FY the Association's reserve stood at £3,535 more than the target of £25,000.
- 2.4 Lease fees for the lays in the Fishery Order are due to increase at a rate of 2.8%pa in the coming Financial Years, and an equal fee charges for each area (unless a new formula is agreed, see Item 9 on the agenda). The planned increase in lease fees is shown in Table 2 of this report.

Table 1: Summary of budgetary performance for the 2017-18FY. Red figures show where expenditure exceeded budget or where income was less than budgeted.

Item	Financial Year		
	2017-18		
	Planned	Actual	Performance
1. Recurring Expenditure - inflated at 2.8%			
1.1 Administration of the Order	£6,500.00	£19,890.00	-£2,590.00
1.2 Enforcement activity	£1,200.00	£0.00	£1,200.00
1.3 Corporate core	£1,200.00	£2,109.00	-£909.00
Accountancy		£1,140.00	
Bank charges		£69.00	
Subscriptions		£900.00	
1.4 Renewal of Fishery Orders			£0.00
Menai East	£2,600.00	See item 1.1	Included in 1.1
Menai West	£8,200.00	See item 1.1	Included in 1.1
1.5 Research & monitoring*	£1,800.00	£0.00	£1,800.00
Total Expenditure	£21,500.00	£21,999.00	-£499.00
2. Recurring Income - inflated at 2.8% to increase value of reserve.			
Leases for lays	£30,347.00	£30,347.00	£0.00
Licences	£235.00	£300.00	£65.00
Total	£30,582.00	£30,647.00	£65.00
Operating surplus / deficit	£9,082.00	£8,648.00	-£434.00
Reserve	£25,000.00	£28,535.00	£3,535.00

Table 2: Agreed increases in lease fees from the MSFOMA Financial Plan agreed in January 2018.

Year	Total Income to MSFOMA	Annual fee per laying
2017-18	£30,347.00	£3,793.38
2018-19	£31,196.72	£3,899.59
2019-20	£32,070.22	£4,008.78
2020-21	£32,968.19	£4,121.02
2021-22	£33,891.30	£4,236.41
2022-23	£34,840.26	£4,355.03

MSFOMA Secretariat
December 2018

Annex A: MSFOMA accounts for the year ended 28th February 2018

DIRECTORS' REPORT AND
UNAUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 28 FEBRUARY 2018
FOR
THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION
A COMPANY LIMITED BY GUARANTEE

THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION
A COMPANY LIMITED BY GUARANTEE

COMPANY INFORMATION
FOR THE YEAR ENDED 28 FEBRUARY 2018

DIRECTORS:	J Wilson M K Andrews
REGISTERED OFFICE:	Port Penrhyn Bangor Gwynedd LL57 4HN
REGISTERED NUMBER:	07163689 (England and Wales)
ACCOUNTANTS:	Fraser Wood Limited Chartered Certified Accountants Victoria House Plas Llwyd Terrace Bangor Gwynedd LL57 1UB

THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION
A COMPANY LIMITED BY GUARANTEE

DIRECTORS' REPORT
FOR THE YEAR ENDED 28 FEBRUARY 2018

The directors present their report with the financial statements of the company for the year ended 28 February 2018.

PRINCIPAL ACTIVITY

The principal activity of the company is the leasing and management of mussel beds in the Menai Straits.

DIRECTORS

The directors shown below have held office during the whole of the period from 1 March 2017 to the date of this report.

J Wilson
M K Andrews

STATEMENT OF DIRECTORS' RESPONSIBILITIES

The directors are responsible for preparing the Directors' report and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the surplus or deficit of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

This report has been prepared in accordance with the provisions of Part 15 of the Companies Act 2006 relating to small companies.

ON BEHALF OF THE BOARD:

J Wilson - Director

26 October 2018

THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION
A COMPANY LIMITED BY GUARANTEE

INCOME STATEMENT
FOR THE YEAR ENDED 28 FEBRUARY 2018

	Notes	28.2.18 £	28.2.17 £
TURNOVER		30,647	30,647
Administrative expenses		<u>(21,999)</u>	<u>(18,050)</u>
OPERATING SURPLUS and SURPLUS BEFORE TAXATION		8,648	12,597
Tax on surplus		<u>-</u>	<u>-</u>
SURPLUS FOR THE FINANCIAL YEAR		<u><u>8,648</u></u>	<u><u>12,597</u></u>

The notes form part of these financial statements

THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION (REGISTERED NUMBER: 07163689)
A COMPANY LIMITED BY GUARANTEE

BALANCE SHEET
28 FEBRUARY 2018

	Notes	28.2.18 £	28.2.17 £
CURRENT ASSETS			
Debtors	3	39,492	25,915
Cash at bank		<u>28,535</u>	<u>31,977</u>
		68,027	57,892
CREDITORS			
Amounts falling due within one year	4	<u>(6,538)</u>	<u>(5,051)</u>
NET CURRENT ASSETS		<u>61,489</u>	<u>52,841</u>
TOTAL ASSETS LESS CURRENT LIABILITIES			
		<u>61,489</u>	<u>52,841</u>
RESERVES			
Income and expenditure account		<u>61,489</u>	<u>52,841</u>
		<u>61,489</u>	<u>52,841</u>

The company is entitled to exemption from audit under Section 477 of the Companies Act 2006 for the year ended 28 February 2018.

The members have not required the company to obtain an audit of its financial statements for the year ended 28 February 2018 in accordance with Section 476 of the Companies Act 2006.

The directors acknowledge their responsibilities for:

- (a) ensuring that the company keeps accounting records which comply with Sections 386 and 387 of the Companies Act 2006 and
- (b) preparing financial statements which give a true and fair view of the state of affairs of the company as at the end of each financial year and of its surplus or deficit for each financial year in accordance with the requirements of Sections 394 and 395 and which otherwise comply with the requirements of the Companies Act 2006 relating to financial statements, so far as applicable to the company.

The financial statements have been prepared in accordance with the provisions of Part 15 of the Companies Act 2006 relating to small companies.

The financial statements were approved by the Board of Directors on 26 October 2018 and were signed on its behalf by:

J Wilson - Director

The notes form part of these financial statements

THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION
A COMPANY LIMITED BY GUARANTEE

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 28 FEBRUARY 2018

1. **STATUTORY INFORMATION**

The Menai Strait Fishery Order Management Association is a private company, limited by guarantee, registered in England and Wales. The company's registered number and registered office address can be found on the Company Information page.

2. **ACCOUNTING POLICIES**

Basis of preparing the financial statements

These financial statements have been prepared in accordance with the provisions of Section 1A "Small Entities" of Financial Reporting Standard 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland" and the Companies Act 2006. The financial statements have been prepared under the historical cost convention.

Income

Income represents amounts receivable for membership and the supervision of the North West fishery order.

3. **DEBTORS: AMOUNTS FALLING DUE WITHIN ONE YEAR**

	28.2.18	28.2.17
	£	£
Trade debtors	39,492	25,915
	<u> </u>	<u> </u>

4. **CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR**

	28.2.18	28.2.17
	£	£
Trade creditors	5,568	4,081
Other creditors	970	970
	<u> </u>	<u> </u>
	<u>6,538</u>	<u>5,051</u>

5. **LIMITED BY GUARANTEE**

The company is limited by guarantee and the governance of the association is dealt with by the directors.

THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION
A COMPANY LIMITED BY GUARANTEE

REPORT OF THE ACCOUNTANTS TO THE DIRECTORS OF
THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION

In order to assist you to fulfil your duties under the Companies Act 2006 we have prepared for your approval the accounts of The Menai Strait Fishery Order Management Association for the year ended 28 February 2018 from the Company's accounting records and from information and explanations you have given us.

As a practising member firm of the Association of Chartered Certified Accountants, we are subject to its ethical and other professional requirements which are detailed at <http://rulebook.accaglobal.com>.

Our work has been undertaken in accordance with the requirements of the Association of Chartered Certified Accountants as detailed at <http://www.accaglobal.com/factsheet163>.

Fraser Wood Limited
Chartered Certified Accountants
Victoria House
Plas Llwyd Terrace
Bangor
Gwynedd
LL57 1UB

26 October 2018

This page does not form part of the statutory financial statements

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THE MENAI STRAIT FISHERY ORDER
MANAGEMENT ASSOCIATION
A COMPANY LIMITED BY GUARANTEE

DETAILED INCOME AND EXPENDITURE ACCOUNT
FOR THE YEAR ENDED 28 FEBRUARY 2018

	28.2.18		28.2.17	
	£	£	£	£
Turnover				
Lease income	30,347		30,347	
Licences	300		300	
	<u> </u>	30,647	<u> </u>	30,647
Expenditure				
Seafood festival contribution	-		1,000	
Accountancy	1,140		850	
Subscriptions	900		900	
Consultancy fees	19,890		14,729	
Legal fees	-		498	
	<u> </u>	21,930	<u> </u>	17,977
		<u> </u>		<u> </u>
		8,717		12,670
Finance costs				
Bank charges		69		73
		<u> </u>		<u> </u>
NET SURPLUS		<u> </u>		<u> </u>
		8,648		12,597
		<u> </u>		<u> </u>

This page does not form part of the statutory financial statements

Annex B: MSFOMA Financial Plan agreed in January 2018

Item	Financial Year					
	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
1. Recurring Expenditure - inflated at 2.8%.						
Administration of the Order*	£6,500.00	£6,682.00	£6,869.10	£7,061.43	£7,259.15	£7,462.41
Enforcement activity*	£1,200.00	£1,233.60	£1,268.14	£1,303.65	£1,340.15	£1,377.68
Corporate core*	£1,200.00	£1,233.60	£1,268.14	£1,303.65	£1,340.15	£1,377.68
Renewal of Fishery Orders						
Menai East	£2,600.00	£15,000.00	£6,000.00	£15,000.00	£15,000.00	£6,000.00
Menai West	£8,200.00	£12,000.00				
Research & monitoring*	£1,800.00	£1,850.40	£1,902.21	£1,955.47	£2,010.23	£2,066.51
Total Expenditure	£21,500.00	£37,999.60	£17,307.59	£26,624.20	£26,949.68	£18,284.27
2. Recurring Income - inflated at 2.8% to increase value of reserve.						
Leases for lays	£30,347.20	£31,196.92	£32,070.44	£32,968.41	£33,891.52	£34,840.49
Licences	£235.00	£235.00	£235.00	£235.00	£235.00	£235.00
Total	£30,582.20	£31,431.92	£32,305.44	£33,203.41	£34,126.52	£35,075.49
Operating surplus / deficit	£9,082.20	-£6,567.68	£14,997.85	£6,579.21	£7,176.84	£16,791.22

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 As reported in September, there is currently no information available about the activities of these groups on the Welsh Government website, because the WG website is still 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 indicated that it was 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 September, 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.

- 4.2 WG officials are unfortunately unable to attend the MSFOMA meeting.

5. Meeting with Cabinet Secretary

- 5.1 It was reported to previous meetings of the Association that the Cabinet Secretary visited Port Penrhyn on the 21st June 2018. 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. This issue is considered further in item 10 on the agenda.

MSFOMA Secretariat
December 2018

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 4th December 2018). The Technical, Scientific and Byelaws Sub-Committee met on the 6th November 2018.
- 1.2 The only issue of potential interest that was discussed at these meetings has been the observation of two adult Chinese Mitten Crabs (*Eriocheir sinensis*, abbreviated to "CMC") by anglers in the Walney Channel during the summer. There have been no subsequent observations of either adult or juvenile CMCs in the area.

2. Changes to Byelaws

- 2.1 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 There have been no meetings of the Bivalve Mollusc Working Group

MSFOMA Secretariat
December 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 progress with the renewal of this Fishery Order to date and proposals for stakeholder / public engagement work in the next quarter.
3. Comments are invited on options for allocating lease fees in the Fishery Order

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. Renewal of the Fishery Order

- 2.1 The existing Fishery Order will expire on 31st March 2022. 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. Officers at the Welsh Government have acknowledged receipt of this application and have confirmed that it was submitted in accordance with the administrative and legal requirements currently in place.
- 2.2 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. This timetable has been updated to show progress to date.
- 2.3 It was agreed at the last Association meeting that it would be appropriate to start a period of public engagement ahead of the formal consultation on renewal of the Fishery Order. The Chair and Secretariat have not been able to progress this over the past few months, but recognise the importance of making progress in early 2019. The key elements of this engagement include:-

- 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.
- 2.4 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.

3. Review of lease fees

- 3.1 Eight leases for cultivation areas in the Menai Strait are presently issued. The fee charged for each area is 1/8 of the total income required by the Association’s Financial plan. The charge for each area in the 2018-19FY is just under £3,900.
- 3.2 At recent meetings of the Association, there has been some discussion of the potential merit of revising the lease fees, with the aim of matching the fee charged for each area to its productivity. Some scenarios for this were modelled and presented for discussion at the February and September MSFOMA meetings (see Annex B).
- 3.3 At the September MSFOMA meeting it was agreed that scenarios for an “adaptive”, production-based allocation of lease fees should be considered further. One option discussed at that meeting was that the fixed overheads of the Association should be shared equally between the leaseholders, and that each leaseholder’s contribution to the Reserve and the renewal of the Fishery Order should be based on the production of each laying in the previous financial year (or the average production over a period of years). Given that the fixed overheads are currently around £6,000-£7,000pa, this would approximate to the “Share plus Annual Fee” of £1000 scenario in Annex B Table 4.

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.
- 4.2 A verbal update on progress with the review of this Code will be provided at the meeting.

MSFOMA Secretariat
December 2018

Annex A: 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"> • Organisations have been identified.
	Q4	f) Liaison with wider stakeholder community. g) Respond to WG queries about application.	<ul style="list-style-type: none"> • Initial approaches made to key organisations. • Arrangements for stakeholder events to be agreed by MSFOMA.
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
		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	1st April	o) DEADLINE FOR NEW ORDER	

Annex B: Alternative lease allocation scenarios discussed at the February & September 2018 MSFOMA meetings.

Table 3: 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 4: 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.

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 At the MSFOMA meeting in September 2018, WG officials confirmed that Welsh Government lawyers had advised them that there are two options for progressing the Order that could be recommended to the Cabinet Secretary:-
- a) **Option 1** was to call a Public Inquiry in response to the objections that have been raised.
 - b) **Option 2** was 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 After careful deliberation at the September meeting the Association voted with some reluctance to follow Option 2. Following that meeting the Secretariat submitted coordinates of the revised boundaries to WG officials (Annex A). Officials have confirmed receipt of this information and that it was acceptable.
- 2.5 Despite the assurances that this decision would expedite progress with the Fishery Order application, there has been no subsequent progress. Discussions with several WG officials during the intervening time have all indicated that the Fishery Order application is still held up with WG lawyers. In response to growing concern about the lack of progress, the Chair has once again written to the Cabinet Secretary (Annex B).
- 2.6 Members will recall that the local Assembly Member Rhun Ap Iorwerth has taken a very active and helpful interest in this issue when it was beset by bureaucratic delays in the past. The Chair has written to him seeking his further assistance (Annex C). Members are advised that a very positive response has been received to this request.
- 2.7 Members are further advised that the Secretary of the Welsh Federation of Fishermen's Organisations asked the Cabinet Secretary about the lack of progress with this Fishery Order application at a recent public meeting. A verbal report on her response will be provided to the Association.
- 2.8 The Association is asked to note the lack of progress and 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
December 2018

Annex A: Copy of e-mail sent by Secretariat to WG officials confirming boundaries for leased areas in the Menai (West) Fishery Order area.

Jim Andrews (AWJ)

From: Jim Andrews (AWJ) <jim@awjmarine.co.uk>
Sent: 19 October 2018 13:03
To: Janet.Perry@gov.wales; Bethan.Jones6@gov.wales
Cc: Alan Winstone (alanjwinstone@gmail.com)
Subject: Menai Strait West Fishery Order Renewal
Attachments: MSW All Areas 191018.xlsx; Plot D Boundary 191018.png; Plot C Boundary 191018.png; Plot B Boundary 191018.png; Plot A Boundary 191018.png

Dear Janet and Bethan

I am writing further to the MSFOMA meeting that took place last month, at which it was agreed that the Association would like to proceed with the renewal of the Menai Strait West Fishery Order with revised boundaries for the cultivation areas known as "Plot A" and "Plot D".

In order to progress this, I have now produced maps of the revised areas. The maps are attached as image files, and I also attach a spreadsheet that lists the coordinates of the polygons for each area.

There are a few points that we would like to draw your attention to:-

1. The north-eastern edge of the boundary for Plot A is approximately 25m to the NE of the boundary specified in the Operating Plan. This anomaly arises from a mapping error. It doesn't make an appreciable difference on the ground.
2. The north-eastern edge of the boundary for Plot D is 30m from the outfall from the factory operated by Roberts of Port Dinorwic (the outfall and 30m boundary are shown in the corresponding map).
3. For Plots A and B I have aligned the landward boundary of the areas to the Ordnance Survey HW mark, taken from their vector maps. This has resulted in a lot more points for these polygons than we had before, but hopefully results in more precision. The OS HW mark has administrative significance (in terms of jurisdictions of certain authorities and legislation), and is an appropriate boundary to follow. The seaward boundary follows their original extents, which in turn were based on LAT from Admiralty Charts of the area.
4. A map showing all of the areas (both original areas and the revised areas) and also the lines from the Operating Plan can be accessed here:
<https://drive.google.com/open?id=1oH4Dr0tyFsgsHnLpNF9Y66q2nDgxukpM&usp=sharing>
5. In all of the maps and in the spreadsheet attached the coordinates are referenced to the WGS84 datum.

I hope that this information is helpful and that it enables you to progress with this application. If you have any queries please get in touch with me.

Kind regards

Jim

Dr J Andrews BSc LLM
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Skype: jimwandrews
Company No 5838874 VAT Reg No 880 1291 32

Find us in www.seafishdirectory.com - the one-stop directory for the fishing industry.

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.

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

28th November 2018

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 2018 and my letter of 20th September.

We are very keen to hear news of progress with our application for the renewal of the Menai West Fishery Order. At our meeting in June you gave a personal commitment that you would give us your decision on this application within 2 months. We subsequently met with your officials and made some concessions in order to expedite progress. This does not seem to have had any effect: we understand that the renewal of the Fishery Order is still being held up in the legal department.

We are very concerned about this lack of progress. We are now writing to you as a matter of urgency to ask you to take action, and to demonstrate your commitment to developing sustainable shellfish farming in Wales.

We appreciate that you and your officers must be very preoccupied with Brexit at present, and that this request may seem to have lesser importance. For Welsh fisheries this is a gravely mistaken view. The cultivation of shellfish in inshore waters is of great importance to our coastal and regional economy. Wales has led the rest of the UK and much of Europe as a shellfish farming nation, and this is a sector that can thrive irrespective of the outcome of Brexit – providing, of course that our national Government has the vision and commitment to recognise this.

This issue is not just about strategic and economic issues; it matters at a very personal level to local people. The shellfish farmers of Anglesey have worked for years on the renewal of this Fishery Order, patiently coping with an ever-changing rota of civil servants and constantly changing views from the legal department. The time, patience and commitment of these shellfish farmers has been rewarded with countless delays and obfuscation – not least of which is the recurring excuse that the application is “stuck” somewhere in the legal department.

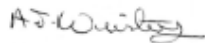
Menai Strait Fishery Order Management Association
Company registered in England and Wales No 07163689

We feel it is very important to look to the future. The renewal of the Fishery Order in the western Menai Strait for the next 28 years would provide a platform for sustainable shellfish production based on a close partnership between the fishing industry, environmental regulators, and local government. It would send out a strong signal of commitment to the shellfish industry which would be welcomed throughout Wales.

We hope that you will take action and personally take control of this issue. This is an opportunity for you to build resilience into the Welsh Fisheries sector, to safeguard jobs, and to show to the rest of the UK that our devolved administration here in Wales is capable of meeting the challenges facing the fishing sector in the future.

We look forward to news of progress and a decision on the renewal of this Fishery Order.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA

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

Annex C: Copy of letter sent to Rhun Ap Iorwerth AM in connection with the renewal of the Menai Strait (West) Fishery Order.

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

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

30th November 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. During the intervening period we have, with your assistance, managed to make some progress with this application. In June, members of the Association had a very productive meeting with the Cabinet Secretary Lesley Griffiths. At that meeting she promised that she would make a determination on the Fishery Order application within 2 months.

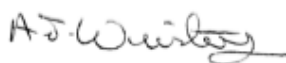
It is now nearly December, and we are very disappointed that in the intervening period since our meeting with the Cabinet Secretary it seems that progress with the Fishery Order application has stalled. We have very good relations with the officials at the Welsh Government Fisheries Department, who tell us that the report for the Cabinet Secretary on this Fishery Order has been awaiting clearance from their legal department for the past few months.

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 plan for the future or develop their businesses. We have written to the Cabinet Secretary to ensure that she is aware of these concerns, and to ask her to progress the Fishery Order application. I have attached a letter to her for your information.

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.

Fishery Management Issues

Background

This agenda item consists of a verbal report about current fishery management issues.

The Annexes contain information that is relevant to the matters considered.

List of Annexes

1. Annex A: Letter to the Penrhyn Estate concerning sand in the dock.

Annex A: Copy of letter sent to Penrhyn Estate concerning the accumulation of sand in Port Penrhyn.

Menai Strait Fishery Order Management Association

Porth Penrhyn, Bangor, LL57 4HN

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

19th October 2018

Dear Will

Porth Penrhyn Dock: Sand accretion issues

I am writing further to our letter of 10th August in connection with some concerns that have been raised with the Association about the accretion of sand in dock basin in Porth Penrhyn.

The level of sand accretion is starting to cause problems for the mussel dredgers that operate from the dock. It would appear that this sand that is being blown in from the sand that is stored on the western side of the dock.

We would be keen to work with the Estate to find a way to address the issue.

I wonder if it might be possible to meet with you over the next few weeks to discuss this matter, and perhaps also to keep you updated on our proposals to renew the "Fishery Order" in the eastern Menai Strait, which we have corresponded with you about previously.

If you have any queries about this matter please get in touch with me.

Yours sincerely



Alan Winstone
Chair, MSFOMA