

Menai Strait Fishery Order Management Association

Meeting, 31st March 2022 Zoom Video Conference Call

Minutes

Attendance

Members

Alan Winstone*
Ioan Thomas
James Wilson*
Lewis le Vay

Chair
Gwynedd County Council
Bangor Mussel Producers Ltd
Bangor University

Observers

Alex Scorey
Howard Mattocks
Kate Griffith
Kim Mould
Michelle Billing
Trevor Jones

Natural Resources Wales
Beaumaris Town Council
Natural Resources Wales
BMWAG
Welsh Government
Menai Strait (West)

Advisors

Jim Andrews*

MSFOMA Secretariat

Notes

* *These individuals are also Directors of the Association*

1. Chair's announcements

The Chair welcomed everyone to the meeting. He noted that it would be the last MSFOMA meeting conducted during the period of the Menai Strait Oyster and Mussel Fishery Order 1962, which is due to expire at midnight on 1st April. The new Menai Strait (East) Mussel and Oyster Fishery Order 2022 will replace it, coming into force on the 2nd April 2022.

The Chair proposed that the sequence of agenda items should be reorganised so that item 11 (Menai East) was discussed before item 7, to allow WG staff who were still working on some aspects of the Fishery Order replacement to report to the meeting and then leave to resume work on these matters. All agreed to this.

2. Apologies

Gareth Bevington
Gareth Roberts
Iwan Huws
Julian Bray
Keith Andrews*

Welsh Government
Bangor City Council
Isle of Anglesey County Council
Welsh Government
Licensed hand pickers

3. Declarations of Interest

Because this meeting was conducted as a video conference which prevented the register of interests being circulated, the Chair asked participants in the meeting to declare an interest in each agenda item before speaking.

4. Minutes of last meeting

The minutes of the meeting that took place on the 8th December 2021 were accepted, subject to minor corrections.

5. 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 raised at the December meeting that were not formally addressed on the agenda were discussed:-

Keith Andrews

It was agreed that a formal letter of thanks needed to be sent to Keith Andrews following his resignation in December.

Action: Secretariat

Sand in Penrhyn Dock

James Wilson and Kim Mould reported that a marine licence application was being progressed by the Penrhyn Estate & Dickies. It was understood that they were trying to identify a potential contractor to carry out dredging operations in the dock, and that this was likely to prove costly.

It was agreed that this issue should be kept under review.

Action: JW, Secretariat

Deo Gloria

The vessel Deo Gloria had run aground on one of the layings on 5th November 2021, causing some damage to the mussels in cultivation. James Wilson had raised concerns about this damage with the operator and with Caernarfon Harbour Trust. It had not been possible to inspect the damage over the winter months, when the low tides that would reveal the damage occurred during hours of darkness.

James Wilson and the Secretariat agreed to review options for progressing this matter and if necessary obtain legal advice on how to proceed.

Action: JW, Secretariat

Bonamia

James Wilson reported that he had participated in a number of discussions with Cefas about revising the extent of the *Bonamia* restrictions in the area. This has become a more pressing issue post-Brexit under new Environmental Health Controls. The current *Bonamia* restriction extended well beyond the area where it had been recorded in the western Strait, but posed a potential obstacle to addressing export restrictions for mussels, even though mussels are not listed as a *Bonamia* vector species.

Lewis Le Vay reported that the Shellfish Centre had been taking samples to determine the extent of *Bonamia* in the restricted zone, and that a report would be presented later this year.

It was agreed that this issue should be kept under review.

Water quality

The importance of good water quality for the future of the mussel fishery was discussed. All agreed that improving water quality would address many of the problems affecting the

export of Menai Strait mussels to the EU post-Brexit. Work is progressing on several fronts: the Shellfish Centre work working with Dŵr Cymru to identify the main effluent inputs that affect water quality; and the Food Standards Authority are considering the implications of changing the approach to classifying shellfish waters.

6. Register of Interests

The Chair reminded all participants to check their Statement of Interests on the MSFOMA website (https://www.msfoma.org/?page_id=478) to confirm whether it is accurate.

Action: All

It was agreed that the Association could benefit from wider participation, and that it would be appropriate to consider how this might be achieved. A proposal on providing greater flexibility and scope for participation would be presented to the next meeting.

Action: Secretariat

7. Financial Update

The financial report was accepted. It was noted that a sum of £1,000 for the renovation of the HMS Conway kiosk on Bangor pier had been donated, as agreed at the last Association meeting.

The Chair reported that some meetings had been held with the Association's accountants early in the year, and that acting on her advice some new financial procedures had been adopted. Work in this area had been paused while the new Menai Strait Fishery Order was being progressed, and would now resume. A report and recommendations on governance and monitoring procedures would be presented to the next Association meeting.

Action: Chair, Secretariat

8. Public Profile of the Association

The Chair and Secretariat reported that meetings continue to be held with Dr Andy Olivier to ensure that both the Association's website and Twitter account are being used to raise the profile of the Association more effectively. These should continue.

Action: Chair, Secretariat

All present were asked to provide a picture of themselves and a few paragraphs of text suitable for both Tweeting and posting on the MSFOMA website, to give MSFOMA a "face".

Action: All

All present were reminded of the value of the public profile of the Association and were asked to remember to send items of interest to Andy Olivier for him to Tweet.

Action: All

9. Welsh Government Activity

The Secretariat's report was noted and received. There had been no meetings of WG fisheries groups.

Trevor Jones reported that there had been no meetings of any of the WG fisheries groups. He understood that the Welsh Fishermen's Federation had been liaising with the Minister about a meeting of the Welsh Marine Fisheries Advisory Group (WMFAG) and it was hoped that this group would meet at some point in the spring.

10. NW IFCA Activity

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

It was agreed that MSFOMA should continue to encourage NWIFCA to resume work on the Morecambe Bay Mussel Management Plan.

Action: Secretariat

11. Menai Strait East Fishery Order

The Chair introduced this item, and reported that the Minister had written to him in early March 2022 to confirm that a new Fishery Order had been “made” and would come into force on 2nd April 2022 to succeed the existing Fishery Order. This new Order would be the first “hybrid” Fishery Order that has been made in Wales for decades. He noted that this was a significant achievement that would not have been achieved without the commitment of WG officials including Michelle Billing, Julian Bray and Gareth Bevington.

The Secretariat reported that although the Order itself would be in place on 2nd April, there would be a slight delay with the implementation of some subordinate measures, including the creation of the “designated several fishery area” and the leases for the layings within the Fishery Order. With regard to these items:-

- **Designated Several Fishery Area:** the Minister had consented to the MSFOMA request for this area, and a formal notice announcing its designation would be issued on or before 9th April 2022.
- **Leased Areas** - a recent meeting of the MSFOMA Members without a prejudicial interest in leased areas had determined that leases could be issued to all of the lease holders in the current Menai Strait Fishery Order areas for the same leased areas in the new Fishery Order Area.
- **Habitats Regulations Assessment** - this was being conducted for the leased areas. It would be submitted first to NRW for approval prior to a formal request to the Minister to issue leases for these areas. If and when approval from both NRW and the Minister had been obtained, MSFOMA would be able to issue these leases.
- **Managed areas** - the HRAs for most of the leased areas presently established a 100m “managed area” designated around all of the reef features in the Strait, within which it would not be permissible to cultivate mussels unless and until it could be determined that this activity was appropriate.

It was agreed that leases should be sent to prospective lease holders in anticipation of a favourable outcome to the consultation process, and that if no further amendments were needed after the HRA & consenting process had been completed, these could be signed, countersigned and exchanged swiftly.

Action: Secretariat

Some concerns were raised by lease holders about the necessity of providing a 100m “managed area” around “reef” features in the Menai Strait and Conwy Bay SAC. Kim Mould thought that two of the “reef” features (one in Area 1, another in Area 2) were actually disused waste water effluent outlets, and not natural reefs. The Secretariat indicated that the 100m boundary had been adopted as a precautionary measure to expedite progress, and it was anticipated that when site-specific information was available their extent would be considerably reduced (following consultation with NRW). It was agreed that the Secretariat should progress this process.

Action: Secretariat

It was reported that all stakeholders in the area had been formally notified of the new Fishery Order by an e-mail from MSFOMA earlier in March. WG had also asked that public notices should be posted around the Strait to alert stakeholders to the new Fishery Order. It was agreed that once the Public Notice text had been approved by WG and translated, they would be posted around the site.

Action: Secretariat

12. Menai Strait West

The Chair reported that MSFOMA have continued to organise meetings between the applicants for renewal of this Fishery Order and other parties including Natural Resources Wales, WG officials, and scientists from the Shellfish Centre at Menai Bridge.

The Secretariat reported that the Shellfish Centre's report about the issues associated with Pacific oyster cultivation in the Menai Strait had been delayed by Covid (several of its contributors had been ill during February and March). A meeting had been planned for discussion of the report and its findings, and this was being rescheduled for the period after Easter.

Lewis Le Vay provided a brief verbal summary of the key aspects of the report:-

- **Status of feral Pacific oyster population** - the previous 2018 population survey sites had been revisited. There was no evidence of any new recruits, and the population size was decreasing.
- **Temperature effects on spawning & recruitment** - analysis of data indicated that this was more complex than the traditional "degree days" formula. It appeared that a temperature of at least 18°C was needed for spawning to occur (which happened very rarely in the Strait); and that if the water temperature was lower than 17-18°C the development and survival of larvae were both adversely affected.
- **Triploids** - the effects and benefits of triploid oysters as a mitigation measure had been evaluated.
- **Temperature modelling** - this is still being revised. It is hard to make predictions of likely temperatures at the local scale and over periods of a few decades (even though larger scale and long term trends are clear); and it is consequently difficult to predict how such effect might influence Pacific oyster reproduction and recruitment in the area.

Lewis reported that similar work is being carried out for Milford Haven, and that opportunities for joint working between the two areas could be explored.

Lewis agreed to provide the draft report for circulation to all participants once it was available.

Action: Lewis Le Vay & Secretariat

There was some discussion about the opportunity for implementing local solutions to address the national (UK and Welsh) policy stalemate. There was also discussion about the need (or futility) of implementing local constraints on diploid oyster cultivation when there was the potential for recruitment from oysters outside the area, and indeed outside Wales.

The Secretariat agreed to progress with organising a new meeting date after Easter to discuss the Shellfish Centre report, and presenting recommendations to the next Association meeting.

Action: Secretariat

13. Funding proposals & Research Update

A brief update on progress with funding and research was provided. In summary:-

- a) **Pacific Oysters** - some areas for research have been identified and are to be progressed (see Item 12 above).
- b) **Bonamia** - James Wilson reported that he had been in touch with Cefas about the size of the current designated area, which extends from Conwy to Malltraeth and Llandwrog beyond the western end of the Menai Strait (see "Matters Arising"). JW will continue to pursue this issue and will update the Association.
Action: James Wilson
- c) **Spat collectors / MOSSS** - James Wilson reported that work was ongoing, and an application for a larger cultivation area was being progressed.
- d) **Water quality** - Lewis Le Vay provided an update on this work which was being progressed through a partnership between the Shellfish Centre, Dŵr Cymru, the Rivers Trust, Deepdock and MSFOMA. This work was similar to a project being carried out in the Camel Estuary in Cornwall, so results would be comparable.

Key points were:-

- New data are being gathered to try to provide a better understanding of effluent sources;
- A better time series of data are being gathered for representative monitoring points (RMPs) in the area;
- Different test methods are being evaluated to see which give the most accurate and reliable results;
- Some issues had become apparent that were under discussion:-
 - Beaumaris RMP - this is on the edge of the Fishery Order boundary, and its location may need to be considered;
 - The sanitary survey for the eastern Strait is overdue (the last one was conducted in 2014), and the timing for this was uncertain;
 - The Borth RMP and survey locations are not in the fished areas;
 - The timing of samples may affect results - EHOs typically sample mussels when the tide is out, but mussel harvesting takes place when the tide is in, and the bacterial content of samples may be affected by this.
- The work conducted in the Camel Estuary had shown that rainfall is a good predictor of *E. coli* load in shellfish (but not for norovirus).
- The Trefor WWTW is a Covid sampling site, and it may be possible to relate viral loads at this site to Norovirus in mussels in the Strait.

Lewis Le Vay also reported that the Shellfish Centre was due to be hosting some a conference or some workshops covering these issues in the autumn, and there could be a role for MSFOMA to support and / or participate. He agreed to provide details as these became available.

Action: Lewis Le Vay

14. Fishery Management Issues

a) Coastal / marine developments

i. **Bangor Pier**

No additional update.

ii. **Sand in the dock**

This was discussed at the start of the meeting (see Matters Arising).

b) Environmental / health issues

i. **Shellfish hygiene classification**

No further update.

ii. ***Bonamia***

This was discussed at the start of the meeting (see Matters Arising).

iii. **Invasive Alien Species (IAS) / Invasive Non-Native Species (INNS)**

Kate Griffith agreed to circulate the link to the webinar on INNS larval dispersal.

Action: Kate Griffith

All were reminded to keep an eye out for slipper limpets in the area.

Action: All

iv. ***Norovirus***

No further update.

15. Any Other Business

a) Correspondence

No additional correspondence had been received.

b) Local Government elections & representation

Ioan Thomas mentioned that local government elections were due to take place in May. He was standing as a candidate again, but nonetheless, elected Members might change. Howard Mattocks indicated that he was in the same position.

It was noted that some of the council representatives that were invited to participate in MSFOMA meetings had not attended for some time. It was agreed that the Secretariat should make enquiries to determine if these organisations wished to review their participation; it would also be useful to review the existing Articles & Standing Orders for the Association to ensure that they provide for adequate participation.

Action: Secretariat

16. Dates for next meetings

Proposed meeting dates for 2022:-

- a. Q2 2022 - 8th June
- b. Q3 2022 - 7th September
- c. Q4 2022 - 14th December [AGM]

It was hoped that the next meeting might be conducted "in person" if Covid restrictions permit.

Summary of Actions

Item	Action	Responsibility
1.	Keith Andrews - letter of thanks	Chair & Secretariat
2.	Sand in Dock - keep under review.	James Wilson & Secretariat
3.	Deo Gloria grounding - determine how best to proceed.	James Wilson & Secretariat
4.	Register of Interests - review current Statement of interests on MSFOMA website (https://www.msfoma.org/?page_id=478) and confirm it is accurate.	All
5.	Participation - draft proposal for broader engagement for next meeting	Secretariat
6.	Finances - provide report and recommendations on governance and monitoring procedures for next meeting.	Secretariat
7.	Website / Twitter - provide photograph and brief resume suitable for website and Twitter	All
8.	Social media - organise meeting with Andy Olivier & Chair.	Secretariat
9.	Social media - all to send any items suitable for the MSFOMA Twitter feed to Andy Olivier (avdsolivier@gmail.com).	All
10.	NWIFCA - encourage adoption of Morecambe Bay Mussel Management Plan.	Chair & Secretariat
11.	Menai East - progress with process of HRAs for leases and exchanging them.	Secretariat
12.	Menai East - work with lessees and NRW to review extent of "managed areas" around reef features.	Secretariat
13.	Menai East - issue public notices for new Fishery Order and Designated Several Fishery Area as required.	Secretariat
14.	Menai West - complete draft Pacific oyster research report to next meeting.	Lewis Le Vay
15.	Menai West - organise meeting of stakeholders to consider draft report.	Secretariat
16.	Menai West - prepare briefing and draft recommendations for next meeting.	Secretariat
17.	<i>Bonamia</i> - James Wilson to liaise with Cefas about boundary of designated area and prospects for change.	James Wilson
18.	Conference / workshop details - provide these once available.	Lewis le Vay
19.	Invasive Alien Species - provide details of webinar for circulation to participants.	Kate Griffith
20.	<i>Crepidula fornicata</i> - look out for slipper limpets and report sightings of any shells / individuals.	All
21.	Date for next meeting - 8 th June 2022	Secretariat