

Menai Strait Fishery Order Management Association

Meeting, 14th September 2022 Marine Centre Wales, Menai Bridge & Zoom Video Conference Call

Minutes

Attendance

Members

Alan Winstone*
James Wilson*
Lewis le Vay
Kim Mould*

Chair
Bangor Mussel Producers Ltd
Bangor University
Myti Mussels Ltd

Observers

José Constantino†
Rowland Sharp
Ruth Iliffe
Trevor Jones

Welsh Government
Natural Resources Wales
Royal Yachting Association Cymru
Menai Strait (West) Applicants

Advisors

Euryn Roberts
Mark Charlesworth
Jim Andrews*

Natural Resources Wales
Natural Resources Wales
MSFOMA Secretariat

Notes

* *These individuals are also Directors of the Association*

† *These individuals participated remotely*

1. Chair's announcements

The Chair welcomed everyone to the meeting, and in particular Ruth Iliffe from RYA-Cymru, who had taken up the Association's invitation to participate as an observer at MSFOMA meetings. Nia Jones from North Wales Wildlife Trust had also been keen to attend, but had a prior engagement that prevented her attendance.

The Chair noted that this was the first MSFOMA meeting that had taken place in person for nearly 3 years.

2. Apologies

Alex Scorey
Gareth Roberts
Howard Mattocks
Ioan Thomas
Iwan Huws
Julian Bray
Michelle Billing
Nia Jones
Rob Floyd

Natural Resources Wales
Bangor City Council
Beaumaris Town Council
Gwynedd County Council
Isle of Anglesey County Council
Welsh Government
Welsh Government
North Wales Wildlife Trust
Welsh Government

3. Declarations of Interest

A meeting attendance list and register for declaring interests had been circulated prior to the meeting. 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 of June 2022 were accepted.

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 June meeting that were not formally addressed on the agenda were discussed:-

Sand in Penrhyn Dock

James Wilson reported that there had been no further progress with removal of the sand that had accumulated in the dock and was restricting access.

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

Action: JW, Secretariat

Bonamia

James Wilson indicated that Cefas remained unwilling to review the boundary of the Bonamia designated area that extends from the tidal limit in the Conwy through the Strait and the Forydd to Llandwrog in Gwynedd and Malltraeth on Anglesey. One of the consequences of this is that mussels from the Menai Strait cannot be moved to Ireland, which is considered to be Bonamia-free.

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

Water quality

This issue was still important, and it was agreed that it should be discussed under agenda item 16.

Autumn workshop / conferences

It was agreed that this should also be considered under item 16.

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

7. Widening engagement

The Chair introduced this item. Following a discussion about the potential benefits of widening involvement in the Association at the last meeting, the Secretariat had approached Ruth Iliffe of RYA-Cymru and Nia Jones of the North Wales Wildlife Trust to invite them to participate as observers at MSFOMA meetings in the short term, with a view to formalising their involvement in the longer term.

The Secretariat reported that both Ruth and Nia had accepted this information. Ruth was present at the meeting, and Nia had been keen to attend but was unable to do so because of a prior engagement.

8. Financial Update

The financial report was accepted, with an amendment to the second recommendation which should have read "That the Association considers options for *reducing expenditure and leases fees in the current and future Financial Years.*". The text in italics here had been omitted from the version of the papers circulated prior to the meeting.

The Secretariat reported that accounts for the past FY (ending 28th February 2022) had been drawn up and submitted to Companies House on schedule.

Looking at the current FY, the lease income for the past 6 months had been lower than budgeted in the Association's Financial Plan because of the decision to reduce lease fees by 1/3 at the last meeting, which was a response to the delay receiving Ministerial consent to issue the leases. At the time of the meeting, lease fees had been received from 5 of the 8 tenants on time, and lease arrears were being chased up.

The Secretariat indicated, and industry representatives confirmed, that trading conditions for mussel farmers continued to be very difficult indeed. Exports to the EU had essentially ceased, and UK domestic mussel consumption was very low indeed. Much would depend on improving shellfish hygiene classifications from "Class B" to "Class A", which would re-open the EU export market.

The Secretariat referred to the Financial Plan and indicated that there were some areas of proposed expenditure that could be optional, and that could be paused until economic conditions improve or scrapped altogether. Examples included the Menai West Fishery Order (budgeted at £20k over the next 3 years); the Community Fund (budgeted at £2k annually); and also the frequency of MSFOMA meetings (the Association presently holds 4 meetings each year, but is only required by its Articles to hold 2 meetings annually)..

The mussel farmers present at the meeting indicated that MSFOMA lease fees were just one of many overheads that they must continue to pay in order to remain in business. Although the lease fees were a relatively minor cost in this context, any small saving would help businesses to survive.

Ruth Iliffe and Lewis Le Vay noted that initiatives like the Community Fund had wide benefits, and that it would be appropriate to look for ways to sustain them (perhaps by MSFOMA applying for funding to support community projects around the Strait). Lewis also noted the value of regular meetings, even using video conferencing platforms, for networking and progressing initiatives such as the recent Pacific Oysters report for the western Menai Strait.

It was agreed that proposals for reducing the Association's budget should be prepared by the Chair and Secretariat and a revised Financial Plan circulated for consideration. If approved, the Financial Plan should be implemented and lease fees for the current and future Financial Years adjusted accordingly.

Action: Chair & Secretariat

It was further agreed that the invoices for leases during the second half of the current FY should be issued after the new Financial Plan had been agreed, and not on the 1st of October as planned.

Action: Secretariat

9. Water quality

The Chair introduced this item, which was a response to the impact of the recent downgrading of the Beaumaris East shellfish harvesting area from a seasonal Class A to a Class B; and also an opportunity to review and take a more strategic approach to water quality management and monitoring, as well as identifying opportunities for the Association to encourage improvements.

These issues had all been discussed at the June meeting of the Association, at which some concerns had been raised about the exact role and remit of different organisations including the “Local Action Group” that exists to investigate unexpected high results. It had been agreed in June that it would be very helpful to hear from officers from Natural Resources Wales about their work, and to seek guidance from NRW about how MSFOMA could best act to encourage change for the better. The Chair had approached Mark Charlesworth and Euryn Roberts about this, and they had accepted his invitation to attend this meeting.

Mark and Euryn each gave very detailed and informative presentations to the meeting. The key points that were covered included:-

- The legislative framework in Wales is determined by Welsh Government. Two agencies are relevant to the Menai Strait mussel fishery: the Food Standards Agency, who determine shellfish hygiene classifications from samples taken by local authority environmental health officers; and Natural Resources Wales (NRW), who implement the Water Framework Directive (WFD), and which is intended to attain “Good Environmental Status” for the area.
- The objectives of the WFD are drivers for investment by water companies. These objectives include attaining “Class A” for shellfish harvesting areas, since the WFD incorporates the goals of the earlier Shellfish Waters Directive.
- Water company investment is overseen by Ofwat, and is the subject of successive 5 year investment cycles. Dŵr Cymru is presently in its 7th investment cycle, extending from 2019-2024 (termed “Price Review 2019” or “PR19”). Plans are being made for the priorities in the next investment cycle (“PR24”) that will set water prices and investment priorities for the period 2024-2029.
- Welsh Government guidance is that shellfish waters should be improved to Class A where this is commercially viable. In relation to the Menai Strait, current work includes:
 - NRW commissioned an economic study by Cardiff Business School that provided an objective basis for encouraging investment in water quality improvements.
 - After modelling of water quality and effluent discharges, Dŵr Cymru identified the Beach Road Pumping Station as the focus for improvements, and are investing £12M here under the National Environmental Plan. Further investment (~£10M) is also being sought.
 - NRW are working with Dŵr Cymru to complete these improvements by 2025.
- PR24 is likely to look at the relationship between river catchments and shellfish hygiene results, and also includes plans for investment of £20-25M at the Treborth Waste Water Treatment Works.

Lewis Le Vay reminded the meeting of the work that the Shellfish Centre is doing with Dŵr Cymru and the Rivers Trust to better understand the sources of coliform inputs to shellfish beds. This work includes sampling at higher frequencies and higher spatial scales

at times when rainfall increases. This information is being used to refine models and is helping Dŵr Cymru to determine its priorities for investment and action. It is hoped that this may ultimately emulate the success that the Shellfish Centre has achieved in the Camel Estuary in Cornwall where it is now possible to predict classification results from rainfall and river flows.

The role of Local Action Groups (“LAGs”) was discussed. NRW clarified that an LAG “Investigation State” is only triggered if a shellfish hygiene result falls outside the boundary of the current classification (e.g. for a Class B area if there is a result of >4,600 and <18,000 *E. coli* / 100g of mussel flesh); an “Action State” would be called if a Class B area returned a result of over 18,000 (or for a Class A area, a result of over 700).¹

The Association noted that this would explain why so few LAG investigation states were triggered. Over the past 5 years, Cefas data show that several of the shellfish areas in the Strait attain the “Class A” standard at least 80% of the time, but because they are classed as long term “Class B”, the occasional poor results are not investigated by the LAG.

James Wilson also noted that the LAG Investigation State Reports have the opportunity to be used to provide an objective basis for disregarding results. Unfortunately the limited involvement in LAGs meant that these reports sometimes missed critical information - an example being a bad result for Beaumaris East in May 2021 which coincided with record-breaking rainfall in Snowdonia that was not taken into account by the LAG.

It was agreed that it would be appropriate for MSFOMA to seek better involvement in the LAG (currently chaired by Ynys Môn County Council).

Action: Chair, Secretariat

It was also noted that there was a disconnect between Welsh Government national policy and the regulatory system: Welsh Government have an objective of attaining “Class A” status, which was driving the investment of millions of pounds by Dŵr Cymru. At the same time, the rules for triggering LAG investigation states for the occasional high results mean that classifications might not accurately reflect the shellfish quality on a site (because results that should have been disregarded are being used). This could be costing Dŵr Cymru millions of pounds in wasted investment, and the shellfish industry millions of pounds in lost market access. It was considered appropriate to raise concerns about this with Welsh Government.

Action: Chair, Secretariat

The Association discussed other sources of coliform input to the Strait. The key areas of discussion were:-

- Private / single residence outfalls - NRW reported that in 2012 they had carried out a project to identify all of the private outfalls direct to the Strait and y Foryd.
- Slurry spreading and manure on farmland - NRW indicated that new legislation is coming in to control both of these potential inputs.
- Agricultural runoff - issues such as the input from sheep grazing land in the Ogwen catchment and from dairy farming in Caernarfon were considered.
- Catchment inputs generally - NRW noted that high rainfall in upland areas can result in surface water runoff overwhelming WWTW, triggering Combined Sewer Overflows (CSO) events, and resulting in coliform inputs. Investment to separate surface water from sewage effluent may help to address this.

¹ See the guidance for LAGs here: <https://www.food.gov.uk/sites/default/files/media/document/local-action-groups-guidance-lbm.pdf>

All welcomed the presentations from Euryng and Mark, and their participation in the ensuing discussion.

10. Public Profile of the Association

The Chair and Secretariat reported that Dr Andy Olivier was continuing to use Twitter to raise the profile of the Association.

During recent discussions the Chair and Secretariat have discussed the opportunity to build links with other organisations that have an interest in water quality in the Strait. Examples included "Surfers Against Sewage". The meeting was asked to suggest other organisations that might be relevant.

Ruth Iliffe indicated that the RYA were not very active in this sphere, but that other organisations such as British Canoeing may be helpful. All agreed that this would be a useful direction to pursue.

Action: Chair & Secretariat

11. Welsh Government Activity

The Secretariat's report was noted and received.

Trevor Jones reported that a new Ministerial Advisory Group for Fisheries had been established. This had met once, and was due to meet again on 19th October.

Trevor also reported that the Welsh Marine Action & Advisory Group had become the Blue Recovery Group.

12. NW IFCA Activity

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

Kim Mould, James Wilson and Trevor Jones were all hoping that a seed mussel dredge fishery would soon be open in Morecambe Bay. They felt that the area proposed for fishing was smaller than the extent of the resource could support, but that it was more important to access at least some mussels rather than prolong debate and risk their loss.

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

Action: Secretariat

13. All Party Parliamentary Group: Shellfish Aquaculture

There was no further news from this Group.

14. Menai Strait East Fishery Order

The report was accepted. It was noted that the only outstanding area of work for this Order was to review the "Managed Areas" around reef features. It was considered that in view of the low level of cultivation activity and the desire to minimise expenditure, this was not presently a priority and should be held in abeyance.

15. Menai Strait West

The Chair reported that MSFOMA wrote to the Minister in July to inform her about the Pacific Oyster research that has been carried out by the Shellfish Centre in collaboration with MSFOMA and local shellfish farmers. This report concluded that Pacific oysters represent a very low environmental risk, and that there are easily accessible mitigation measures to eliminate risk. The Minister was invited to progress the application for renewing the Fishery Order in the western Menai Strait using this information to support the action.

The Minister sent a holding response in August which indicated that her officials “...are considering the latest evidence...” to inform her decision making. The Chair has followed up to offer the Association’s assistance in this regard.

José Constantino indicated that no further progress had been made with the policy on Pacific Oysters. He had received a briefing from Michelle Billing about the potential need for additional consultation on the Fishery Order. After some discussion, the Chair determined that this advice related to the proposal for informal consultation with stakeholders that had been discussed with Michelle at previous meetings of the Association.

All agreed that the ball was very much in Welsh Government’s court and that MSFOMA should continue to press for progress.

Action: Chair, Secretariat

16. Funding proposals & Research Update

Lewis Le Vay indicated that the projects relevant to MSFOMA have been progressing since the last meeting. In summary:-

- a) **Pacific Oysters** - this report has been produced (see Item 12 above).
- b) **Spat collectors / MOSSS** -work was ongoing, and an application for a larger cultivation area was being progressed.
- c) **Water quality** -work being progressed through a partnership between the Shellfish Centre, Dŵr Cymru, the Rivers Trust, Deepdock and MSFOMA is ongoing and due to be complete in December.
- d) **Bonamia** - the report on research into the distribution of Bonamia using DNA markers from shellfish samples has been circulated. Some updates are being made, and results would be circulated.

Lewis Le Vay confirmed 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

17. 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

This was discussed earlier in the meeting (see item 9).

ii. *Bonamia*

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

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

James Wilson reported that he had seen some *Crepidula fornicata* specimens on scallop shells from Cardigan Bay.

Trevor Jones reported that he had looked for *Crepidula* in the western Strait over the weekend prior to the meeting. He had been unable to find any.

Rowland Sharp confirmed that the last local report was of from a whelk caught near Trefor.

iv. *Norovirus*

No further update.

18. Any Other Business

a) Correspondence

No additional correspondence had been received.

19. Dates for next meetings

Proposed meeting dates for 2022:-

- a. Q4 2022 - 14th December [AGM followed by MSFOMA meeting]

It was agreed that the Secretariat and Lewis Le Vay should liaise to book the conference room at the Shellfish Centre for the next two meetings.

Action: Secretariat, Lewis Le Vay

Summary of Actions

Item	Action	Responsibility
1.	Sand in Dock - keep under review.	James Wilson & Secretariat
2.	Register of Interests - review current Statement of interests on MSFOMA website (https://www.msfoma.org/?page_id=478) and confirm it is accurate.	All
3.	Autumn workshop / conferences - keep MSFOMA informed about plans for these events.	Lewis Le Vay
4.	Finances - review Financial Plan and explore opportunities for cost-saving.	Chair & Secretariat
5.	Finances - circulate revised Financial Plan for approval.	Chair, Secretariat
6.	Finances - delay issuing invoices pending outcome of review of Financial Plan	Chair, Secretariat
7.	Finances - develop proposals for financial control for discussion at next MSFOMA meeting.	Secretariat.
8.	Shellfish hygiene - improve links between MSFOMA and Local Action Groups.	Chair & Secretariat
9.	Shellfish hygiene - write to Lesley Griffiths to highlight opportunities for her to encourage action by LAGs	Chair & Secretariat
10.	Social media - look for opportunities to raise issues about water quality.	Chair, Secretariat
11.	Social media - all to send any items suitable for the MSFOMA Twitter feed to Andy Olivier (avdsolivier@gmail.com).	All
12.	Website / Twitter - provide photograph and brief resume suitable for website and Twitter	All
13.	NWIFCA - encourage adoption of Morecambe Bay Mussel Management Plan.	Chair & Secretariat
14.	Menai West - write to Lesley Griffiths to encourage progress with Fishery Order.	Chair & Secretariat
15.	<i>Crepidula fornicata</i> - look out for slipper limpets and report sightings of any shells / individuals.	All
16.	Date for next meeting - 14 th December 2022, Shellfish Centre	Secretariat & Lewis Le Vay