

Menai Strait Fishery Order Management Association

Agenda & Papers- 30th April 2025

Microsoft Teams Video Conference Call

Association Meeting

1. Chair's announcements
2. Apologies
3. Declarations of interest
4. Minutes of last meeting ([attached](#))
5. Matters Arising
6. Register & declarations of interests (verbal)
7. Financial update ([report](#))
8. Shellfish Hygiene Classifications in the Menai Strait ([report](#))
9. Public Profile of the Association (verbal)
10. Welsh Government Activity ([report](#))
11. North West IFCA Activity ([report](#))
12. All Party Parliamentary Group: Shellfish Aquaculture (verbal)
13. Menai Strait East (verbal)
14. Menai Strait West Fishery Order ([report](#))
15. Menai Strait Partnership Forum (verbal)
16. Future Direction for MSFOMA ([report](#))
17. Fishery management issues (verbal)
18. Any Other Business (verbal)
 - a. Correspondence
19. Proposed dates for next meetings:-
 - a. Weds. 17th September 2025 (Virtual Meeting)
 - b. Weds. 10th December 2025 [AGM followed by business meeting] – Marine Centre Wales

Menai Strait Fishery Order Management Association

Meeting, 3rd December 2024
Marine Centre Wales

Minutes

Attendance

Members

Alan Winstone*
Ioan Thomas†
James Wilson*
Kim Mould*
Lewis le Vay†

Chair
Cyngor Gwynedd
Bangor Mussel Producers Ltd
Myti Mussels Ltd
Bangor University

Observers

Emily Payne
Oisín Lowe-Sellers
Rowland Sharp
Trevor Jones

Dŵr Cymru / Welsh Water
Menai Strait Partnership Forum
Natural Resources Wales
Menai Strait (West) Applicants

Advisors

Jim Andrews*

MSFOMA Secretariat

Notes

* *These individuals are also Directors of the Association*

† *Participated remotely.*

1. Chair's announcements

The Chair welcomed everyone to the meeting.

2. Apologies

Alex Scorey
Howard Mattocks
Nia Jones

Natural Resources Wales
Beaumaris Town Council
North Wales Wildlife Trust

It was noted that Bangor City Council had offered to replace Cllr Roberts with Dr Martin Hanks, the City Director. The Secretariat had invited Dr Hanks to the meeting but had not received a response.

The Chair asked the Secretariat to make further enquiries about representation from the Royal Yachting Association.

Action: Secretariat

3. Declarations of Interest

The Chair asked participants in the meeting to declare if they have any interest in an agenda item before speaking.

4. Minutes of last meeting

The minutes of the meeting that took place on the 19th of September 2024 were accepted.

The Secretariat confirmed that all of the actions arising from the previous meeting had been addressed.

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

Letter to new Minister

The Chair had written to the new Fisheries Minister to introduce MSFOMA. This letter had been acknowledged by WG fisheries, and some correspondence had resulted in which MSFOMA was able to confirm the key issues of concern for shellfish farmers.

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

Pacific Oysters

There was a detailed discussion of the Welsh Government policy on approval of Pacific Oyster cultivation. Rowland Sharp had reported at the last meeting that he had commissioned work within NRW to collate all available information so that the organisation would be able to provide advice that reflected current knowledge. This work was still ongoing. He would welcome input from MSFOMA participants. All offered to assist as necessary.

Action: Rowland Sharp

It was noted that Welsh Government is still working to develop its policy on Pacific Oysters, based on evidence from its advisors. It was hoped that the long-awaited Ministerial Statement about fisheries and aquaculture would provide some clarity on this matter.

It was agreed that this item should be kept on the agenda for future meetings.

Action: Secretariat

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.

7. Financial Update

The meeting accepted the report that had been submitted about the Association's finances, and noted that annual accounts for the previous FY had been submitted on schedule. The Association received the corresponding financial statement.

It was noted that the Association's financial position was presently better than predicted because of the successful partnership with North Wales Rivers Trust to create and fund participation in the Menai Strait Partnership Forum.

The Secretariat noted that the Association agreed its financial plan in 2022 to cover the period to the end of February 2028. It would be appropriate formulate a new financial plan for discussion and adoption in good time, and to develop a draft proposal during 2025.

Action: Secretariat & Chair

8. Shellfish hygiene

The Chair introduced the report on shellfish hygiene classifications in the Menai Strait, which are critical to the future viability of mussel farming here.

The Secretariat explained the steps that had led to MSFOMA working with the mussel farmers to commence legal action against FSA Wales in January-February 2024 and the subsequent response from FSA Wales. In March 2024 the Association took up an offer from the Director of FSA Wales (Nathan Barnhouse) to work closely together. This has been successful. With the support locally of Cllr Ioan Thomas, the first samples from the revised Representative Monitoring Points had been taken in late November.

The Secretariat reported that although good progress had been made there still remained a difference of opinion with the FSA about whether the time series of samples should be continued for the three RMPs where the classification would not start afresh.

This point was discussed at some length. It was noted that the existing and new RMP are in the same location for Area 4, but for Area 1 and Area B there was a significant distance between the old and new RMPs (247m and over 1km respectively). The FSA had been asked to query the basis for this with Cefas. No response had yet been provided.

James Wilson indicated that he was concerned about the proposal to continue these time series. He and other industry members considered that the revised RMPs that were introduced in 2013 had always been inappropriate, and that the only location where continuing the time series might be defensible was for Area 4 (no change in location). He was due to attend the national Shellfish Stakeholders Working Group later in December and would raise this issue with Cefas and the FSA.

The Chair indicated that FSA Wales were seeking comments on the revised Sanitary Survey. The Secretariat would collate the comments from Association Members to provide a consolidated response. The deadline for comments was the 6th of December 2024. All were invited to respond if they wished to and had not done so already.

Action: Secretariat, All

The meeting discussed the high *E.coli* results that had been detected in the September and October samples taken in the Menai Strait.

In September the high values at two of the Representative Monitoring Points (“RMPs”) named “West of Bangor Pier” and “Beaumaris East” had triggered an “Investigation State”. The Local Action Group for the Menai Strait had requested that information which might explain the high results (such as high rainfall or pollution incidents) should be submitted to them. The Chair responded, noting that rainfall had been very high on the 2nd September before the samples were taken. At least two of the Combined Sewage Outfalls around the Strait had discharged untreated effluent on that day.

In October, the situation repeated itself. There were high results for the same two RMPs, and an Investigation State was triggered again. The Chair submitted a response on behalf of the Association which again found that rainfall had been very high on the day preceding sampling and that CSOs had been discharging untreated effluent.

James Wilson noted that these high results were very localised both in space and time. In November the samples for the same sites were comfortably inside the “A” classification limits. He noted that EU countries that are subject to the same legal obligations have ways to respond to unusual results including taking repeat samples immediately after a high result to check whether the high result is a one-off and thus little risk to public health.

It was noted that the high result for Beaumaris East in September (13,000 *E.coli*) would have been disregarded from the classification time series as a statistically anomalous result if there had not also been a very high result (22,000) for this site in August 2023. Although the 2023 result had not been taken into account in the 2023-24 classification, it remained on record and it meant that this year’s high result did not trigger the same “statistically anomalous” threshold. This approach created moving goalposts that could undermine longer term efforts to improve water and shellfish hygiene.

There was some discussion about whether the August 2023 result should have been removed from the record because it was associated with exceptional rainfall. It was considered appropriate to check with the FSA and Cefas that this result had been removed from the official register.

Action: Secretariat

9. Public Profile of the Association

The Chair confirmed that the Association’s X/Twitter account was essentially dormant and that the focus of raising the profile of the Association lay currently in participation in projects such as the Menai Strait Partnership Forum.

10. Welsh Government Activity

The Secretariat’s report was noted and received. Two aspects of the report were discussed.

- **Consultations**

The consultation on exemptions from Marine Licensing requirements was considered. It was noted that the stated aim of the exemptions was to avoid

duplicating Several or Regulating Orders (such as the Menai Strait (East) Mussel and Oyster Fishery Order 2022).

The meeting noted that the proposed exemption added two new conditions (to consult with navigation authorities and to inform the UK Hydrographic Office 5 days prior to the exempted activities occurring). The proposals also extended the list of activities that are not subject to the exemption to include activities likely to impact a Marine Protected Area, and *“the expansion of shellfish propagation or cultivation activities within the boundaries of existing activities.”*

It was felt that there were some ambiguities in the proposals that could have implications for MSFOMA and that it was appropriate for the Secretariat to draft a response to this consultation on behalf of the Association.

Action: Secretariat

- **Ministerial Advisory Group for Welsh Fisheries (MAGWF)**

The Chair reported that the Ministerial Advisory Group for Welsh Fisheries (MAGWF) had met in November. Minutes are not yet available, but the key points discussed were:-

- Ministerial Statement - Gareth Bevington indicated that this was due to be published in the next few weeks.¹ It would include a statement about Pacific Oyster cultivation.
- Welsh Marine and Fisheries Fund (WMFF) - Round 4 of this fund closed in May, funding 15 projects with an overall budget of £500k. Round 5 and its funding have not yet been confirmed, but these may be approved in December.
- Consultation on amendments to the UK Joint Fisheries Statement - these were being made to change the delivery dates and responsibility for certain Fishery Management Plans.
- TACs, quotas and relations with the EU - WG officials have been involved in these discussions.

It was understood that with respect to the Fishery Management Plans, there were evidence gaps that were proving difficult to fill, and that the policy commitments to both Maximum Sustainable Yield (MSY) and the precautionary principle were also difficult to implement.

MSFOMA participants all agreed that it would be helpful if WG Fisheries was a more focussed and agile department. Key to this was ensuring that the department had sufficient appropriately qualified personnel and a sustainable funding base. The Chair reported that the Deputy Director for Marine and Fisheries, Gareth Bevington, was due to be leaving his current role in the near future.

¹ Note that this was published the day after the MSFOMA meeting. The “Written Statement: Strategic Approach to Welsh Fisheries and Aquaculture” can be accessed here: <https://www.gov.wales/written-statement-strategic-approach-welsh-fisheries-and-aquaculture>

Lewis LeVay indicated that the university was working on stock assessments for scallops and whelks to inform the FMP process and that in the longer term was likely to be looking at crabs and lobsters.

The Chair had asked that research should be an agenda item at the next MAGWF meeting.

11.NW IFCA Activity

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

It was noted that the CEO of NWIFCA had responded to the request from the Association to develop the Morecambe Bay Mussel Management Plan.

DRAFT

12.All Party Parliamentary Group: Shellfish Aquaculture

James Wilson reported that this group had been re-constituted following the General Election, but had not yet met. An update will be provided to future MSFOMA meetings.

Action: James Wilson & Secretariat

13.Menai Strait East Fishery Order

No further update.

14.Menai Strait West

The Secretariat presented a brief report to the meeting. In summary, progress with the renewal of the Fishery Order in the western Menai Strait had been halted by concerns over the cultivation of Pacific Oysters in the Strait. The Association had worked with scientists from Bangor University to produce a detailed submission on the status of the Pacific Oyster population in the Strait and the options to manage cultivation in a precautionary manner. Welsh Government had felt unable to make progress in the absence of a clear policy in this area.

James Wilson indicated that the Welsh shellfish farming industry has a good record of responsible management, and would respect a pragmatic and precautionary management approach. It seemed more probable than not that Pacific oysters will become established in the Strait as sea water temperatures rise, irrespective of the policy in place at the Welsh or UK level. Set against this context is difficult to see why WG cannot permit oyster farming.

Lewis LeVay informed the meeting that the University have been working with North Wales Wildlife Trust to survey Pacific Oysters in the Strait and surrounding areas. This work indicates that although there are wild Pacific oysters in the area they are not being invasive. Further work is scheduled for 2025.

Rowland Sharp indicated that NRW would taken an evidence based approach to evaluating risks to protected sites in the area. NRW have to do this on a case-by-case basis, as each project and each location is unique. He noted that the original Pacific oyster management plan that had been submitted with the Fishery Order application contained various precautionary measures including the gradual phasing out of diploid oysters and phasing in triploids.

James Wilson reported that Defra are now looking at full cost recovery for creating new Fishery Orders, and also limiting them to a term of 5 years. It seemed likely that the fee for granting a new Order would be around £20k-£30k. Trevor Jones indicated that this approach would not be compatible with the relatively small and long-term scale of operations likely to take place in the western Menai Strait.

It was agreed that it would be appropriate to write to the Minister to ask for guidance on whether, and how, this Fishery Order proposal could be progressed.

Action: Secretariat

It was further agreed that there is a policy and political dimension to this issue, and that it would be appropriate for MSFOMA to encourage local politicians to support local shellfish farmers.

Action: All

15. Menai Strait Partnership Forum

Oisín Lee-Sellers provided an update on the “Menai Strait Partnership Forum” (MSPF) that had been set up in collaboration with the North Wales Rivers Trust, and using funding from the Welsh Government’s Coastal Capacity Fund.

Oisín was appointed as Project Officer for MSPF earlier this year and has spent the summer organising events to raise awareness of the value of the natural environment in the Strait and build better links between the user groups and communities around the Strait.

He reported that current funding for MSPF ends in March and that he is working on project proposals and funding applications to allow work to continue. He is considering many sources of funding, including landfill tax and funds managed by local authorities.

Emily Payne mentioned that water companies now have the option of funding local projects as an alternative to paying fines to NRW in the event of permit breaches. Oisín agreed to give Emily a list of projects that could benefit from this source of revenue.

Action: Oisín Lee-Sellers

16. Fishery Management Issues

1. Coastal / marine developments

i. Bangor Pier

No updates on work at Bangor Pier have been received since the last meeting.

ii. Sand in the dock

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

2. Environmental / health issues

i. Shellfish hygiene classification

This was discussed earlier in the meeting (see item 8).

ii. *Bonamia*

No update.

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

No update. There is a standing item to keep looking out for slipper limpets.

Action: All

iv. *Norovirus*

No further update.

17. Any Other Business

a) Correspondence

No correspondence of any significance had been received that was not covered by discussions of agenda items.

b) Combined Sewage Outfall Information and Upgrades

Emily Payne informed the meeting that Dŵr Cymru were adding information from 400 more assets to the website. The API for CSO performance had been shared with Surfers Against Sewage to allow them to communicate this information. There was an opportunity for others (i.e. MSPF) to do something similar.

Action: Oisín Lee-Sellers & Emily Payne

Emily also indicated that the basis for assessing CSO performance was changing, and would shape future investment decisions. An extra £150M has been budgeted for this.

Work on upgrades is underway locally. The Beach Road storm water taken upgrade has started and is on target, and work at Treborth is scheduled to start in 2027.

18. Dates for next meetings

Meeting dates were agreed for 2025:-

- a. 30th April 2025 (virtual)
- b. 17th September 2025 (virtual)
- c. 10th December 2025 [also AGM] (in person, not virtual)

Summary of Actions

Item	Action	Responsibility
1.	Contact RYA Cymru to confirm representation to replace Ruth Iliffe.	Secretariat
2.	Sand in Dock - keep under review.	James Wilson & Secretariat
3.	Pacific oysters - inform MSFOMA about progress with policy development work.	Rowland Sharp
4.	Pacific oysters - keep on the agenda.	Secretariat
5.	Financial plan - develop a new plan to succeed the 2022-28 financial plan.	Secretariat & Chair
6.	Shellfish hygiene - continue to encourage FSA to start new time series of results used to determine classifications for all new RMPs with the likely exception of Area 4.	Chair, Secretariat
7.	Shellfish hygiene - submit comments on Sanitary Survey to Secretariat by 6 th December for collation and submission to FSA	All
8.	Shellfish hygiene - check whether the September 2023 high result for Beaumaris East has been removed from the official register by FSA & Cefas	Secretariat
9.	WG Consultation on Marine Licence exemptions - compile a draft response on behalf of the Association.	Chair, Secretariat
10.	APPG - provide update on progress to next meeting.	James Wilson & Secretariat
11.	Menai West - ask Minister for guidance on whether, and how, this Fishery Order application could be progressed.	Secretariat
12.	Menai West - encourage local politicians to support local shellfish farmers.	All
13.	Menai Strait Partnership Forum - provide Emily Payne with a list of projects that could be funded by DCWW in lieu of paying fines to NRW.	Oisin Lee-Sellers
14.	CSO Performance Data - discuss sharing the API for these data to allow wider dissemination.	Oisin Lee-Sellers & Emily Payne
15.	<i>Crepidula fornicata</i> - look out for slipper limpets and report sightings of any shells / individuals.	All
16.	Date for next meeting - 30th April 2025	All

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 for the current and past Financial Year.

Recommendations

1. That the Association considers performance within the current FY against the current financial plan (Annex B)
2. That the Association adopts the budget for the 2025-26FY set out in the current Financial Plan (Annex A).

1. Financial Plan 2022-2028

- 1.1 The Association agreed a new Financial Plan at its Annual General Meeting in December 2022. This is included at Annex A of this report. This Plan was a response to the difficult economic and administrative environment that shellfish farmers are currently coping with. It minimises the financial burden of the Order on the Association's tenants by limiting MSFOMA operating costs.
- 1.2 The Association is advised that the economic and administrative environment for shellfish farmers is still challenging. It remains appropriate to keep to the 2022 Financial Plan.

2. Budgetary performance in current Financial Year

- 2.1 An income and expenditure report for the Association for the MSFOMA 2022-23 Financial Year (starting on 1st March 2024) against the revised Financial Plan is presented in Annex C. This shows both the actual and budgeted values for each item of income and expenditure.
- 2.2 Key points to note are:-
 - a) **Expenditure** has been much higher than expected. This is due to the cost of legal advice and action taken against FSA Wales (see item 8 on the agenda). The total cost of this advice during this FY has been £14,080 (£5,000 was charged in the previous FY). These fees have been shared between the 3 mussel farmers and MSFOMA, with each party paying 25% of the total cost.
 - b) **Income** over the year has been greater than expected. This is due to:-
 - i. A grant of £11,000 that was received in March 2024 from the Welsh Government Coastal Capacity Building Fund. This sum was not included in the original budget.
 - ii. Payments of £9,540 for legal fees from the mussel farmers (note that a payment of £1,250 had been received in February 2024 and a payment of £3,520 to cover 75% of the entire cost of this advice (£19,080 legal fees, remuneration of £14,310) as agreed).

- c) **Reserve:** the Association's bank balance at the end of February 2025 stood at £20,329.55. This is higher than the target reserve of £10,000. .

3. Budget for 2025-26FY

- 3.1 The budgetary performance for the current FY shows that the Chair and Secretariat are managing expenditure and income within the limits set by the Financial Plan, and that the overall intent of the Plan are being met.
- 3.2 At the December AGM it was agreed that the Association to adopt the proposed budget for the 2025-26FY (see Annex A). Lease fees will remain frozen for the time being. The Association is advised that this will result in a likely small deficit in this FY, which is consistent with the Financial Plan.

MSFOMA Secretariat
April 2025

Annex A: Revised MSFOMA Financial Plan for the period 2022-23 to 2027-2028, adopted in December 2022.

Item	Financial Year					
	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
1. Revised Expenditure - inflated at 3%.						
Administration of the Order*	£12,000.00	£12,360.00	£12,730.80	£13,112.72	£13,506.11	£13,911.29
Enforcement activity*	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Corporate core*	£1,200.00	£1,236.00	£1,273.08	£1,311.27	£1,350.61	£1,391.13
Renewal of Fishery Orders						
Menai East	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Menai West	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Research & monitoring*	£500.00	£515.00	£530.45	£546.36	£562.75	£579.64
Community fund	£500.00	£515.00	£530.45	£546.36	£562.75	£579.64
Total Expenditure	£14,200.00	£14,626.00	£15,064.78	£15,516.72	£15,982.23	£16,461.69
2. Recurring Income - inflated at 0% to maintain value of a £10000 reserve with 3% inflation rate applying to expenditure.						
Leases for lays	£15,100.00	£15,100.00	£15,100.00	£15,100.00	£15,100.00	£15,100.00
Licences	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
Total	£15,100.00	£15,100.00	£15,100.00	£15,100.00	£15,100.00	£15,100.00
Operating surplus / deficit	£900.00	£474.00	£35.22	-£416.72	-£882.23	-£1,361.69
3. Reserve						
Predicted Reserve	£ 10,687.17	£11,161.17	£11,196.39	£10,779.67	£9,897.44	£8,535.75
Target Reserve	£10,000.00	£10,000.00	£10,000.00	£10,000.00	£10,000.00	£10,000.00

Annex B: MSFOMA Financial performance for the 2024-25 FY against the updated (December 2022) Financial Plan.

Item	Updated Year Budget	Quarter 1 (1st March - 31st May)		Quarter 2 (1st June - 31st August)		Quarter 3 (1st Sept. - 30th Nov.)		Quarter 4 (1st Dec. - 29th Feb.)		Year to Date (Cumulative)		
	2024-25	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Performance
										Q4	Q4	Q4
1. Expenditure												
Administration of the Order*	£12,730.80	£23,300.70	£3,182.70	£3,248.21	£3,182.70	£4,033.12	£3,182.70	£2,294.16	£3,182.70	£32,876.19	£12,730.80	£ 20,145.39
Enforcement activity	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£ -
Corporate core**										£0.00	£0.00	
Accountancy fees	£1,273.08	£0.00	£318.27	£0.00	£318.27	£0.00	£318.27	£0.00	£318.27	£0.00	£1,273.08	-£ 1,273.08
Bank charges	£96.00	£24.00	£24.00	£24.00	£24.00	£24.00	£24.00	£24.00	£24.00	£96.00	£96.00	£ -
Renewal of Fishery Orders*										£0.00	£0.00	
Menai West	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£ -
Subscriptions	£900.00	£0.00	£225.00	£900.00	£225.00	£0.00	£225.00	£330.00	£225.00	£1,230.00	£900.00	
Research & monitoring	£530.45	£0.00	£132.61	£0.00	£132.61	£0.00	£132.61	£0.00	£132.61	£0.00	£530.45	-£ 530.45
Community fund	£530.45	£0.00	£132.61	£0.00	£132.61	£0.00	£132.61	£0.00	£132.61	£0.00	£530.45	-£ 530.45
Total Expenditure	£16,060.78	£23,324.70	£4,015.20	£4,172.21	£4,015.20	£4,057.12	£4,015.20	£2,648.16	£4,015.20	£34,202.19	£16,060.78	£18,141.41
2. Income												
Leases for lays	£15,100.00	£7,056.60	£7,550.00	£0.00	£0.00	£11,556.00	£7,550.00	£1,556.60	£0.00	£20,169.20	£15,100.00	£5,069.20
Legal Costs	£0.00	£9,255.10	£0.00	£3,520.00	£0.00	£0.00	£0.00	£0.00	£0.00	£12,775.10	£0.00	-£9,255.10
Grant***	£0.00	£11,000.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£11,000.00		
Total	£15,100.00	£27,311.70	£7,550.00	£3,520.00	£0.00	£11,556.00	£7,550.00	£1,556.60	£0.00	£43,944.30	£15,100.00	-£4,185.90
Operating surplus / deficit	-£960.78	£3,987.00	£3,534.81	-£652.21	-£4,015.20	£7,498.88	£3,534.81	-£1,091.56	-£4,015.20	£9,742.11	-£960.78	-£22,327.31
Reserve	£10,000.00	£15,270.04	£10,000.00	£14,617.83	£10,000.00	£22,117.31	£10,000.00	£20,329.55	£10,000.00	£20,329.55	£10,000.00	£10,329.55

Shellfish Hygiene Classifications in The Menai Strait

Background

Water quality, and in particular the abundance of bacteria from effluent inputs, is an important factor determining the viability of shellfish harvesting and cultivation.

Shellfish beds in the UK and EU are classified according to the abundance of bacteria in shellfish samples that are collected and analysed by environmental health officers from local authorities. There are six shellfish sample sites for mussels in the eastern Menai Strait.

Much of this report reproduces information from recent Association meetings, which is provided for reference and context.

The new part of this report comprises an update on the completion of the new “Sanitary Survey” for the Menai Strait and the corresponding shellfish hygiene classifications.

Recommendations

1. That the report is received, along with any verbal updates from participants at this meeting.
2. That the Association should formally thank the Food Standards Agency and local authority Environmental Health Officers for their support in finalising and implementing a new “Sanitary Survey” for the Menai Strait.

1. Introduction and Context

- 1.1 There are 400 shellfish “production areas” in England and Wales, which are each classified in response to the abundance of a bacterium (*Escherichia coli*) in samples of shellfish taken within or near to the production areas. These production areas are designated for cockles, mussels, oysters and clams. *E. coli* is found in animal faeces and is used as an indicator of the likely level of sewage effluent that the shellfish have been exposed to, and hence as a measure of the public health risk of consuming shellfish.
- 1.2 Shellfish production areas may be designated Class A, B or C, according to the abundance of *E.coli* in shellfish flesh. The requirements and limits for each classification are set out in Annex III of EU Regulation (EC) 853/2004 and Articles 53, 54 and 55 of Retained EU Law Regulation (EU) 2019/627. They are summarised in Table 1.

Table 1: Summary of shellfish classification requirements.²

Classification	Minimum Number of samples per year	E. coli per 100g of flesh	
		Requirement	Limit
A	10	80% of samples ≤ 230	700
B	8	90% of samples ≤ 4600	46,000
C	8	All $\leq 46,000$	-
Unclassified	-	$\geq 46,000$	-

- 1.3 Class A shellfish can be harvested for direct human consumption without any further treatment. Class B shellfish must be either purified, relayed for a month in a Class A water, or heat treated prior to human consumption. Class C shellfish must be either relayed for 2 months in Class B waters and then purified; or relayed for 2 months in Class A waters; or heat treated prior to human consumption.
- 1.4 For most shellfish beds a single classification (A,B, C or unclassified) applies for 12 months of the year. The FSA can also grant a “seasonal” classification: a higher classification for part of the year when historic results have been good, and a lower classification for the rest of the year (for instance a Seasonal A/B or a Seasonal B/C). The criteria for allocating these seasonal classifications are set out in the current FSA *“Protocol for Classification of Shellfish Production Areas, England and Wales”*³
- 1.5 Prior to the UK’s departure from the EU the main market for shellfish from the Menai Strait was in Europe. Mussels from the Class B shellfish beds were exported directly from the Strait for relaying or purification in Europe.
- 1.6 Since the 1st January 2021 it has no longer been permissible to export Class B shellfish from the UK directly into Europe; they must be purified, relayed or heat treated prior to export. Only Class A shellfish can now be exported direct to EU markets.
- 1.7 The UK has very limited capacity for mussel purification (which also causes high in-transit mortality). Only 9 of the 87 mussel production areas in England and Wales currently have a “Class A” designation.

2. Shellfish classifications in the Menai Strait

- 2.1 The location of shellfish sampling points, the sampling method, and the extent of the “Classification Zones” (CZs) around their “Representative Monitoring Points” (RMPs) are set out in a document produced on behalf of the Food Standards Agency and called a “Sanitary Survey”.
- 2.2 The extent of classification zones and the location of CZs and RMPs that were in place up until March 2025 are shown in Figure 1.

² <https://www.food.gov.uk/business-guidance/shellfish-classification>

³ Food Standards Agency (2023) ‘Protocol for Classification of Shellfish Production Areas, England and Wales’, p. 25. Available at: <https://www.food.gov.uk/sites/default/files/media/document/Classification%20protocol%20Aug%202023%20-%20FINAL%20for%20PUBLICATION.pdf>.

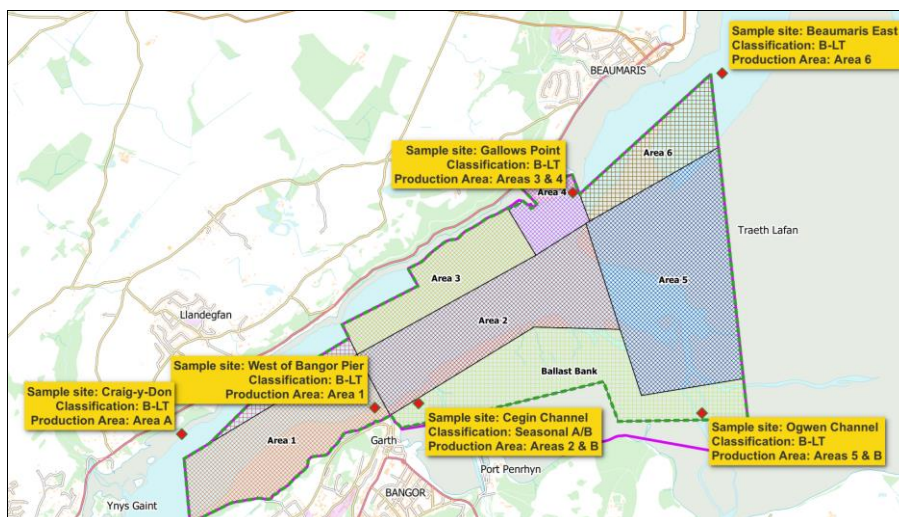


Figure 1: Map of the Eastern Menai Strait showing shellfish sampling locations, classification results, and production areas.

- 2.3 In 2019-2020, three of the six Classification Zones in the Menai Strait had a “Class A” designation. In the following years a succession of poor shellfish hygiene results resulted in the progressive downgrading of all of the shellfish hygiene classifications (see Table 2).
- 2.4 Between January 2021 and December 2023 the shellfish farmers in the Strait were largely dependent on the seasonal A/B classification of production areas 2 & B to sustain their export business to the EU. Updated shellfish classifications were published on 5th December 2023 covering the period from 1st December 2023 – 30th November 2024⁴, downgrading all zones to “Class B”. This classification was unaltered for 2024-25 (see Table 2).

Table 2: Shellfish classifications for zones in the Eastern Menai Strait for the past 5 years. Green shading indicates a Class A classification, yellow shows Class B. Gradient shading shows when there were within-year changes. Data from FSA website.

RMP	Zone	2019-20	2020-21 [†]	2021-22	2022-23	2023-24	2024-25
Beaumaris East	Area 6	A	B	B-LT	B-LT	B-LT	B-LT
Cegin Channel	Areas 2 & B	B-LT	B→A→B →A/B*	A/B*	A/B*	B-LT	B-LT
Craig-y-Don	Area A	A	B→A→B	B-LT	B-LT	B-LT	B-LT
Galloway Point	Areas 3 & 4	A	B	B-LT	B-LT	B-LT	B-LT
Ogwen Channel	Areas 5 & B	B-LT	B-LT	B-LT	B-LT	B-LT	B-LT
West of Bangor Pier	Area 1	B-LT	B-LT	B-LT	B-LT	B-LT	B-LT

Notes

† In 2020/21 the FSA state that “Classification is provisional due to insufficient sample results, either in number or period of time covered, or for those returning less than 10 samples in the review year.” All zones were designated “Class B” initially, two sites were upgraded to A, then downgraded to B following a poor result, after which Cegin Channel / Areas 2 & B were designated a seasonal A/B.

* Seasonal Class A” from 1st October to 30th April, and a “Class B” at other times

- 2.5 The downgrading of Areas 2 & B from seasonal A/B to a long term B classification in 2023 has had a significant adverse impact on shellfish farming in the Menai Strait.

⁴ These are available from the FSA website here: <https://www.food.gov.uk/business-guidance/shellfish-classification#revision-log>

- 2.6 In response to the change, MSFOMA has been working with the shellfish farmers in the Strait and the Food Standards Agency over the past 12 months to finalise the revision and updating of the “Sanitary Survey” for the Strait. The revised document was published in March 2025⁵ and includes many changes that have been suggested by MSFOMA, including:-
- Classification Zones:** the boundaries of the CZs have been altered to better match the character of the Menai Strait and the boundaries of the Fishery Order.
 - Representative Monitoring Points:** the location and number of RMPs has changed. There are now 8 RMPs rather than 6. Seven of the RMPs will move so that they are located within areas that are actually used by mussel farmers.
 - Sampling method:** official control samples will now be taken by mussel farmers using dredges when the tide is in rather than by hand when the tide is out.
- 2.7 These revisions represent very substantial changes in both pace and direction of travel from the FSA. The new RMPs and CZs are shown in **Error! Reference source not found.**

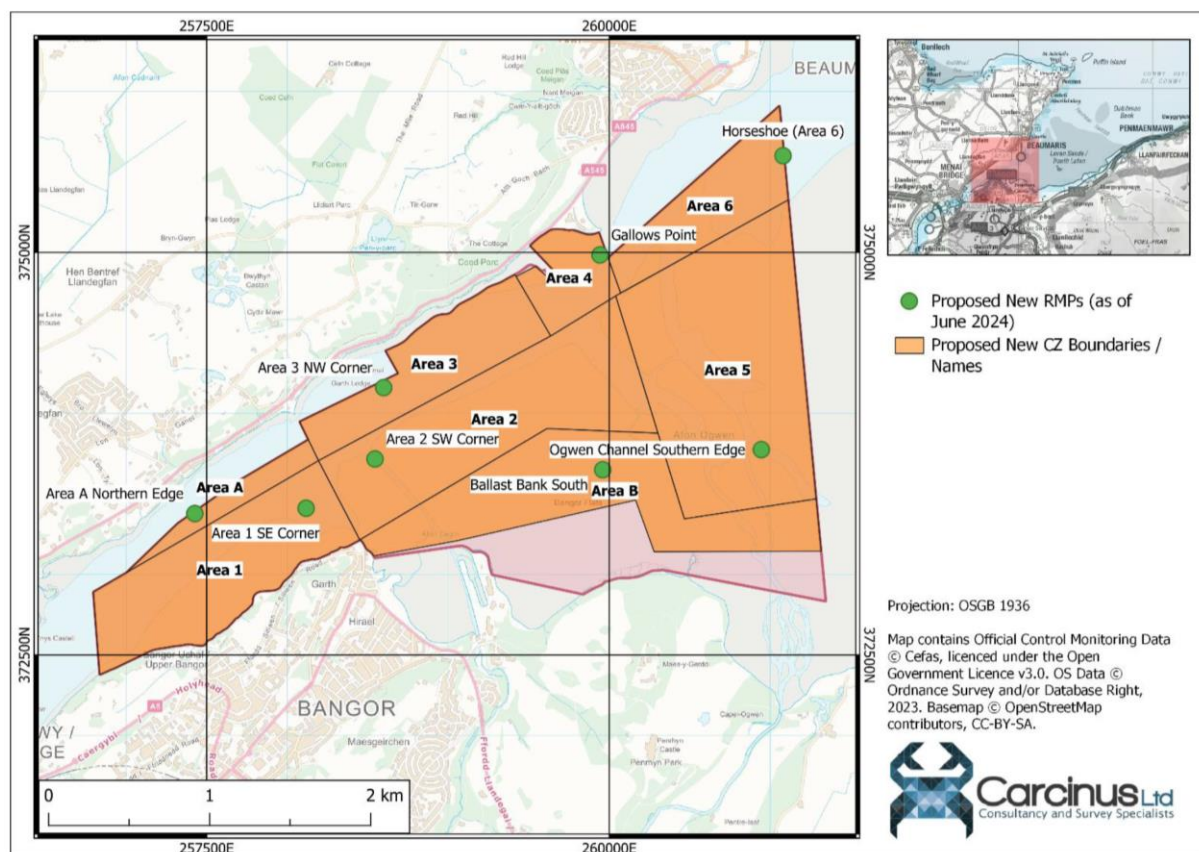


Figure 2: Map of the Eastern Menai Strait showing revised Representative Monitoring Points and Classification Zones.

⁵ This is available here: <https://www.carcinus.co.uk/environmental-services/water-quality-and-sediment-quality/sanitary-survey-reviews-may-2020-present/#>

- 2.8 Unfortunately, and despite these many changes, the result of a period of accelerated sampling of the new RMPs to classify the new CZs has not resulted in the anticipated improvement in classification from the new locations and sampling method. The time series of results from the old RMPs in 2024-25 and the new RMPs from November 2024-March 2025 are shown in Table 3 & Table 4 respectively. The outcome has been that all of the new CZs have been granted a “Class B”, and that the one unchanged CZ (Gallows Point) has retained its “Long Term B” classification.

Table 3: Shellfish sample results for old RMPs in the Eastern Menai Strait during 2024-25. Green shading indicates a result in the "Class A" range, yellow shows Class B, rose shows "Investigation State" results. Figures are numbers of E.coli / 100g of mussel flesh. Grey shading indicates no sample was collected. Data from Cefas website.

RMP	2024												2025		
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March
Beaumaris East	230	110		690	780	45	780	490	13000	4900	45	330	130	230	20
Cegin Channel	78	130		690	110	68	130	230	450	690	78	170	130	330	68
Craig-y-Don	1300	170		330	490	40	130	490	2300	780	110	78	330	130	20
Gallows Point	230	130		330	230	110	330	450	2300	780	18	45	230	230	45
Ogwen Channel	230			230	130	170	110	130	3300	490	20	330	170	330	78
West of Bangor Pier	45	170		230	780	130	110	1400	4900	4900	18	130	230	170	

Table 4: Shellfish sample results for revised RMPs in the Eastern Menai Strait during 2024-25. Green shading indicates a result in the "Class A" range, yellow shows Class B. Figures are numbers of E.coli / 100g of mussel flesh. Grey shading indicates no sample was collected. Data from Cefas website.

RMP	2024					2025						Classification 2025
	Nov	December				January				February	March	
	27th	4 th	12 th	19 th	30 th	7 th	15 th	22 nd	29 th	5 th	12 th	
Area A Northern Edge	230	490	450	780	110	2200	490	330	490	93	330	B
Area 1 SE Corner	330	230	230	1300	110	1300	330	330	330	130	490	B
Area 2 SW Corner	450	490	690	780	110	2300	270	330	1700	170	230	B
Area 3 NW Corner	780	490	220	270	45	780	170	230	330	45	330	B
Area B Ogwen Channel S Edge	690	490	2200	780	780	780	780	230	780	330	330	B
Area 6 Horseshoe	230	230	1300	780	330	1100	330	330	490	330	230	B
Area 5 Ballast Bank	780	330	130	780	1100	2300	230	230	330	1300	330	B
Gallows Point*	18	45				230				230	45	B-LT

* Note that the Gallows Point samples were taken by hand at low tide, and all other than March 2025 were taken on different dates to the other RMP samples.

3. Communications with FSA Wales

- 3.1 Over the past 12 months the mussel farmers in the Strait and MSFOMA have worked very closely with FSA Wales.
- 3.2 The period from December 2023 to March 2024 was characterised by the mussel farmers and MSFOMA instructing lawyers to challenge the FSA decision on shellfish classifications proposed for 2023-24. In March 2024 both parties agreed to try to work together constructively. The Director of FSA Wales, Nathan Barnhouse, visited Porth Penrhyn on 15th April to meet mussel farmers and MSFOMA representatives. This meeting was very constructive. On August 12th the Chair of the FSA, Professor Susan Jebb, and Rhian Jardine (FSA Board Member for Wales) also visited the Menai Strait to meet with mussel farmers and Professor Lewis LeVay for another very constructive discussion.
- 3.3 Between April 2024 and March 2025, FSA Wales have organised a series of fortnightly meetings with Association representatives. The key output from these discussions has been substantial and swift revisions to the Sanitary Survey and collaboration to expedite implementation of the revised Sanitary Survey.
- 3.4 Now that this period of work has been concluded it would seem appropriate for the Association to formally thank FSA Wales for working to expedite progress with the revisions to the Sanitary Survey and its implementation.

4. Local Action Group

- 4.1 No meetings of the Local Action Group for the Menai Strait have taken place since the last Association meeting.
- 4.2 The mussel farmers in the Menai Strait have been in regular dialogue with the Local Action Group to agree arrangements to allow for shellfish hygiene samples to be taken by shellfish farmers rather than the contractor currently used by local authorities around the Strait. This has allowed samples to be taken by dredge from cultivated areas when the tide is in, which is how mussels are gathered commercially.
- 4.3 Again, now that this new sampling regime has been put in place it would seem appropriate for the Association to thank the local authorities for their support and input into this process.

5. Wider context

- 5.1 The Classification of shellfish harvesting areas was considered in the recent report from the Chief Executive of the Food Standards Agency, Katie Pettifer, to her Board in March 2025⁶. Her report includes the following statement about shellfish harvesting areas.

“7. Classification of shellfish harvesting areas

7.1 Under its statutory responsibility to classify areas for the commercial harvesting of live bivalve molluscs, the FSA completed its Annual Review of Shellfish Classifications for England and Wales in late 2024, and in January 2025 for Northern Ireland. Classification outcomes in

⁶ Available here: <https://www.food.gov.uk/board-papers/chief-executives-report-to-the-board-6>

England and Wales were published on the FSA website on 2 December, and on 19 February for Northern Ireland.

7.2 Despite the application of maximum flexibilities, the classifications for several harvesting areas were downgraded for all or part of the year and the classification for some areas was withdrawn. In comparison, improvements in classification were limited. We work with local enforcing authorities responsible for hygiene official controls in areas affected by classification changes, who in turn liaise with local industry. The most recent review is indicative of greater instability in classifications and a general trend in deteriorating water quality.

7.3 Harvesting area classifications are also subject to review throughout the year as results are reported. The FSA and local enforcing authorities take action to manage any immediate risk to public health following any result reported above permitted classification limits. This is not only important for domestic consumers but supports trade, as a significant proportion of shellfish harvested in the UK is exported to other countries, with the EU being the major recipient. An EU audit of live bivalve mollusc production controls is scheduled for June 2025. The audit will look at how UK competent authorities are set up to deliver shellfish official controls and evaluate the official control systems in place.”

- 5.2 The Association’s attention is drawn to her update about downgrading of harvesting areas in paragraph 7.2 and the news about the EU audit of live bivalve mollusc production controls that is due to take place in June 2025.

MSFOMA Secretariat
April 2025

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.
2. That the Association considers whether it is appropriate for MSFOMA to respond to the Welsh Government consultation on Marine Licence exemptions.

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 were established to provide stakeholders with a forum for communicating and engaging with Welsh Government. They were disbanded several years ago, and at the same time the membership of the Welsh Marine Fisheries Advisory Group (WMFAG) was broadened and supported by ad-hoc "Task and Finish" groups. The most recent WMFAG meeting resolved to maintain this arrangement and to review its effectiveness in December 2020.
 - b) **Welsh Marine Fisheries Advisory Group (WMFAG)** - this group was established to assist with the formulation of appropriate policies, plans, strategies and laws relating to marine fisheries in Wales. Information about this group is now available from <https://beta.gov.wales/wales-marine-fisheries-advisory-group>. The most recent published WMFAG minutes were for the meeting on 15th September 2020 (published on 10th December 2020 [here](#)), which were reported and discussed previous MSFOMA meetings.
 - c) **Aquaculture Advisory Group** - this Group was established to help Welsh Government meet the targets that it set in the 2013 Wales Marine and Fisheries Strategic Action Plan for aquaculture production of 2,000t of finfish and 16,000t of shellfish by 2020. No meetings of this group have taken place recently. The most recent WMFAG meeting confirmed that the AAG has been "...suspended following poor attendance and dissatisfaction." WMFAG further resolved to remove a reference to the AAG from its own Terms of Reference "...as that sub-group was disbanded."

- d) **Ministerial Group for Welsh Fisheries (MAGWF)** - this group was created by Welsh Government in 2022. Information about this group is available from <https://www.gov.wales/ministerial-advisory-group-welsh-fisheries>. An update on recent meetings is provided below.

3. Ministerial Group for Welsh Fisheries (MAGWF)

- 3.1 MAGWF does not seem to have had a meeting since 7th November 2024, which the Chair attended and updated the December Association meeting about. A verbal update on any activity of this group will be provided at the meeting.

4. Consultations

- 4.1 There are no consultations currently open on the Welsh Government website that seem to have direct relevance to MSFOMA or to shellfish farming in the Strait.

5. Welsh Government Officials

- 5.1 The Chair and Secretariat have had some informal discussions with WG officials about organising a visit by the Minister to the Menai Strait. No other matters of significance have been discussed.

MSFOMA Secretariat
April 2025

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.
2. That the Association should note the NWIFCA response to our request to keep the need for a Morecambe Bay Mussel Management Plan on their agenda.

1. IFCA Meetings

- 1.1 Since the last meeting of the Association the NW-IFCA has held one quarterly meeting, on the 20th of March. The next quarterly meeting is scheduled for the 26th of June. Meetings of the Technical, Science and Byelaws (TSB) Sub-Committee took place on the 6th of February and the 6th of March (an extraordinary meeting to discuss the cockle fishery closed seasons). The next TSB meeting is scheduled for the 24th of May.

2. Changes to Byelaws

- 2.1 There are no proposals to alter any NWIFCA byelaws that may impact the mussel industry at its next meeting.

3. Morecambe Bay Mussel Management Plan

- 3.1 The opening of seed mussel beds to dredging has been controversial in recent years, and this has restricted access to the available resources. This was not a concern to Menai Strait mussel farmers in 2024, who were able to access a plentiful settlement of seed mussels at Caernarfon Bar last year.
- 3.2 Part of the difficulty opening seed mussel beds for dredging in the NWIFCA District has been caused by the absence of a clear policy framework that would guide IFCA officers and also frame the expectations of interested parties.
- 3.3 The Chair wrote to NWIFCA following discussions of this issues in September 2024. It is understood that there are signs of mussel settlement in Morecambe Bay already this year, and it would seem appropriate to make enquiries about the NW-IFCA plans for managing any seed mussel fishery in this part of its District this year.

MSFOMA Secretariat
April 2025

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. An application for renewal of this Fishery was submitted to Welsh Government in 2013. 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. The Association worked with local stakeholders to address these concerns, and good progress was being made until late 2019 when WG officials indicated that concerns about cultivation of Pacific Oysters had arisen. Since that date the Association has been working with the shellfish farmers in the western Menai Strait and scientists from Bangor University to try to address these concerns.

Over the past two years this area of work has been halted because of the issues associated with Pacific oysters, and in particular the absence of a clear policy on this matter.

This report repeats a review of the information relating to this issue presented to the last meeting so that the Association, largely for information with regard to the following agenda item about the Association's future direction and strategy.

Recommendations

1. That the report is received
2. That the Association should determine how it wishes to proceed with this application.

1. Context

- 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. An application for renewal of the Order was submitted to Welsh Government by MSFOMA in 2013.
- 1.2 After a series of discussions with Welsh Government officials, a draft Fishery Order was published for consultation in 2015. This consultation generated many objections from the local community. The Association worked closely with the objectors during the period 2015-17 to allay and address their concerns. In July 2017 the Chair of the Association wrote to the Cabinet Secretary to ask her to determine the application for the Fishery Order.
- 1.3 At the March 2019 meeting of the Association, it was reported that the Minister for Energy, Planning and Rural Affairs Lesley Griffiths AM had made a commitment to complete the process for making a new Menai West Fishery Order by August 2019.

- 1.4 At the Association meeting in September 2019 WG officials indicated that they were working with lawyers to determine the conditions that would be associated with the Fishery Order. It was anticipated that this would meet the December 2019 deadline proposed by the Minister.
- 1.5 In November 2019 WG officials provided some informal feedback from their legal advisors concerning a condition that could be included in the Order, requiring that Ministerial consent was given for leases before they were issued. This proposal was discussed at the last MSFOMA meeting and considered to be consistent with the approach set out in the 2015 Draft Order.
- 1.6 At the December 2019 Association meeting some concerns were raised by WG officials about the mitigation approach for Pacific oysters. Subsequently this has become the key obstacle to progress for the Order. A review of efforts to overcome this obstacle is provided below.

2. Pacific Oysters

- 2.1 Welsh Government has been working since 2019 to determine an appropriate approach to managing and mitigating the risk of Pacific oysters (*Crassostrea gigas*) from cultivation areas in Wales becoming established in the wild as “feral” oysters.
- 2.2 MSFOMA representatives discussed these risks with WG and NRW officials between December 2019 and July 2020. In July 2020 it was reported that WG Science have produced a draft desk study (“Pacific Oyster Review”) of the situation in the Menai Strait, assisted by the University of Bangor. This review was intended provide the evidence base for informing the Habitat Regulations Assessment (HRA) of leases for Pacific oyster cultivation in the Strait. The Review has not yet been published for released.
- 2.3 Welsh Government reported to the Secretariat in March 2021 that they had made no further progress with this issue and had been focussing their resources on the Fishery Order in the eastern Menai Strait.
- 2.4 To make some progress with this issue, the Chair and Secretariat convened a series of meetings starting in January 2021 involving the prospective oyster farmers from the western Menai Strait and scientists from the Marine Centre in Menai Bridge. This collaboration resulted in the production of a report entitled “*Current status of the Pacific oyster, Crassostrea (Magallana) gigas, in the Menai Strait, spawning potential and potential mitigation using triploid oysters*” that was presented at the June meeting of the Association.
- 2.5 The report provided answers to the key concerns about Pacific Oysters in the Strait. In brief, the existing population of feral oysters is dwindling; there appears to be very little risk at present of the diploid oyster cultivation giving rise to a “feral” population in the area; and any risk can be essentially eliminated by using triploid oysters.
- 2.6 It was agreed at the June 2022 meeting of the Association that the Welsh Minister should be sent a copy of this report and invited to resume progress with the Fishery Order for the western Menai Strait. A copy of the letter sent to the Minister is attached at Annex A of this report. Her response is included at Annex B, with a reply from the Chair attached at Annex C, and the Minister’s response at Annex D.

- 2.7 Later in 2022 the Chair asked the newly formed MAGWF group to consider the issue of Pacific Oyster cultivation. He subsequently gave a presentation about this issue summarising the findings of the research outlined above to MAGWF. WG officials indicated that the Minister would be making a Statement to define her policy on this issue. This was not possible before the change in Minister.

3. Next steps

- 3.1 Since this issue was last discussed by the Association it has been agreed that we should seek to reduce costs. Work on the Menai Strait (West) Fishery Order generates no income for the Association, and this is unlikely to change unless and until Welsh Government agree a new policy for Pacific oyster cultivation. The Association consequently halted work on this Fishery Order in December 2022 to await an announcement on this issue.
- 3.2 The Association is invited to consider whether it is appropriate to review the decision taken 2 years ago to suspend work on this project. It would seem appropriate, at the very least, to remind the Minister that we have been waiting for nearly 2 years for some policy guidance on this matter and that this delay has consequences for shellfish farmers here and elsewhere in Wales.

MSFOMA Secretariat
April 2025

Annex A: Letter sent by Chair of MSFOMA to Minister for Rural Affairs & North Wales, July 2022

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

Lesley Griffiths, MS
Minister for Rural Affairs and North Wales, and Trefnydd
Welsh Government
Cardiff Bay
Cardiff
CF99 1NA

25th July 2022

By e-mail

Dear Minister

Menai Strait (West) Fishery Order Application: Update

I am writing further to our correspondence about this Fishery Order application from 2019. At that time you were optimistic that a new Fishery Order would be in place by the end of 2019. Unfortunately no progress has been made since then due to issues around the proposed cultivation of Pacific Oysters and prioritising available resources to the making of the new eastern Menai Strait Order. We are writing to you again because we are optimistic that following the successful creation of the new Fishery Order in the eastern Menai Strait and some recent research in the western Menai Strait, it is now possible for you to make progress with the Western Menai Strait.

The key obstacle to progress with the proposed new Fishery Order in the western Menai Strait since 2019 has been concern about the risk that Pacific Oysters cultivated in the western Menai Strait could support a “feral” population of Pacific Oysters that would impact the marine environment.

In response to this concern, MSFOMA has been working with scientists from the University of Bangor to improve our understanding of the risks posed by Pacific Oysters in the Menai Strait. We have also investigated how these risks might be mitigated. This resulted in a detailed report, attached here.

During May 2022 we held a meeting that was attended by your officials to present the findings of this research. The key points to note are that:-

1. There is no evidence that historic or current cultivation of Pacific Oysters in the Menai Strait over a period of 30 years involving millions of oysters has resulted in an invasive population of “feral” oysters becoming established in the area.
2. The abundance of feral Pacific Oysters has not changed appreciably since they were first recorded in the area some 27 years ago.
3. The temperature regime in the Menai Strait only rarely provides suitable conditions for both spawning activity and larval recruitment.
4. The already low risk of a feral oyster population become established in the area can be made a negligible risk by cultivating triploid Pacific Oysters, which are functionally sterile.

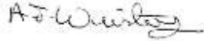
It is our understanding that throughout the UK there is a delay in authorising new areas for Pacific Oyster cultivation because there is a national UK policy vacuum on this issue. This is a particularly grave concern in the post-Brexit shellfish marketplace, where the only buoyant sector is for Pacific Oysters. We believe that the current Welsh Government policy of assessing each application to cultivate Pacific Oysters on a case by case basis is both appropriate and pragmatic and provides the basis for progressing the western Menai Strait application. The experience gained by everyone involved through the successful making of the eastern Menai Strait Order, particularly the Habitats Regulation Assessment process, will also enable our limited resources to be used effectively.

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

Can we therefore ask you to build on the foundations that you have laid in the eastern Menai Strait and show the rest of the UK how the Welsh Government is supporting its shellfish farmers by authorising your officials to work with us to progress this Fishery Order application?

This Fishery Order provides you with an opportunity to do more for the Welsh shellfish farming sector than any of your predecessors. We very much hope that you will take this opportunity and we look forward to working with you and your officials on this new Order.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA
Encs.

Annex B: Reply to MSFOMA from Minister for Rural Affairs & North Wales, July 2022

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref LG/00435/22

Dr Jim Andrews

info@msfoma.org

17 August 2022

Dear Dr Jim

Thank you for your letter of 25 July, regarding the Menai Strait (West) Fishery Order application, in which you raise the issue of the cultivation of Pacific oysters (PO) in Wales.

I recognise the importance of the cultivation of PO to the aquaculture sector. I am also aware of the concerns about the risks of cultivating PO and the possible impacts on the marine environment.

My officials are considering the latest evidence, including the Bangor University Shellfish Centre report, about the cultivation of PO in Wales and other parts of the UK. This will inform future decision-making about the use of PO in Wales and will be discussed with my stakeholder advisory group.

Yours sincerely,

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Annex C: Reply to Minister for Rural Affairs & North Wales from MSFOMA,
September 2022

Menai Strait Fishery Order Management Association

Port Penrhyn, Bangor, LL57 4HN

Lesley Griffiths, MS
Minister for Rural Affairs and North Wales, and Trefnydd
Welsh Government
Cardiff Bay
Cardiff
CF99 1NA

8th September 2022

Your Ref: LG/00435/22

By e-mail

Dear Minister

Menai Strait (West) Fishery Order Application: Update

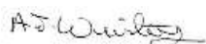
Many thanks for your letter of 17th August responding to the report that we had sent to you in July concerning Pacific Oyster cultivation in Wales.

We are pleased to hear that your officials are considering this and other evidence about the cultivation of Pacific Oysters in Wales. We note that in your response you refer to your “...stakeholder advisory group” and indicate that this group is due to be discussing Pacific Oyster cultivation.

On behalf of our Association, can I enquire when this advisory group is due to meet, and also if it would be helpful for us to organise a presentation of the findings of our work to the group to facilitate their discussions of this important matter.

We very much look forward to hearing from you and further collaboration to build on the successful work that you and your officials have already achieved in the eastern Menai Strait.

Yours sincerely



ALAN WINSTONE
Chair, MSFOMA
Encs.

Annex D: Reply from Minister for Rural Affairs & North Wales to MSFOMA, October 2022

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref LG/00548/22

Dr Jim Andrews
MSFOMA Secretariat
Menai Strait Fishery Order Management Association
info@msfoma.org

14th October 2022

Dear Alan,

Thank you for your letter of 8 September, regarding the Menai Strait (West) Fishery Order application.

I welcome your offer to present the findings of your work regarding pacific oysters at an upcoming meeting of the Ministerial Advisory Group for Welsh Fisheries to help facilitate discussions.

I understand the next meeting of group will be held in the coming weeks. My officials will be in touch to provide further details.

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Future Direction & Strategy for the Association

Background

The Association was established in April 2010 with the single purpose of acting as the Grantee for the Fishery Order in the eastern Menai Strait, taking over this role from the old North Western and North Wales Sea Fisheries Committee.

Over the past 15 years the Association has managed the Fishery Order in the eastern Strait effectively and efficiently, and has also progressed several other projects to address challenges faced by the shellfish farming industry, notably an application for a new Fishery Order in the western Menai Strait; the renewal of the Fishery Order in the eastern Menai Strait; and expediting the revision of the Sanitary Survey for the Menai Strait.

The Association has also participated in various scientific projects addressing issues such as water quality and the cultivation of Pacific oysters; and it is encouraging community-led environmental projects through the Menai Strait Partnership Forum that the Association founded in collaboration with North Wales Rivers Trust.

Further challenges lie ahead for the shellfish farmers in the Strait and for the Association itself. The purpose of this paper is to encourage discussion of these challenges and to consider how the Association can continue to nurture shellfish farming in the Strait.

Recommendations

1. That the report is received.
2. That the Association discuss and consider options for determining the future direction and strategy of the Association.

1. Context & ideas

- 1.1 The challenges faced by shellfish farmers in 2025 are very different to the challenges that they faced in 2010, or indeed in 2020. The single biggest change in the past 15 years occurred on 1st January 2021 when the UK left the EU and subsequently when the seasonal A/B classification was lost. At that moment the Menai Strait lost the access to EU export markets that was fundamental to the success of high volume mussel production in the Strait.
- 1.2 The past few years have been a period of adjustment for the shellfish farmers in the Strait. They have trimmed their costs: there is now just one mussel dredger in Port Penrhyn instead of three. They are also developing shoreside facilities for depurating mussels so that they can be sold directly to UK and domestic markets.
- 1.3 It is appropriate to consider the future direction and strategy for the Association in this context. There seem to be several avenues that the Association could pursue, with the aim of providing better conditions and alternative options for shellfish farmers in the Strait. These may include:-

- a) **Environmental improvement** – the Association’s composition and constitution positions it very well for encouraging water quality improvements that should result in better shellfish hygiene classifications; however it should be noted that this is a medium to long term prospect. Options here would include:-
- i. **Direct engagement with Dŵr Cymru & Natural Resources Wales** – both organisations are already MSFOMA participants, and all share a goal of better environmental quality, so this is an obvious option. This would seem to fit well with the recent Dŵr Cymru call for “*less concrete, more nature*” to drive river improvements at an event they organised with Wildlife Trusts Wales and Afonydd Cymru⁷. This commitment appears to be lined to an investment of £2.5 billion of the next 5 years for nature-based water cleansing.
 - ii. **Promoting further research** – Bangor University have done a lot of work to look at water quality and sources of pollution in the Strait in recent years, and further research could help to guide and inform investment decisions by Dŵr Cymru. MSFOMA could work with the University, NRW and Dŵr Cymru to promote such research.
 - iii. **Community engagement / lobbying** – activities such as helping to set up and sustain the Menai Strait Partnership Forum would help to raise awareness and support for the investment needed to improve water quality.
- b) **Diversification** – the success of the eastern Strait has been built on large volume mussel production. There are opportunities for diversification in the Strait, which could include:-
- i. **Switching to oysters** – the Menai Strait (East) Mussel and Oyster Fishery Order 2022 allows for the possibility of cultivating oysters as well as or instead of mussels in the Strait. This would be a new departure and holds challenges of its own, but it could provide an alternative revenue for shellfish farmers.
 - ii. **Reinstating Menai West** – the Fishery Order in the western Menai Strait lapsed in 2008, and efforts to reinstate it have run into the sand. This area does, however, have a track record of mussel and oyster production that could be reinstated. Again, this would be a significant challenge, and the fact that no progress has been made with this initiative for 10 years has to be taken into account.
 - iii. **New areas** – if water quality issues mean that the eastern Strait is no longer viable as a cultivation area, it may be appropriate to work with Welsh Government, scientists and shellfish farmers to identify and trial alternative farming locations with better water quality.
- c) **Marketing** – food from some areas has a cachet and identity that promotes demand and this demand benefits producers. Oyster farmers in south Wales have recently registered “*Pembrokeshire Rock Oysters*” as a protected food name with protected geographical indication⁸. Doing a similar thing for

⁷ Information here: <https://corporate.dwrcymru.com/en/news-media/2025/welsh-water-call-for-less-concrete-more-nature>

⁸ Read all about it here: <https://www.gov.uk/protected-food-drink-names/pembrokeshire-rock-oysters>

“Menai Strait Mussels” would seem to be a relatively accessible short-term option that would support industry initiatives such as onshore mussel depuration.

- 1.4 There are undoubtedly countless other and alternative options, and it would be good to consider these and how the Association may proceed.

MSFOMA Secretariat
April 2025