

Menai Strait Fishery Order Management Association

Meeting, 19th September 2024
Teams Video Conference Call

Minutes

Attendance

Members

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

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

Observers

Michael Thomas
Howard Mattocks
Rowland Sharp
Trevor Jones
Nia Jones
Emily Payne
José Constantino
Oisín Lowe-Sellers

Ynys Môn County Council
Beaumaris Town Council
Natural Resources Wales
Menai Strait (West) Applicants
North Wales Wildlife Trust
Dŵr Cymru / Welsh Water
Welsh Government
Menai Strait Partnership Forum

Advisors

Jim Andrews*

MSFOMA Secretariat

Notes

** These individuals are also Directors of the Association*

1. Chair's announcements

The Chair welcomed everyone to the meeting.

2. Apologies

Alex Scorey
Euryan Roberts
Julian Bray
Michelle Billing
Rob Floyd

Natural Resources Wales
Natural Resources Wales
Welsh Government
Welsh Government
Welsh Government

The Chair asked the Secretariat to make further enquiries about representation from Bangor City Council and 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 18th of April 2024 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 April meeting that were not formally addressed on the agenda were discussed:-

Letter to new Minister

It was noted that a letter had not yet been sent to the new Fisheries Minister to introduce MSFOMA. It was agreed that this would be appropriate.

Action: Secretariat

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 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 around 60-70% complete, and he would welcome input from MSFOMA participants. All offered to assist as necessary.

Action: Rowland Sharp

José Constantino confirmed that Welsh Government is still working to develop its policy on Pacific Oysters, based on evidence from its advisors.

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. Performance against the current financial plan was discussed. It was noted that expenditure had been greater than planned as a result of contributions to the cost of taking legal advice in the challenge of the FSA decision to change the shellfish hygiene classification of Area 2. At the same time, income has benefitted from the Welsh Government grant provided to support participation by MSFOMA in the Menai Strait Partnership Forum.

At the end of the past quarter the Association's bank reserve was £14,617, which is greater than the target reserve of £10,000 set in the Financial Plan.

8. Shellfish hygiene

The Chair introduced the report on shellfish hygiene classifications in the Menai Strait, which are critical to the financial 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. The decision not to proceed with this action and instead to take up the offer from the Director of FSA Wales (Nathan Barnhouse) to work closely together has been successful.

Following Mr Barnhouse's visit to Port Penrhyn in April, FSA officers have met with the Chair and Secretariat regularly. Good progress has been made with the ongoing "Sanitary Survey". This was now ready for publication pending agreement from Cyngor Gwynedd and Ynys Môn County Council to allow delegated sampling by suitably qualified industry personnel. The key changes that had been made in the past few months included a revision of "Classification Zone" boundaries; moving all of the "Representative Monitoring Points" (RMPs); and agreement from the FSA that the Official Control Samples could be taken by fishing industry.

Having made all of these changes, the FSA and Cefas have concluded that for five of the eight new RMPs the sampling time series should start afresh. A new "provisional" classification will supersede the existing shellfish hygiene classification for these sites once 10 samples have been gathered at weekly intervals.

The Secretariat reported that although these changes addressed most of the key issues that MSFOMA had raised, 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. It was agreed by the meeting that it did not seem appropriate to continue time series for RMPs that are separated by such a large distance. The Chair and Secretariat agreed to press the FSA and Cefas over this issue.

Action: Chair & Secretariat

James Wilson confirmed that all of the information requested by local authorities to allow industry sampling had been provided. There had been no feedback or confirmation for over 2 weeks. It was noted that this delay could diminish the benefit of agreeing the new Sanitary Survey because of the need to gather 10 samples before the new provisional classification was in place. Lewis LeVay confirmed that although samples gathered with dredges still showed occasional high results, the E.coli levels detected in samples taken by dredge at high water were generally lower than those detected in samples taken by hand at low water.

The Chair asked Ioan Thomas if he would be happy to make enquiries among officers at Cyngor Gwynedd to see if there as any fundamental problem and to try to expedite progress. Cllr Thomas agreed to do this.

Action: Chair & Cllr Thomas

It was noted that the delays in reviewing the Sanitary Survey had hindered the introduction of this new regime. The Sanitary Survey had been written by independent

consultants, Carcinus Ltd, and the most recent draft still contained errors. FSA had indicated to the Chair and Secretariat that they did not have sufficient budget available to pay for the Sanitary Survey to be revised. All felt that this was a serious issue, and that uncorrected errors in the current report could be accepted as facts in the future. It was agreed that the FSA should be asked to ensure that the report was accurate.

Action: Chair, Secretariat

The meeting discussed the high E.coli results that had been detected in the September samples taken in the Menai Strait. The high values at two sites (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 by the 26th of September 2024. The Chair had drafted an initial response, noting that rainfall had been very high on the 2nd September and that at least two of the Combined Sewage Outfalls around the Strait had discharged untreated effluent on that day. All were asked to provide any additional information to the Chair so that this submission could be finalised and submitted.

Action: All

Lewis LeVay noted that the high result for Beaumaris East (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. It was agreed that this issue should be raised with the Chair of the FSA, Professor Susan Jebb.

Action: Chair, Secretariat

Concerns were raised about the lack of any follow-up sampling after the high results recorded in September. It was noted that although taking follow-up results was not mandatory for the E.coli levels that had been detected, such samples would provide vital additional information and could better protect public health.

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.

The Chair reported that the Ministerial Advisory Group for Welsh Fisheries (MAGWF) had met in April and July. He had been unable to attend, and has subsequently made arrangements so that Trevor Jones can attend when he is unavailable. No items of direct relevance to MSFOMA have been discussed at the two recent meetings. The main item considered at the last meeting was the proposal for an all-Wales Cockle Regulating Order to allow for better management of that fishery outside the Dee Estuary and Burry Inlet (which are already managed under Fishery Orders).

José Constantino informed the meeting that the Ministerial Statement on a strategic approach to fisheries and aquaculture had not been released before the new Cabinet

Secretary for Rural Affairs, Huw Irranca-Davies had taken up his post. The Statement would be released once it had been updated to reflect current priorities.

11.NW IFCA Activity

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

Trevor Jones, has been appointed to NWIFCA, reported that there were some small areas of seed mussels within the NWIFC District that could have been fished this year but which were not opened to fishing. He felt that in the absence of a clear policy direction the NWIFCA science team were not being proactive with respect to the seed mussel fishery.

Trevor Jones indicated that he was due to attend the NWIFCA TSB and quarterly meetings next week and would try to foster a more proactive approach and better relations.

It was agreed that it would be appropriate to write to NWIFCA again to ask that consideration is given to developing the Morecambe Bay Mussel Management Plan.

Action: Chair & Secretariat

12.All Party Parliamentary Group: Shellfish Aquaculture

It was reported that the APPG had last met in March and had been due to consider shellfish hygiene at its next meeting. This plan had been disrupted by the results of the General Election in July when many of the APPG members had lost their seats. It was understood that work was underway to try to re-constitute the group.

Updates will be provided at future MSFOMA meetings.

Action: JW, Secretariat

13.Menai Strait East Fishery Order

No further update.

14.Menai Strait West

It was noted that 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.

Detailed submissions had been made by MSFOMA to Welsh Government on this issue in 2022. It was understood that the policy position in other parts of the UK was to decline permission for Pacific oyster farms in areas where there is no evidence of a feral population but to be less precautionary if there is evidence of feral oysters.

It was agreed that it would be appropriate for a report to be discussed at the next MSFOMA meeting that would consider current information on the status of feral Pacific oysters in the Strait and the policy position in Wales and the rest of the UK.

Action: Secretariat

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.

Oisin 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. MSPF is using a mixture of traditional awareness raising events including river and habitat surveys, meetings with user groups and litter cleanups; as well as innovative new approaches including citizen science and promoting the “#LovetheMenai” campaign on social media.

All welcomed the work that Oisin had carried out. The Chair noted that the project was half way through its period of funding and that a focus would need to be placed on securing further funds to enable progress to be maintained.

The next meeting of the MSPF Advisory Group is due to take place later on the 19th of September. The next public Forum meeting will be held at the Marine Centre Wales on 15th October 2025 at 1830.

The Chair and Secretariat agreed to work with NWRT to progress the work of MSPF and report back to future MSFOMA meetings.

Action: Chair, Secretariat

16. Fishery Management Issues

a) 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).

b) 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.

18. Dates for next meetings

Meeting dates were agreed for 2024:-

- a. 12th December 2024 [also AGM] (in person, not virtual)

Lewis LeVay offered to check that the Conference Room in Marine Centre Wales was available for the December meeting.

Summary of Actions

Item	Action	Responsibility
1.	Contact Bangor City Council to confirm representation at MSFOMA meetings.	Secretariat
2.	Contact RYA Cymru to confirm representation to replace Ruth Iliffe.	Secretariat
3.	Sand in Dock – keep under review.	James Wilson & Secretariat
4.	Pacific oysters – inform MSFOMA about progress with policy development work.	Rowland Sharp
5.	Update MSFOMA website to include more information about the work of participants.	All, Secretariat
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 – encourage FSA to ensure that the Sanitary Survey includes amendments to ensure that it is accurate.	Chair, Secretariat
8.	Shellfish hygiene – Ioan Thomas to enquire with Gwynedd EHOs about delay implementing delegated sampling proposal.	Chair, Secretariat & Ioan Thomas
9.	Shellfish hygiene – submit comments to Chair and Secretariat to inform response to Investigation State for the high September results at Beaumaris East and West of Bangor Pier RMPs.	All
10.	Shellfish hygiene – write to Chair of FSA to thank her for visiting Menai Strait and raise appropriate technical issues (such as the threshold for statistically anomalous results) with her.	Chair, Secretariat
11.	Write to new Cabinet Secretary for Rural Affairs to introduce MSFOMA and its work.	Chair, Secretariat
12.	NWIFCA – write to CEO to thank him for visiting and to encourage a clearer approach to the “mussel mud” part of the ephemeral mussel bed definition.	Secretariat
13.	APPG – provide update on progress to next meeting.	JW, Secretariat
14.	Menai West – update on status of feral oysters in the Strait and policy developments in the rest of UK to be reported to next meeting.	Secretariat
15.	Work with NWRT to progress the Menai Strait Partnership Forum and report back.	Chair & Secretariat
16.	<i>Crepidula fornicata</i> – look out for slipper limpets and report sightings of any shells / individuals.	All
17.	Date for next meeting – 12th December 2024	All