

Menai Strait Fishery Order Management Association

Agenda & Papers- 20th September 2023 Association Meeting

1. Chair's announcements
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4. Minutes of last meeting ([attached](#))
5. Matters Arising
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12. All Party Parliamentary Group: Shellfish Aquaculture (verbal)
13. Menai Strait East (verbal)
14. Menai Strait West Fishery Order (verbal)
15. Menai Strait Partnership Forum (verbal)
16. Fishery management issues
 - a. Coastal / marine developments
 - i. Bangor Pier
 - ii. Sand in the dock
 - b. Environmental / health issues
 - i. Shellfish hygiene classifications
 - ii. *Bonamia* in the western Strait
 - iii. Non-native species
17. Any Other Business (verbal)
 - a. Correspondence
18. Proposed dates for next meetings:-
 - a. 14th September 2023 (2 weeks after the end of Summer holidays)
 - b. 14th December 2023 [AGM]

Menai Strait Fishery Order Management Association

**Meeting, 27th April 2023
Zoom Video Conference Call**

Minutes

Attendance

Members

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

Chair
Bangor Mussel Producers Ltd
Myti Mussels Ltd
Bangor University

Observers

Alex Scorey
David Salisbury
José Constantino†
Nia Jones
Rowland Sharp
Ruth Iliffe

Natural Resources Wales
Ynys Môn County Council
Welsh Government
North Wales Wildlife Trust
Natural Resources Wales
Royal Yachting Association Cymru

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, and in particular Dave Salisbury, the new Harbour Master for Beaumaris, who had replaced Iwan Huws as the representative of Ynys Môn County Council.

2. Apologies

Howard Mattocks
Ioan Thomas
Iwan Huws
Julian Bray
Michelle Billing
Rob Floyd
Trevor Jones

Beaumaris Town Council
Cyngor Gwynedd
Isle of Anglesey County Council
Welsh Government
Welsh Government
Welsh Government
Menai Strait (West) Applicants

3. Declarations of Interest

The Chair asked participants in the meeting to declare any interest in each agenda item before speaking.

4. Minutes of last meeting

The minutes of the meeting that took place on the 14th of December 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 December meeting that were not formally addressed on the agenda were discussed:-

Thanks to Iwan Huws

Jim Andrews had written to Iwan to thank him for the support that he had given the Association over the past few years.

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

There had been no change to the Bonamia designated area, nor did this seem likely.

Water quality

This matter was due to be discussed under item 8 on the agenda.

Public Profile of the Association

James Wilson noted that the article on The Fish Site had now been published and that the link should be circulate as well as linked to the MSFOMA website.

The link is here: <https://thefishsite.com/articles/menai-strait-mussel-farmers-fear-for-their-livelihoods-brexit>

It was suggested that the MSFOMA website would benefit from updates to better link to the work of participants, and all agreed to provide links to relevant items that could be promoted either on the website or through the MSFOMA Twitter account.

Action: All, Secretariat

Menai Strait West

The Chair had raised the need to make progress with Pacific Oyster cultivation at the Ministerial Advisory Group.

An update had not been sent to the prospective tenants of the Order. It was agreed that this should be done.

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.

The Secretariat reported that this page has been updated with new photographs following the last meeting of the Association.

7. Financial Update

The meeting accepted the report that had been submitted about the Association's finances. Performance against the current financial plan was noted. It was noted that the recommendations of the report needed to be updated.

Action: Secretariat

8. Water quality

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 Association welcomed and endorsed the Chair's response to the "Action State" that had been triggered by a higher than normal level of *E. coli* in a mussel sample taken from the Cegin Channel in December 2022.

It was noted that several representatives from the Association attended a meeting of the "Local Action Group" of local authority Environmental Health Officers (EHOs) that took place on the 22nd March 2022. This meeting had provided the opportunity to stress the importance of shellfish quality and the efficient operation of the sampling regime with the EHOs and representatives of the Food Standards Agency (FSA) that were in attendance.

At the meeting in March the FSA representatives had stated that a draft of the new "sanitary survey" for the Strait should be available within 2 months. It was felt that this would be a key document for improving shellfish sampling results.

It was agreed that there was a role for MSFOMA to play in seeking improvements to the shellfish sampling regime in the UK. It was felt that this should be complementary to the actions already being taken by other groups. Key areas that MSFOMA could address would be progressing the new sanitary survey, encouraging the LAG to respond appropriately to anomalous high shellfish sampling results, and perhaps encouraging the Minister to take an interest in this issue.

It was agreed that a group of MSFOMA participants should meet to discuss how to use MSFOMA's role and remit to best effect in encouraging improvements in water quality and shellfish sampling. Lewis Le Vay and James Wilson agreed to work with the Chair and Secretariat on this matter.

Action: Chair, Lewis le Vay, James Wilson, Secretariat

9. 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. Andy was constantly looking for fresh news to Tweet, anyone with suitable items could e-mail them to him (avdsolivier@gmail.com).

Action: All

10. Welsh Government Activity

The Secretariat's report was noted and received.

The Chair informed the meeting that he had attended another meeting of the new Ministerial Advisory Group for Welsh Fisheries (MAGWF). He had presented a paper to the meeting about the challenges facing Pacific oyster cultivation in Wales. He had highlighted in particular how progress with shellfish cultivation in the western Menai Strait has stalled despite lots of work by MSFOMA and the shellfish industry over many years.

Gareth Bevington, Deputy Director for Marine & Fisheries, had agreed to propose a way forward to the next meeting.

Lewis Le Vay indicated that the Shellfish Centre report about Pacific oysters in the Strait provided a firm evidence base, and that this is now a policy issue for Welsh Government to determine. It was appropriate to raise this matter with the Minister.

The Chair agreed to provide an update on progress with this issue at the next MSFOMA meeting.

Action: Chair

11. NW IFCA Activity

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

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

Action: Secretariat

James Wilson noted that NWIFCA scientists were carrying out seed mussel surveys in Morecambe Bay. After several years of both poor recruitment and survival of seed mussels it was hoped that this year would be better and that NWIFCA would act expeditiously to allow access to it by both hand gatherers and dredgers.

12. All Party Parliamentary Group: Shellfish Aquaculture

James Wilson reported that the most recent meeting of this group had taken place on the 15th March in Westminster Hall and online. There had been good attendance, with 18 MPs present along with a wide range of industry representatives participating.

James felt that this APPG provides a very good forum for raising issues of concern and building engagement of MPs.

Meetings of the APPG are ongoing. Updates will be provided at future MSFOMA meetings.

Action: JW, Secretariat

13. 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.

14. Menai Strait West

The report was accepted. The meeting acknowledged that the sticking point with the proposed new Fishery Order was the absence of a policy for managing Pacific oysters, already discussed in the context of the new Ministerial Advisory Group above.

It was agreed that in the light of the decisions of funding of the Association, the Chair and Secretariat should provide a progress update to the potential tenants of the Menai West area, and also inform them that unless and until a policy for managing Pacific Oysters is in place, MSFOMA will not be carrying out further work on the proposal.

Action: Chair & Secretariat

15. Menai Strait Partnership Forum

The Chair and Secretariat provided an update on the creation of a new “Menai Strait Partnership Forum” (MSPF) in collaboration with the North Wales Rivers Trust, and using funding from the Welsh Government’s Coastal Capacity Fund.

The key achievements of this project to date had been the creation of a website highlighting concerns about water quality and a meeting of the Partnership Forum on the 23rd March. This meeting was a great success, with 66 delegates attending to hear presentations from 7 speakers.

The Chair and Secretariat had been working with NWRT to identify how to build upon this enthusiasm. It was expected that terms of reference will be drawn up to provide clarity on the relationship between the Forum and its membership, and that will also provide a platform from which to secure further funding that would help to develop the Partnership and drive improvements in water quality. The Secretariat shared a copy of a draft partnership agreement for feedback.

Nia Jones shared her view that the meeting in March had been very positive. She felt that an appropriately founded organisation could be a good vehicle for attracting funding.

Ruth Iliffe suggested that it would be good to include the Personal Watercraft Partnership in the Forum. She agreed to provide contact details.

Action: Ruth Iliffe

Rowland Sharp agreed that it was important for the Partnership Forum to have clear terms of reference if it is to secure wide engagement.

The Chair and Secretariat agreed to work with NWRT to progress this initiative and report back to future MSFOMA meetings.

Action: Chair, Secretariat

16. Fishery Management Issues

1. 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).

2. 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)

Nia Jones reported that North Wales Wildlife Trust has been providing species ID training as part of the Shoresearch Intertidal surveys project. She asked if there were areas in the Strait or on the Anglesey and Gwynedd coasts which it could be useful to target for IAS. All were asked to advise Nia of any suitable locations that they knew of.

Action: All

As a standing item, all were asked to be alert to the presence of slipper limpets (*Crepidula fornicata*) and to report any observations to NRW.

Action: All

iv. Norovirus

No further update.

17. Any Other Business

a) Correspondence

No additional correspondence had been received.

b) Website

It was suggested that the MSFOMA website could benefit from providing more information about the research work (PhDs & MSCs) that have been funded by the shellfish farmers. It was also suggested that better linkage with the Shellfish Centre website and reports would also be helpful.

Action: Secretariat

18. Dates for next meetings

Meeting dates were agreed for 2023:-

a. 14th September 2023 (virtual) Updated to **20th September**

b. 14th December 2023 [AGM] (in person)

Summary of Actions

| Item | Action | Responsibility |
|------|--|---|
| 1. | Sand in Dock - keep under review. | James Wilson & Secretariat |
| 2. | Update MSFOMA website to include more information about the work of participants. | All, Secretariat |
| 3. | Menai West - advise potential tenants that work on proposal will be halted until the Pacific Oyster stalemate is resolved. | Chair & Secretariat |
| 4. | Group of MSFOMA participants to work together to determine best strategy for MSFOMA to influence local / national agenda on water quality and shellfish hygiene. | Chair, Lewis Le Vay, James Wilson, Secretariat. |
| 5. | Social media - all to send any items suitable for the MSFOMA Twitter feed to Andy Olivier (avdsolivier@gmail.com). | All |
| 6. | Circulate link to, and promote, article on The Fish Site about mussel cultivation in the Strait (https://thefishsite.com/articles/menai-strait-mussel-farmers-fear-for-their-livelihoods-brexite). | Secretariat. |
| 7. | Provide update to next Association about MAGWF progress with Pacific Oysters. | Chair |
| 8. | NWIFCA - encourage adoption of Morecambe Bay Mussel Management Plan. | Chair & Secretariat |
| 9. | APPG - provide update on progress to next meeting. | JW, Secretariat |
| 10. | Work with NWRT to progress the Menai Strait Partnership Forum and report back. | Chair & Secretariat |
| 11. | <i>Crepidula fornicata</i> - look out for slipper limpets and report sightings of any shells / individuals. | All |
| 12. | Date for next meeting - 14 th September 2023 (updated to 20 th September) | 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 and sets out proposals for amending the Association's financial procedures.

Recommendations

1. That the Association notes that the current Reserve is in excess of the Financial Plan target.
2. That the Association's year-end accounts for the 2022-23FY are submitted to the AGM in December.

1. Financial Plan and Lease fees: Revisions for current and future years

- 1.1 Both the Association's Financial Plan and the lease fees that it charges tenants were revised in December 2022. By making economies including suspending work on the new Fishery Order for Menai West it was possible to reduce the lease fees for layings.
- 1.2 This new Financial Plan has been implemented. Leases were issued for the revised fees in April 2023. The Association currently has a Reserve of £13,350 (as of 7th September 2023), which is above the target figure of £10,000.

2. Annual Accounts

- 2.1 The Association's financial year end is on the 28th February. Annual accounts have to be submitted to Companies House by **DATE**.
- 2.2 It would be appropriate for draft accounts to be submitted for approval to the December AGM, and the Association's accountants have been instructed to start work on this.

MSFOMA Secretariat
September 2023

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.

This report provides an update on recent shellfish sample results from August 2023 and their implications for long-term shellfish hygiene classifications in the Menai Strait. Much of this report reproduces information from the last Association meeting, which is provided for reference, as well as some updates to guide and inform a decision.

Recommendations

1. That the report is received, along with any verbal updates from participants at this meeting.
2. That the Association should consider options for raising concern about the very high *E. coli* concentrations observed in shellfish samples taken in August 2023 following a period of exceptionally heavy rainfall.
3. That the Association should determine its strategy for encouraging improvements to the shellfish hygiene classification regime and its application in the Menai Strait.

1. Introduction

- 1.1 There are 393 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.¹

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

¹ <https://www.food.gov.uk/business-guidance/shellfish-classification>

- 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. It is also possible to grant a “seasonal” classification. Seasonal grant a high 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*”² as follows:-

Seasonal Classification

4.6. May be awarded when at least 3 full years’ worth of routine monitoring data shows a clear seasonal trend of results. The area may be classified as an A or B for part of the year and B or C for the rest of the year. The season must be at least 3 months in length and of benefit to industry.

[...]

6.12. At least 3 years’ worth of data (and a minimum 24 sample results within the ‘better’ season) showing a clear seasonal trend is necessary for a seasonal classification to be awarded. Seasonal classifications should comprise at least 3 consecutive months and be of benefit to industry (at a time they would usually harvest). Routine monthly monitoring is required throughout the full calendar year to provide sufficient compliance data.

6.13. A buffer period before the start of the season is required. This is one month for Class C to B areas and for Class B to A areas (two months for C to A). During the buffer period the monthly monitoring sample must show compliance with the higher or ‘better’ classification prior to the ‘better’ season commencing. Harvested products may only be processed at the ‘better’ classification at the start of the season and not during the buffer period. This is to allow for clearance of contamination during the buffer month/s.

- 1.5 There are 88 shellfish production areas for mussels in England and Wales. Eleven of these are “Class A”; six have a “Seasonal A/B” classification; 57 sites are “Class B”; and just three sites are “Class C”.
- 1.6 There are 6 shellfish production areas and sample sites in the eastern Menai Strait. Five of the six production areas have a “long term B” classification. One area (Areas 2 / B, sampled at Cegin Channel) has a “Seasonal A/B” classification, which means that it is a “Class A” from 1st October to 30th April, and a “Class B” at other times.
- 1.7 The location of sample sites and the current classification of their corresponding production areas are shown in Figure 1.

² Food Standards Agency (2022) *Protocol for Classification of Shellfish Production Areas, England and Wales*, p. 24. Available at: <https://www.food.gov.uk/sites/default/files/media/document/Classification%20protocol%20-%20September%202022.pdf>.

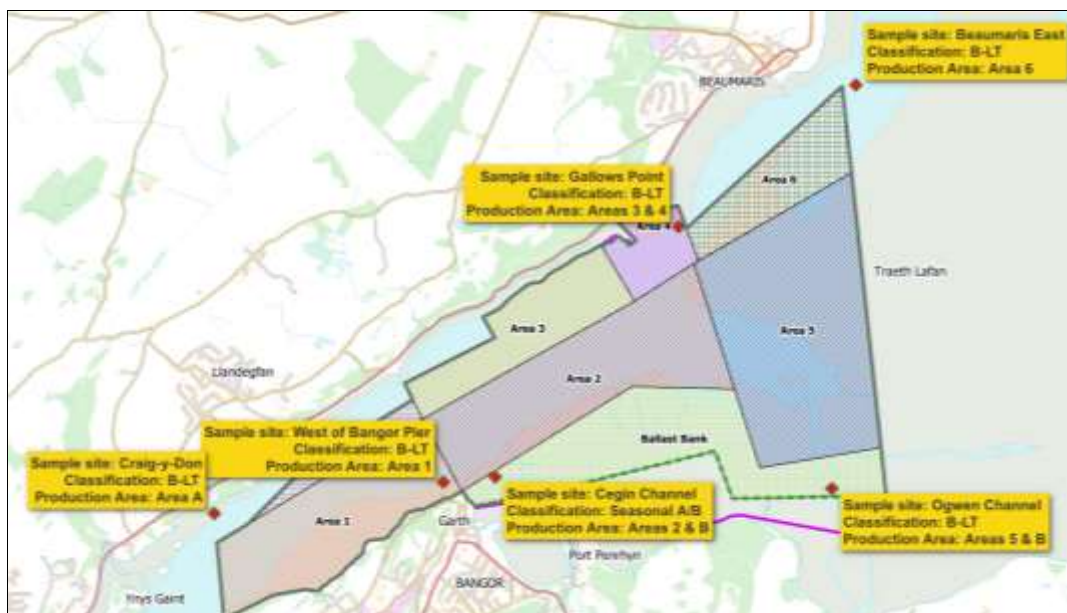


Figure 1: Map of the Eastern Menai Strait showing shellfish sampling locations, classification results, and production areas.

- 1.8 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.
- 1.9 Since the UK left the EU it has no longer been permissible to export Class B shellfish directly into Europe; they must be purified, relayed or heat treated prior to export. Only Class A shellfish can be exported direct to EU markets.
- 1.10 This change has essentially prevented shellfish exports from the Strait to the EU, since the UK has very limited capacity for mussel purification (which also causes high in-transit mortality); and only 11 of the 88 mussel production areas in England and Wales have a "Class A" designation.
- 1.11 From this brief introduction it should be clear that an improvement to shellfish hygiene classifications in the eastern Menai Strait could re-open EU markets to the local industry; and any decline (in particular the loss of the Seasonal A/B classification) would have a devastating effect.

2. Managing and monitoring shellfish hygiene results

- 2.1 Shellfish samples are taken each month from the sample sites shown in Figure 1 by a contractor appointed by environmental health officers from Gwynedd and Ynys Môn County Councils. The samples are analysed in a laboratory, and the results are collated by Cefas (the Centre for Environment Fisheries and Aquaculture Science) prior to classification of the shellfish beds, which is administered by the Food Standards Agency (FSA).
- 2.2 To illustrate the nature of this information a time series of shellfish sample results over the past five years for Beaumaris East is shown in Figure 2. Most results are below the "A" requirement of 230 *E. coli* / 100g. A few results exceed this value, and just one exceeds the Class C requirements.

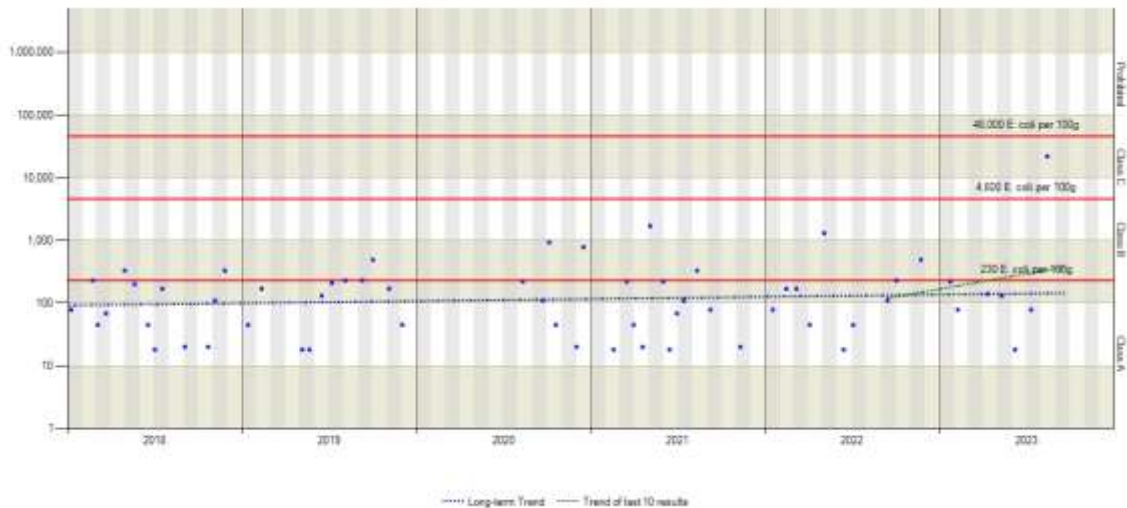


Figure 2: Shellfish hygiene results, 2018-2023, for the Beaumaris East sample site. Horizontal red lines show the boundaries for "A", "B" and "C" classification. Note that the vertical axis is logarithmic.³

2.3 The FSA has issued guidance to local authorities on how to respond to high shellfish hygiene sample results. New guidance was issued earlier this year and came into force on the 1st August⁴. In summary:-

- a) An **"Investigation State"** is triggered when a result above the classification threshold is recorded in Class A & B beds (Class A - results between 230-700 E.coli per 100g, B - results between 4,600 - 18,000 E. coli per 100g).
If these thresholds are exceeded, an investigation is carried out to gather information from the responsible LA and EA/ NRW to determine if the result can be attributed to a "one-off" event and therefore waived. This information is assessed by Cefas/FSA and outcomes communicated to the responsible LA. LAs can share the trigger notification with LAG members (including harvesters) and feedback any comments to the investigation, and confirm outcomes.
- b) An **"Action State"** is triggered when a result that is above the trigger level for a Class A,B or C shellfish bed is returned (i.e. over 700 E. coli for a Class A bed; 18,000 for Class B and over 46,000 for Class C).
If an Action State is triggered then immediate action is required to downgrade or close the relevant shellfish bed, and Cefas are required to carry out an investigation. As well as investigating the causes of the poor result, additional samples may be taken, and if they are at a lower level then any short-term control measures (downgrading / closure) can be revoked.
- c) High results may be disregarded if there is sufficient information available to justify this. Results would have to be attributed to unusual or "one off" events that have been resolved and are unlikely to recur. Exceptional events that

³ <https://www.cefas.co.uk/data-and-publications/shellfish-classification-and-microbiological-monitoring/england-and-wales/shellfish-monitoring-results/details/?species=MUS&connection=SHS&PointID=B055W>

⁴ Food Standards Agency (2023) 'Guidance for Local Action Groups (LAGs) on handling high E.coli results, biotoxin results and pollution events.', pp. 27. Available at: <https://www.food.gov.uk/sites/default/files/media/document/Local%20Action%20groups%20guidance%20Aug%202023.pdf>.

may allow results to be waived are listed in the FSA guidelines and may include:-

- 1 in 5 year storm events;
- Major sewage treatment works failure that has since been rectified;
- Other exceptional pollution events e.g. slurry spill or septic tank spill - since rectified; and
- Failure to comply with sampling protocol.

Results can also be disregarded if they are “statistically anomalous (i.e. that the high result is more than 3 times the standard deviation of log transformed results from the past 30 samples over a period of at least 30 months).

2.4 “Local Action Groups” that are led by local authorities are responsible for coordinating the response to both an “Investigation States” and “Action States”. The LAG is required to communicate the results to interested parties, including shellfish businesses, and to collate the information needed to determine whether there are any exceptional events that explain the high result.

3. Recent classification results

3.1 A prior report to the Association detailed the response to a high result returned for the Cegin Channel RMP in December 2022. Until August of this year the samples for this RMP and the other sites in the eastern Strait had returned to more normal levels, around the Class A/B threshold. However the samples taken on the 14th August 2023 for all RMPs were markedly higher than both the long-term trend and results from earlier in the year.

Table 2: Shellfish hygiene sample results for 2023 (Source: Cefas website). Green shading indicates a Class A result, yellow shows Class B, orange shows Class C.

| Site | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | |
|---------------------|-----|-----|-----|-----|-----|-----|-----|-------|----|
| | 22 | 7 | | 10 | 10 | 7 | 11 | 14 | 24 |
| Beaumaris East | 220 | 78 | NS | 140 | 130 | 18 | 78 | 22000 | |
| Cegin Channel | 230 | 78 | NS | 330 | 330 | 18 | 130 | 3300 | |
| Craig-y-Don | 230 | 78 | NS | 330 | 230 | 20 | 92 | 17000 | |
| Gallows Point | 220 | 45 | NS | 780 | 330 | 170 | 78 | 17000 | |
| Ogwen Channel | 110 | 45 | NS | 170 | 230 | 45 | 130 | 7900 | |
| West of Bangor Pier | 330 | 78 | NS | 490 | 330 | 20 | 270 | 7900 | 20 |

3.2 The Association was advised of these high results (as well as a high result on the same date at Llanfairisgaer in the western Strait) by Gwynedd and Ynys Mon EHOs the 22nd August 2023. This communication announced that an Investigation State had been triggered, noting that there had been very high rainfall on the 14th August, and also requesting submissions of information that may indicate exceptional circumstances by the 1st September 2023.

3.3 A preliminary analysis of the data has been conducted to see whether the August 2023 results are “statistically anomalous”. This analysis is shown in Table 3. It appears that 3 of the results may meet this definition.

3.4 It will be noted from Table 2 that no samples were taken in March 2023, and also that a single repeat sample was taken in August 2023 after the high results. This was taken on the 24th August to the west of Bangor Pier, and showed just 20 E.coli per 100g (compared to 7,900 10 days previously).

- 3.5 The Chair prepared and submitted a response to the Local Action Group on the 1st September 2023 (see Annex A), and some further information about rainfall provided by NRW was sent to the LAG on the 4th September (Annex B). It is clear that the period prior to the samples being taken was characterised by very heavy rain throughout the local area.

4. Sanitary Survey

- 4.1 A review of the “Sanitary Survey” for the Menai Strait is being carried out by the Food Standards Agency. This review will determine the future location of sample points and how they are sampled. It is hoped that this will result in sample points being located in areas where mussels are actually harvested, and also samples being taken in a more representative manner.
- 4.2 At a meeting of the LAG in March 2023 the FSA indicated that the sanitary survey will be completed within 2-3 months. Recent enquiries indicate that it has not yet been completed.

5. Local Action Group

- 5.1 The last meeting of the Local Action Group for the Menai Strait took place in March 2023. In response to the recent poor results and the delays progressing the sanitary survey the Secretariat has asked the LAG organisers to call a meeting as soon as possible. It is anticipated that this will take place in early October.

Table 3: Analysis of recent E.coli values conducted to determine whether August 2023 are likely to meet the FSA definition of being "statistically anomalous". Values that exceeded a value of the mean plus 3 times the standard deviation of the log transformed data are highlighted in red.

| Site | Number of samples | Average E.coli count | Average of log ₁₀ values | SD of Log ₁₀ values | 3 SD | Mean + 3SD | 3SD Threshold ⁵ | August 2023 |
|---------------------|-------------------|----------------------|-------------------------------------|--------------------------------|-------|------------|----------------------------|---------------|
| Beaumaris East | 35 | 865 | 2.093 | 0.673 | 2.019 | 4.113 | 12,957 | 22,000 |
| Cegin Channel | 36 | 353 | 2.133 | 0.599 | 1.797 | 3.930 | 8,506 | 3,300 |
| Craig-y-Don | 35 | 744 | 2.126 | 0.644 | 1.932 | 4.059 | 11,447 | 17,000 |
| Gallows Point | 35 | 747 | 2.182 | 0.628 | 1.884 | 4.066 | 11,650 | 17,000 |
| Ogwen Channel | 36 | 487 | 2.119 | 0.640 | 1.921 | 4.040 | 10,974 | 7,900 |
| West of Bangor Pier | 37 | 586 | 2.218 | 0.678 | 2.034 | 4.252 | 17,869 | 7,900 |

⁵ This is the antilog of the mean value + 3 times its SD.

6. Future Action

- 6.1 Over the past few months the Association has been considering how it should respond to recent poor shellfish hygiene results and use its position and influence to best effect
- 6.2 At this point the Chair has submitted information to the local authorities at their request, and the Secretariat has asked the LAG to meet so that these results can be considered.
- 6.3 It would be appropriate to further consider how the Association should act at the local and national level to encourage both a more appropriate response to shellfish sampling results as well as to encourage improvements in water quality.

MSFOMA Secretariat
September 2023

Annex A: Chair's Response to the Local Action Group

Menai Strait East – Investigation into a High *E. coli* Result in Mussels on 14th August 2022 - Draft 2 September 2023

1. Background

The Menai Strait (East) Mussel and Oyster Fishery Order ("MSEMOFO") area, in the eastern end of the Menai Strait, is administered by the Menai Strait Fishery Order Management Association ("MSFOMA" <https://www.msfoma.org/>) and contains one of the largest mussel fisheries in the UK.

The classified shellfish beds within the MSEMOFO have good quality mussels which are mostly consistent with regulatory Class A. However, due to occasionally high *E. coli* counts, only one of six areas has a seasonal "A" classification, with the remaining areas classified as "B". Bangor Mussel Producers (the cooperative of companies that operate the mussel production leases within the Several Order) depend on export to the EU. Since EU-exit, this requires that live shellfish exported from the UK to the EU must originate from class "A" waters.

2. Issue

On 22nd August 2023 MSFOMA and other members of the Local Action Group were notified of a high *E. coli* result that is above the Action State threshold (18000) for the following monitoring point. This is above the trigger level of 18000 *E.coli*/100g

| | |
|-------------------------------------|--------------------------------|
| Production area | Menai Strait - East |
| RMP(s) | B055W,B055O |
| Species sampled | <i>Mytilus spp.</i> |
| RMP Name | Beaumaris East (M. sp) |
| NGR | SH61157592 |
| Result | 22000 |
| Sample date and time | 14 Aug 2023 13:00 |
| Classification zone/species | Area 6 (<i>Mytilus spp.</i>) |
| Classification | B- LT |
| Current 1 year compliance with 4600 | 90.0% (10 samples) |
| Current 5 year compliance with 4600 | 98.0% (50 samples) |

In line with the Local Action Plan this bed will be **temporarily downgraded to a C classification.**

Harvesting areas and monitoring points for Menai East are set out below.

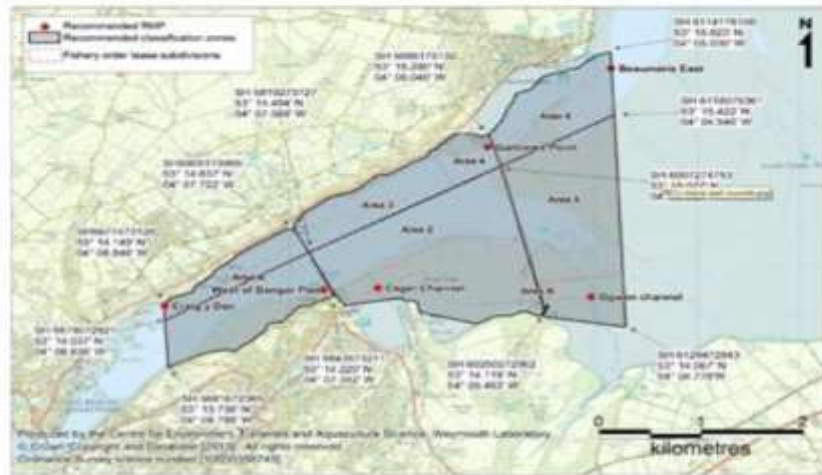
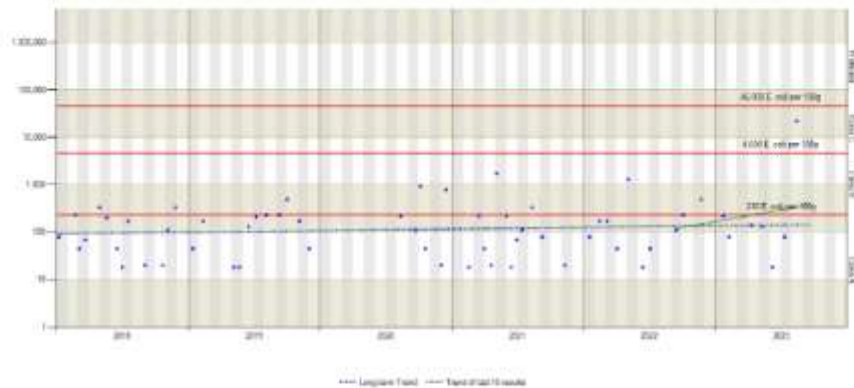


Figure 5.1: Recommended zoning and monitoring arrangements (mussels)

Monitoring results for Beaumaris East for the last 6 years are set out below.



The mean level of E. coli for this period is 109 and the latest result is higher than any level previously recorded for this period. FSA guidance states:
Results above permitted classification thresholds where a cause during action state investigations cannot be found but that are markedly higher or lower than those previously recorded in the area may be considered 'statistically anomalous'. A statistical analysis will be carried out for sites with at least thirty samples over a representative minimum period of 30 months. Results falling more than three standard deviations (SD) above mean contamination levels for a representative 30-month, log transformed dataset will be disregarded for classification purposes. Whilst these results will not lead to a change in classification, they will remain within the dataset to ensure future calculations are statistically valid.

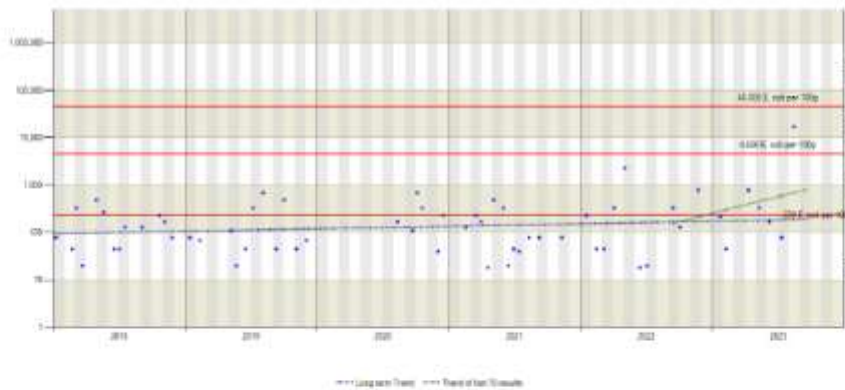
Initial analyses indicate a mean plus 3x standard deviation figure of 12,949 and so this latest result exceeds this level.

3. Environmental Conditions

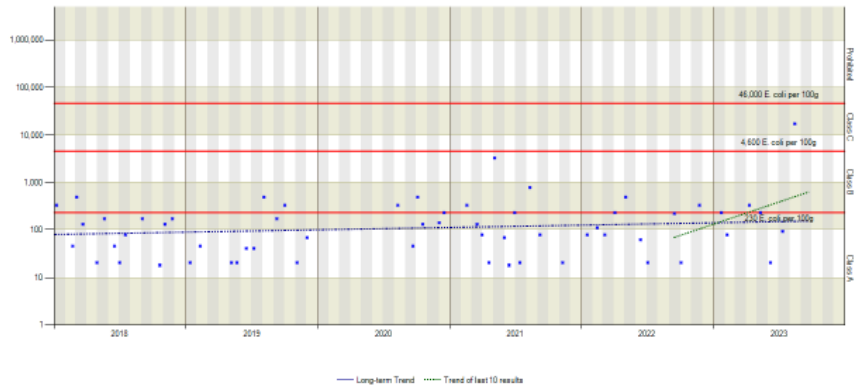
The following data on river flows and rainfall over the sampling period in the vicinity of the eastern Menai Strait provide a picture of environmental conditions and likely inputs of bacterial loads from a variety of sources. Generally, this shows a widespread rainfall event in the early hours of 14th August which resulted in elevated river flows in both the Seiont and Ogwen on 14th August. It has been previously noted that several rivers with significant catchments and populations discharge into the Menai Strait. The area is affected by urban and rural municipal wastewater, discharge from wastewater treatment facilities and probably also by private septic tanks. Agricultural and wildlife-derived contamination may also affect the microbial water quality. It is therefore highly likely that there was increased run-off and bacterial loading into the Strait on 14th August when the sample was taken. It has also been previously noted that current sampling of mussels at low water rather than at high water, when the mussel dredgers operate, can give higher E. coli levels which may also have contributed to this high result.

High E.coli levels were also recorded from other RMPs in the Eastern Menai Strait as shown below (see map above for location of Routine sampling sites):

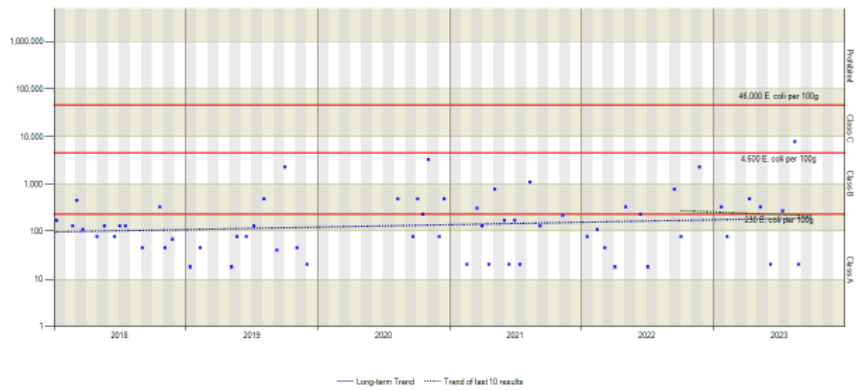
Gallows Point: Sample result 17,000 E. coli per 100g on 14th August 2023. Long term trend, <200 E.coli per 100g.



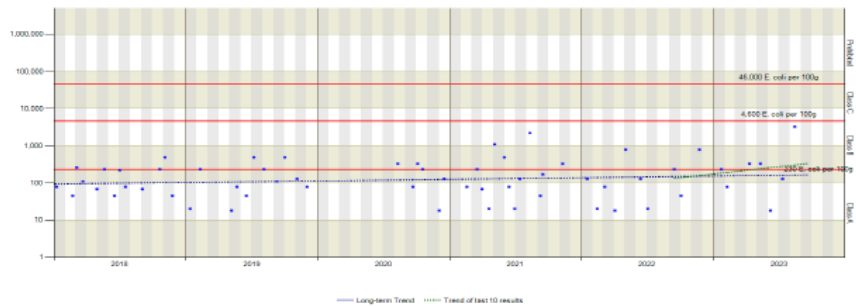
Craig y Don: Sample result 17,000 E.coli per 100g on 14th August 2023. Long term trend <200 E.coli per 100g.



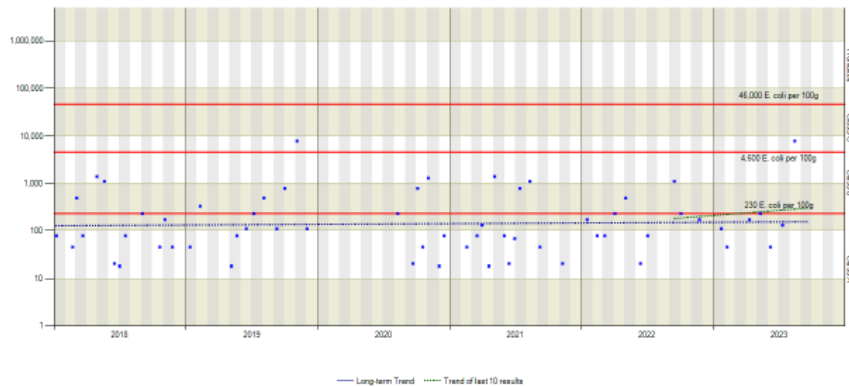
West of Bangor Pier: Sample result 7,900 E.coli per 100g on 14th August 2023. Long term trend <200 E.coli per 100g. Sample result on 24th August 2023 result 20 E.coli per 100g.



Cegin Channel: Sample result 3,300 E.coli per 100g on 14th August 2023. Long term trend <200 E.coli per 100g.

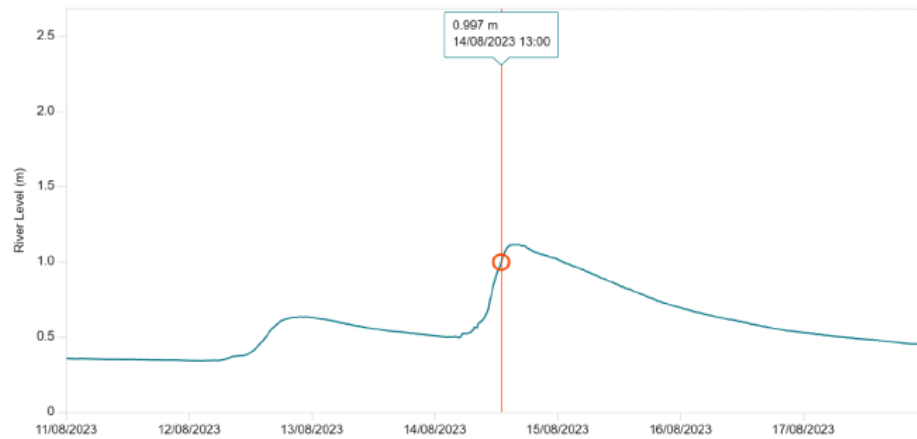


Ogwen Channel: Sample result 7,900 E.coli per 100g. Long term trend <200 E.coli per 100g.

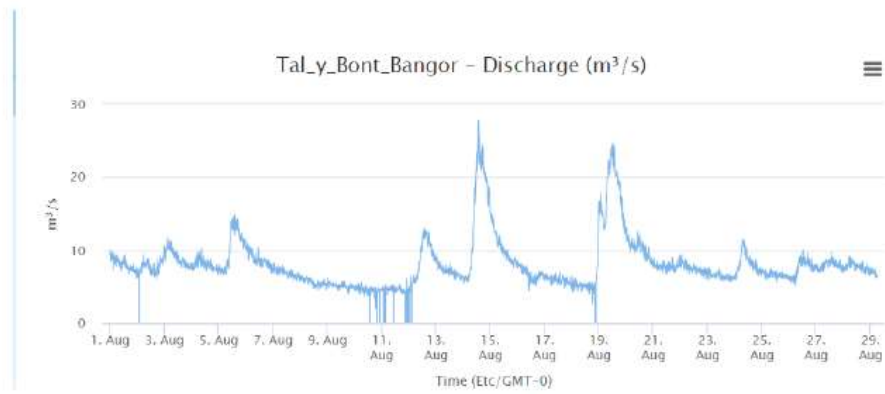


NRW have reported that they are not aware of any pollution incidents that could have caused the elevated result although they did note that there was particularly heavy rainfall in that period with a Met Office yellow weather warning in place. Dŵr Cymru Welsh Water have confirmed that they are not aware of any issues at their Sewage Treatment Works in the area and the event duration data for the operation of CSOs in the area has been requested.

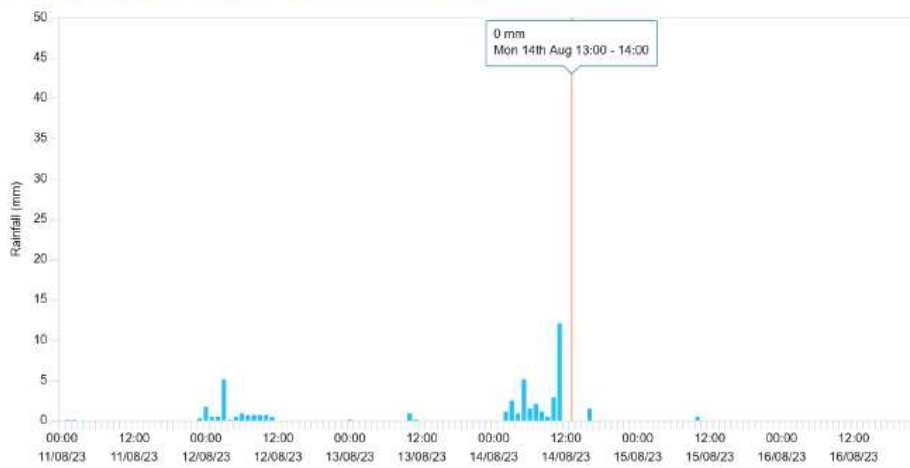
River level on the Seiont at Pablic Mill (NRW data):



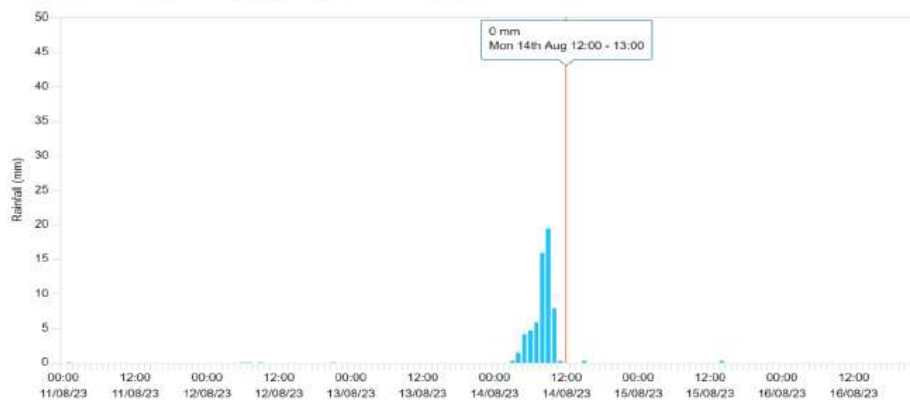
River level on River Ogwen at Tal y Bont (North Wales Rivers Trust data):



Rainfall data at Bethesda Quarry (NRW data - River Ogwen)



Rainfall data at Llyn Cefni (Anglesey) from NRW data:



4. Conclusions

- The E. coli sample result in mussels from the Beaumaris East sampling point in the eastern Menai Strait on 14th August 2023 was the highest ever recorded and almost 13x higher than the next highest value over the last 3 years. Statistical analysis shows that this value is greater than the mean plus 3x standard deviation (12,949) and so can be disregarded for classification purposes.
- The sampling period was characterised by heavy rainfall and elevated river levels and other run-off which is likely to have caused a high bacterial loading into the Menai Strait. Significantly higher than average E. coli results were also recorded for other sample points in the Menai Strait. In addition, the sampling method at low water may have contributed to the exceptionally high sample result.

MSFOMA

1st September 2023

Annex B: Rainfall data provided by Natural Resources Wales

Rainfall Analysis - Menai Strait August 2023

Background

The Môn and Arfon area Environment Team requested the analysis of rainfall in both the West and East areas of the Menai Strait. The analysis was requested to assist with shellfish sample failures. Rainfall was investigated for the 120 hours leading up to 13:30 on 14th August 2023. The surrounding areas of the Ogwen valley, the Afon Seiont and Afon Braint on Anglesey were specified and the grid references for Llanfairisgaer (SH 49916579), West of Bangor Pier (SH 58337328) and Ogwen Channel (SH 60957320) provided by the Environment Team officer.

Figure 1 shows the location of the rain gauges used. Llanfaglan rain gauge (530361) was initially included, however data is manually read each day and sub daily data is not available for this analysis.



Figure 1: Rain gauge locations across North Gwynedd and South Anglesey

The data collected is currently raw data with no formal quality assurance from the Wales Hydrometry and Telemetry team. However, the rain gauges at Benllech (533390), Cefni (531386), Bethesda (553913), Llanfairfechan Log (534277), Cwm Dyli (527222), Capel Curig Log (535720) and Betws Garmon (530240) have currently been marked as good quality following initial checks. Data may change following formal quality assurance. The data collected at Beaumaris (533570) rain gauges has been deemed as suspect and therefore not included further in this report.

Results

Appendix 1 shows the total maximum rainfall collated at the rain gauges in the area, for different durations between the 8th August (00:00) - 14th August 2023 (23:45). All times quoted are in GMT. The calculated rainfall totals have been inputted into the depth-duration-frequency tool on the Flood Estimation Handbook web service webpage to estimate event rarity. The FEH22 dataset was used in this analysis as it is the most up to date rainfall model available for use in the Flood Estimation Handbook methods.

Table 1 below shows the largest return periods at each location, The rain gauges at Cefni and Benllech have recorded significant rainfall events greater than 1 in 5 years. The rain gauge at Cefni reservoir recorded approximately 60mm of rainfall in 7 hours, about 68% of its long-term average for the month of August. Cefni recorded the largest return period, recording a return period of 51 years over 6 hours. Whilst nearby rain gauges at Cwm Dyli, Betws Garmon, Bethesda, Llanfairfechan and Capel Curig recorded events which weren't 1 in 5 year, however did show some statistical return period for the time periods specified.

It should be noted that at locations with a main and back up rain gauge, both rain gauges returned similar rainfall totals and return periods increasing the confidence in the rain gauge performance.

| Rain Gauge | Start Time and Date | Total Rainfall (mm) | Largest Return Period (years) | Time Duration for Return Period |
|----------------|---------------------|---------------------|-------------------------------|---------------------------------|
| Cefni | 04:15 14/08/2023 | 58.6 | 51 | 6 Hours |
| Benllech | 04:45 14/08/2023 | 36.8 | 7.5 | 5 Hours |
| Cwm Dyli | 09:30 14/08/2023 | 6.8 | 1.4 | 0.5 Hour |
| Capel Curig | 09:45 14/08/2023 | 15.0 | 1.9 | 1.25 Hours |
| Bethesda | 10:00 14/08/2023 | 10.8 | 2.0 | 1 Hour |
| Llanfairfechan | 10:15 14/08/2023 | 9.0 | 1.6 | 0.75 Hour |
| Betws Garmon | 09:45 14/08/2023 | 15.4 | 2.6 | 1 Hour |

Table 1 – largest return period and rainfall at rain gauge locations

Appendix 1

| Hours | Rainfall totals at each rain gauge location (mm) | | | | | | |
|-------------|--|----------|---------------|-----------------|--------------|-------------|----------|
| | Cefni | Benllech | Bethesda Main | Llanfair-fechan | Betws Garmon | Capel Curig | Cwm Dyli |
| 0.5 | 13.8 | 9.4 | 8.0 | 7.2 | 9.0 | 8.2 | 6.8 |
| 0.75 | 19.2 | 10.6 | 10.8 | 9.0 | 13.4 | 10.0 | 7.8 |
| 1.0 | 23.2 | 13.0 | 12.8 | 9.8 | 15.4 | 12.2 | 8.2 |
| 1.25 | 25.0 | 13.2 | 14.2 | 10.4 | 17.0 | 15.0 | 9.0 |
| 1.5 | 29.6 | 14.6 | 14.4 | 10.8 | 17.6 | 16.8 | 9.8 |
| 1.75 | 35.0 | 18.0 | 14.6 | 11.0 | 18.6 | 18.0 | 10.8 |
| 2.0 | 38.8 | 22.0 | 15.2 | 11.6 | 19.0 | 19.0 | 11.6 |
| 2.25 | 41.0 | 23.2 | 15.6 | 11.8 | 19.0 | 19.8 | 11.8 |
| 2.5 | 42.8 | 25.6 | 15.6 | 12.0 | 19.0 | 21.0 | 12.4 |
| 2.75 | 43.6 | 26.2 | 15.6 | 12.0 | 19.2 | 22.4 | 14.0 |
| 3 | 44.6 | 26.4 | 15.8 | 14.4 | 19.4 | 23.6 | 14.8 |
| 4 | 50.6 | 32.8 | 17.0 | 15.8 | 25.6 | 26.0 | 20.8 |
| 5 | 55.6 | 36.8 | 19.2 | 18.8 | 29.0 | 29.2 | 22.2 |
| 6 | 58.6 | 38.8 | 21.2 | 21.8 | 31.2 | 31.2 | 27.0 |
| 7 | 60.2 | 40.0 | 26.0 | 23.4 | 35.6 | 32.0 | 29.0 |
| 8 | 61.0 | 41.6 | 27.0 | 25.2 | 36.4 | 33.2 | 34.0 |
| 9 | 61.0 | 41.8 | 29.6 | 25.6 | 38.2 | 34.8 | 36.0 |
| 10 | 61.0 | 41.8 | 30.8 | 25.6 | 39.0 | 37.8 | 38.4 |
| 11 | 61.0 | 41.8 | 30.8 | 25.6 | 39.4 | 38.4 | 39.0 |
| 12 | 61.0 | 41.8 | 30.8 | 25.6 | 40.0 | 38.6 | 39.2 |
| 13 | 61.4 | 41.8 | 30.8 | 25.6 | 40.4 | 38.8 | 39.4 |
| 14 | 61.4 | 41.8 | 31.2 | 25.6 | 40.8 | 39.0 | 40.2 |
| 15 | 61.4 | 41.8 | 32.4 | 25.6 | 41.6 | 39.0 | 41.8 |
| 16 | 61.4 | 41.8 | 32.4 | 25.6 | 41.8 | 39.2 | 42.4 |
| 17 | 61.4 | 41.8 | 32.4 | 25.6 | 42.2 | 39.4 | 42.8 |
| 18 | 61.4 | 41.8 | 32.4 | 25.6 | 42.2 | 39.4 | 43.0 |
| 24 | 61.4 | 41.8 | 32.4 | 25.6 | 42.8 | 39.6 | 45.0 |
| 30 | 61.4 | 41.8 | 33.2 | 25.6 | 43.2 | 42.8 | 46.2 |
| 36 | 61.4 | 41.8 | 33.6 | 25.6 | 43.8 | 44.6 | 49.8 |
| 42 | 61.4 | 42.4 | 33.8 | 25.6 | 43.8 | 46.0 | 52.0 |
| 48 | 61.6 | 42.4 | 33.8 | 25.6 | 43.8 | 46.2 | 52.4 |
| 54 | 61.8 | 45.0 | 37.0 | 28.8 | 45.8 | 68.4 | 65.0 |
| 60 | 62.2 | 45.0 | 48.0 | 32.2 | 54.4 | 77.0 | 75.6 |
| 66 | 62.2 | 45.4 | 48.0 | 32.4 | 56.6 | 79.0 | 80.0 |
| 72 | 62.2 | 45.4 | 48.0 | 32.4 | 56.6 | 79.0 | 80.6 |
| 84 | 62.2 | 45.4 | 48.0 | 32.4 | 56.6 | 80.4 | 82.6 |
| 96 | 62.4 | 45.4 | 48.6 | 32.4 | 57.6 | 82.0 | 87.4 |
| 108 | 62.4 | 45.4 | 48.6 | 32.4 | 57.6 | 82.0 | 87.4 |
| 120 | 62.4 | 45.4 | 48.6 | 32.4 | 57.6 | 82.0 | 87.4 |
| 144 | 62.4 | 45.4 | 48.6 | 32.4 | 57.6 | 82.0 | 87.6 |
| 168 | 62.4 | 45.4 | 48.6 | 32.4 | 57.6 | 82.0 | 87.6 |

Welsh Government Activity

Background

The Welsh Government is responsible for managing inshore fisheries in Wales. This report provides a brief update on some Welsh Government Activities that may be relevant to the work of MSFOMA.

Recommendations

1. That the report is received, along with any verbal updates from the Welsh Government officials invited to the meeting.

1. Background

- 1.1 The Welsh Government website provides information about consultations and meetings of various stakeholder groups that are relevant to the Welsh Fishing industry. A brief summary of recent activity is provided below.

2. Meetings of Fisheries Groups

- 2.1 Welsh Government has established several groups to assist with the administration and management of Welsh fisheries. The key groups are:-

- a) **Inshore Fisheries Groups** - these groups 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.

It was reported at the last MSFOMA meeting what the Welsh Fishermen's Federation were liaising with the Minister about this group, and that it had been hoped that a meeting might take place in the spring. It is hoped that news of progress will be provided to the meeting.

- 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.”

2.2 **Ministerial Group for Welsh Fisheries (MAGWF)** – this group was created by Welsh Government in 2022. The last meeting on the 24th April 2023. A copy of the minutes of this meeting is provided at Annex A to this report. The key points to note from the MAGWF meeting were:

a) The meeting received and discussed a paper presented by the Chair of the Association about the need for a policy framework that would allow Pacific oyster cultivation in Wales. After discussion at the Group, WG officials stated that: *“It is unlikely that we will be able to take this forward in the short term given other pressures but it is something we will consider. Any decision for how to proceed will be for the Minister”*. An action was agreed for *“Welsh Government to consider policy on Pacific Oysters.”* No timescale, budget or responsibility was assigned to this action.

2.3 Association Members and Observers meeting will be asked for a verbal update on any recent meetings of these and related groups that are not reported on the Welsh Government website.

3. Consultations

3.1 There are no open consultations for “Marine and Fisheries” on the Welsh Government website ([here](#)) that are directly relevant to MSFOMA.

4. Funding Opportunities

4.1 Welsh Government backed funding opportunities were discussed at the last Association meeting. Following that meeting the Chair and Secretariat worked with the North Wales Rivers Trust to secure funding for a project focussing on water quality in the Strait (see item 15 on agenda). The open funding opportunities at present are:-

a) **Coastal Capacity Building Fund 2023/2025** – the Chair has worked with North Wales Rivers Trust and the Secretariat for a further bit for funding that will build on the work of the Menai Strait Partnership Forum. The bid was submitted on Friday 8th September. The Association will be updated on the outcome of this bid.

5. Welsh Government Officials

5.1 There have been some informal discussions over the phone and in telephone conference calls with WG officials since the last meeting, but none of significance.

6. Communications with Cabinet Minister

- 6.1 Communications with the Cabinet Minister concerning Fishery Orders in the Menai Strait are reported in items 12 & 14 on the agenda.

MSFOMA Secretariat
September 2023

Annex A: Minutes of Ministerial Advisory Group for Welsh Fisheries meeting, April 24th 2023.



PUBLICATION

Ministerial Advisory Group for Welsh Fisheries meeting: 24 April 2023

Minutes of the meeting held on 24 April 2023.

First published: 6 September 2023

Last updated: 6 September 2023

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6 Cockle Fishery Management (verbal update)

7 Allocation Policy for Additional Quota 2023 (Doc 7)

8 AOB

Actions

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Attendees

Group: Gareth Cunningham (GC), Carl Davies (CD), Kevin Denman (KD), Natalie Hold (NH), John O'Connor (JOC), Lewis Tattersal (LT), Alan Winstone (AW),

Welsh Government: Gareth Bevington (GB)(Chair), Julian Bray (JB), Mark Stafford (MS), Rob Floyd (RF), Alun Mortimer (notes)

Apologies: Emily Williams, Colin Charman, Mark Gray, Lynn Gilmore, Nerys Edwards, Colin MacDonald

Agenda

- 1 Welcome and WG updates - 10:30 – 10:40
- 2 Terms of Reference (ToR) update and previous meeting notes (Docs 1 and 2) - 10:40 – 10:50
- 3 Fisheries Management Plans (FMPs) (Docs 3 & 4) - 10:50 – 11:20
- 4 Pacific Oysters Discussion Paper (Doc 5) - 11:20 – 11:45
- 5 Whelk Fishery 2022/23 (Doc 6) - 11:45 – 12:00
- 6 Cockle Fishery Management (verbal update) - 12:00 – 12:05
- 7 Allocation Policy for Additional Quota 2023 - 12:05 – 12:25
- 8 AOB 12:25 – 12:30.

Papers

Doc 1: Notes and actions from MAGWF 2022 Meeting 2 (24-11-2022)

Doc 2: Updated Terms of Reference (ToR) document

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Doc 3: Bass Fisheries Management Plan (FMP) for England and Wales
Doc 4: King Scallop Fisheries Management Plan (FMP) for Wales and England
Doc 5: Pacific Oysters
Doc 6: Whelk Fishery Permit Period 2022-23: MAGWF update March 2023
Doc 7: Allocation Policy for Additional Quota 2023

1 Welcome and WG updates

GB started the meeting by welcoming the group and apologising for having to reschedule this meeting (originally for 23 March 2023). Introductions to attendees who are deputising or new to the group.

The Retained EU Law Bill (REUL) has been in the news recently but there has been no formal change to the UKG approach notified to WG.

2023 UK-EU fisheries negotiations concluded in December 2022. The group will have seen the written communications on this topic. The relevant legislation was passed by the UKG with WG consent. Quota management discussed in this meeting.

2 Terms of Reference (ToR) update and previous meeting notes (Docs 1 and 2)

GB invited comments on the updated ToR. The following requests were made and agreed:

- Amend ToR to specify that MAGWF will work to Fisheries Management Plans (FMPs).
- Amend ToR so that the presumption for shared documents is that they can

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be shared externally rather than not to be shared beyond membership organisations.

- Further tweaks can be made to wording as necessary.

Action 1: update ToR as above

The meeting notes were agreed to be an accurate record. A question was raised regarding an action to share information related to the production of the JFS. GB confirmed that there is no document to share describing WG priorities for the making of the JFS.

Questions were raised about the absence of a WG strategy for fisheries. GB confirmed that the Minister has decided not to commission a comprehensive strategy for this sector for the time being. However, it was agreed that this topic should be discussed further.

Action 2: schedule discussion on strategic direction for Welsh fisheries.

3 Fisheries Management Plans (FMPs) (Docs 3 & 4)

JB provided an update, presented the papers (shared with group in advance) and led the discussion on the two FMPs being developed for Bass and Scallops.

The point was made that this is a completely new process to everyone.

JB confirmed that new management measures will be subject to consultation even after legislation but that legislation will be consistent with the relevant FMP.

It was noted that FMPs are for wild catch fisheries only not aquaculture.

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A query was raised about whether catch limits could be set regionally following the FMP and new legislation. JB advised that cannot confirm this at present but it is unlikely to be one catch limit for England and Wales for joint FMPs. The aim is to integrate scientific data into management processes and the more detailed data, the more specific catch limits can be.

Concern was expressed that for joint FMPs, English interests would prevail in legislation. JB confirmed the Welsh Government has jurisdiction for making the regulations relating to Wales so this shouldn't be the case.

Black market activity was raised as having the potential to skew catch recording figures. JB advised that control and enforcement observation aims to tackle this and by its nature, black market activity is difficult to account for.

Members provided some insight into commercial activity in South Wales and highlighted the importance of Bass to local fishers, commercial and recreational. These points have been raised with the FMP engagement undertaken by Policy Lab. JB encouraged all interested parties to continue feeding into the process.

Concern was raised over the [digital/virtual] remoteness of the engagement for, and specifically the drafting of, the Bass FMP. JB acknowledged it is a very different approach to past examples and the Scallop FMP but it is worth trialling different methods to see what works.

4 Pacific Oysters Discussion Paper (Doc 5)

AW presented a paper to raise issues related to the cultivation of Pacific Oysters in Welsh waters and led a discussion on policy approaches. This is the first paper from a member of the group.

AW highlighted a few points from the paper:

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- There are opportunities and risks of attempting to increasing production, prevent the spread of feral populations or naturalising the species in Wales.
- Approach taken by UKG for England, while somewhat arbitrary (dividing line at 52 degrees North) will impact Wales.
- Two long-standing Pacific Oyster production sites in Wales and others under consideration but paused due to uncertainty.
- There is a lot of scientific information available on this topic which would be helpful for policy making.
- Over next 60-80 years it is likely that increasing sea temperatures will make it possible for wild populations to spawn and become self-sustaining. This can cause problematic reefs to form. Once established, they become impossible to remove.
- If the policy were to mitigate spread of wild populations, one method would be to use triploid oysters but there is only one hatchery in Guernsey where they are available in the UK jurisdiction.

GB – WG does not have a policy on approach to managing Pacific Oysters in Welsh waters and we're keen to hear the groups views.

The following points were raised:

- If they were established and controlled fisheries, that might help manage them.
- We seem to be regenerating native oysters, is one better than the other?
- A line at 52 degrees on a map where above is restricted and below is permitted is arbitrary and does not allow for location specific decisions. A Wales specific policy on this issue is important.
- Whether or not it is sensible to produce Pacific Oyster in any given location should depend on an assessment for each prospective site.
- On South coast of England, it looks like they're throwing money at eradicating Pacific Oysters near MPAs for little benefit.
- Where there are restoration plans [for native oysters], they might not be the best places.

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- Bangor University academics might have more detailed answer on when the tipping points for the various development stages occur before Pacific Oysters are established.
- Stakeholders in the industry are looking for clarity on a way forward. This would help as it is affecting investment.
- Does not appear that disease [in particular bonamia/bonamiosis] is an issue because only healthy oysters can be introduced.
- Could we consider a sub-group for developing a policy on Pacific Oysters [as per ToR]? Several members indicated they would be interested in contributing to such a group.

GB – Thank you AW for the paper and all for the discussion. It is unlikely that we will be able to take this forward in the short term given other pressures but it is something we will consider. Any decision for how to proceed will be for the Minister.

Action 3: Welsh Government to consider policy on Pacific Oysters.

5 Whelk Fishery 2022/23 (Doc 6)

JB provided an update on Whelk fishery management and invited questions from the group. Key points:

- Whelks are one of Wales' most valuable fisheries.
- New regime created by Whelk Order implemented on 1 March 2022 to facilitate adaptive management and maintain the sustainability of the fishery.
- Permits were free for the first year to assess take up. 55 of the 98 permits issued were used. It is likely that the 43 that were issued but not used were to create some kind of 'track record'. The charge of a permit for 2023 is £285 and this seems to have put a stopped. A track record is not required to apply for a permit.

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- Info online about how we manage the fishery.
- Annual catch limit (ACL) down 10% in 2023 compared to 2022 based on scientific advice. Also have a monthly catch limit (MCL). Expect MCL limit will go down because of the ACL decrease. Mild weather meant catches increased towards end of the year but that was ok because of the low catch at start of the year.
- Info online about how we manage the fishery.
- This is a good example of how co-management has helped to deliver. Seems to have been accepted relatively well by the industry in the first year.
- Not seeing the whelk die-off in Wales that has been observed in Kent. It is believed that this is due to temperature rises in a shallow water.
- Always worth contributing to consultations. In this case it was an option suggested by consultation respondent that was developed.

6 Cockle Fishery Management (verbal update)

JB provided an update on Cockle management, which will be changing to be more similar to Whelk. Some cockle beds are currently always open but this will change so beds will be closed unless opened. The new regime could have adaptive measures down to the individual cockle bed. WG had a good response to consultation and have a draft order. The intention is to set up a cockle management advisory group as has been done for whelks.

7 Allocation Policy for Additional Quota 2023 (Doc 7)

MS presented a paper and answered questions on the Welsh Government approach to additional quota following EU exit and terms of the Trade and Cooperation Agreement (TCA). Key points from discussion:

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- The Welsh Government negotiated an exception to the previous arrangement for additional quota because it did not work for Welsh fishers. Final determination on stocks is in the paper. Additional quota will now be held by WG and distributed on an expression of interest basis.
- This approach requires some paperwork in terms of changing licences and making an application to express interest in additional quota. WG hopes to see activity and development in some areas of the Welsh sector which haven't seen for some time.
- There was a plea from stakeholders to keep additional quota application process simple as Wales has had diminishing share of quota relative to England since 2012. English and Belgian boats have been landing tons of Sole into Holyhead for example.
- MS confirmed that WG intend to work with stakeholders to develop this further.
- Consensus that new approach is an improvement.
- Industry is seeing a gradual but positive effect of additional quota. More trawlers seen in Swansea. Taking time to build because starting from low base.
- Key species is sole. Plaice quota figure is healthy but not seeing the catch – that's why not seeing it in the catch recording figures. Seeing the emergence of fishing of long ignored stocks.
- Need to keep advertising the opportunity to encourage people to switch.
- If vessels are being adapted, the MCA want to get involved to check safety.

Question on a separate topic. Defra are looking at introducing low quota for Albacore (Tuna). There will be hefty observer costs attached to the quota. What is WG approach going forward?

MS confirmed that it is not clear how any quota might be divided between fisheries administrations but Tuna stocks are held at UK level for all of the UK and there are ICCAT conditions to comply with.

GB – Pace of this issue is moving fast in UKG. This is a topic for discussion at a

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future meeting.

Action 4: consider a discussion on approach to tuna quota for future meeting.

8 AOB

Various points were raised as AOB including:

- Can we share Seafish report on sea fish and aquaculture – so members know challenges.
- Spatial squeeze: there is a consultation specific to Wales' MCZs live now which ends 12 May for awareness.
- MCA related things – medical examinations are a particular issue at the minute. Expecting a report on this.
- Home office decision to implement s53 of Nationality and Borders Act will create issues. Predominantly elsewhere. One vessel in Wales has 4 crew from skilled worker visas.
- Would like to have more fishermen to this group.
- Revenue based grants are no good for helping vessels meet net zero
- Question regarding the approach to buried hen lobsters
- Catch recording – archaic method filling in forms for under 10 metre vessels. Over 10 can use their smart phones.

GB – Discussions ongoing regarding the visa issue. Settled on group membership for now. Can Table MCA report as a future item. Other points we'll have to take forward.

Meeting closed 12:43.

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Actions

- 1 Update ToR – several minor changes as per notes (WG) - completed
- 2 Schedule discussion on strategic direction for Welsh fisheries at next MAGWF meeting (WG) - completed
- 3 Consider Welsh Government policy and approach on Pacific Oysters (WG/ All) - ongoing
- 4 Consider discussion on Tuna at future MAGWF meeting (WG) - completed.

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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 keep the need for a Morecambe Bay Mussel Management Plan on the future agenda for NWIFCA.

1. IFCA Meetings

- 1.1 Since the last meeting of the Association the NW-IFCA has held one quarterly meeting, on the 22nd June 2023, and is due to meet again on the 21st September. Meetings of the Technical, Science and Byelaws (TSB) Sub-Committee took place on the 9th May and the 15th August 2023.

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. Seed mussel fishing opportunities

- 3.1 There have been settlements of seed mussels within the NWIFCA District this year. NWIFCA were asked by the industry to open these beds for dredging. At the time of writing this report the IFCA had opened an area in the mouth of the Wyre estuary off Fleetwood (Perch Scar and Black Scar) to seed mussel dredging between the 9th and 31st August 2023.
- 3.2 It is understood that there is a larger stock of seed mussels in the northern part of Morecambe Bay but this area has not been opened for dredging at the time of writing.

4. Morecambe Bay Mussel Management Plan

- 4.1 The opening of seed mussel beds to dredging has once again proved to be controversial. Part of the difficulty is caused by the absence of a clear policy framework that would guide IFCA officers and also frame the expectations of interested parties.

- 4.2 It was reported last year that MSFOMA participants in NWIFCA business had asked the Authority to proceed with the development of the Morecambe Bay Mussel Management Plan. It proved impossible for NWIFCA to progress this plan last year.
- 4.3 Given the long-term importance of the Morecambe Bay Mussel Management Plan to the shellfish farmers in the Menai Strait, it will be important to also keep this item on the agenda for NWIFCA action. The Secretariat (also vice-Chair of NWFICA and the NWIFCA TSB) will encourage action on this area of work.

MSFOMA Secretariat
September 2023