

Wales Marine Fisheries Advisory Group (WMFAG)

Notes of meeting held on Wednesday 7 March 2018 at CBFA Office, The Harbour, Aberystwyth, commencing at 10.15 am

Attending:

Members	Representing
Nick O’Sullivan (NOS)	Chair
Jim Evans	Welsh Fishermans Association
Len Walters	West Wales Shellfisherman’s Association
Kevin Denman	South & West Wales Fishing Communities
John O’Connor	Welsh Federation of Sea Anglers
Mark Roberts	Llyn Fishermans Association
Trevor Jones	MSFOMA
Emily Williams	RSPB/WEL
Colin Charman	Natural Resources Wales
Holly Whiteley	Seafish Wales Advisory Com.
Dean Parry	Cardigan Bay Fishermen’s Association
Sion Williams	Llyn Pot Fishermans Association
Julian Bray	Welsh Government
Mike Jones	“ “
Stuart Evans	“ “
Bethan Jones	“ “
Margaret Rees	“ “
Apologies were received from:	
Mark Stafford	Welsh Government
Leanne Llewellyn	Welsh Government
Brett Garner	Llyn Fishermans Association

1.	<p>Welcome and apologies</p> <p>The Chair welcomed all to the meeting. Apologies were received from Carwyn Thomas (WLGA), Brett Garner (LFA), Mark Stafford (WG), Leanne Llewellyn (WG).</p> <p>JB apologised to the group for the delay in holding the meeting, explaining this was due to other commitments by WG staff and some members and explained that Andy Fraser had now left Marine & Fisheries and to date the post had not currently been filled. In the interim period JB would be lead officer for WMFAG.</p> <p>Members were informed of difficulties being faced by current staff, as a number of key staff have been reallocated to Brexit related work and as a result this was causing delays in delivery of priority work streams, concerns raised by members would be discussed further during meeting.</p> <p>Current workstreams were being reviewed and ways of improving stakeholder engagement considered. JB explained a revised delivery plan would be developed to clarify progress against priority work streams and highlight any issues causing delays in delivery. It is hoped this provide greater transparency and build trust with stakeholders</p> <p>Comments from members were positive; they were pleased with the honesty regarding the current situation being faced by officials and with the suggestions put forward to enable projects to progress.</p>
2.	<p>Approval of Notes of Meeting held on 18 October 2017 - Notes of meeting approved as a true record, subject to a slight change in the attendance list. HW asked for Seafish to be changed to Seafish Wales Advisory Committee.</p> <p>Action 1: Secretariat to amend notes of the previous meeting and change 'Seafish' to Seafish Wales Advisory Committee.</p>
3.	<p>Matters arising / Actions - As there were no further matters arising JB took members through the actions from the previous meeting, explaining that Actions 1, 2(b) 3 had been completed, however an action against 2(a) would be carried forward. Actions 3 and 4 would be discussed in more detail at the relevant agenda items.</p> <p>Members were advised they would still be able to provide priority work for consideration.</p>
4.	<p>Operations Report – Members accepted the report provided. JB provided additional updates on key areas which included whelks; members were informed that it was thought that around 20% of the fleet were now active in the whelk fishery.</p> <p>Members were informed that the new 12m cabin RIB Catrin has now been delivered and is undergoing sea trials in North Wales as part of her commissioning.</p> <p>A number of Welsh vessels have been randomly selected by the MMO for engine power checks to be carried out and colleagues from Marine Scotland would be undertaking this work.</p> <p>The Operations team were working on an application for EMFF funding under the control and enforcement article to ensure all Welsh u10 m vessels would be able to report catches electronically, also the provision of iVMS. Officers are working on a project with other UK administrations regarding both these items.</p> <p>Investigations and a number of cases had recently been prosecuted and further cases would be heard in court by the end of March 2018. Members were informed</p>

	<p>a number of historic cases had now been processed. JB explained the challenges Officers were facing with both internal and external legal resources, they were now working towards getting a case files submitted to the Operations room in Milford within 6 weeks of an infringement being detected.</p> <p>A brief discussion also took place on porpoise strandings; this followed an uninformed news article which was published in December 2017. The article blamed fishing nets as the cause of injury/death. Members were informed that Marine & Fisheries had produced an information poster to inform fishermen. Members felt the by-catch for porpoise in Wales was very low, however, they felt it would be useful if a report could be produced to show the numbers involved in Wales.</p> <p>A system is in place whereby investigations into the death of a porpoise can be carried out. A free service is available to industry to report sightings of dead or injured porpoise, a number will be provided.</p> <p>Action 2: Biodiversity team to provide a summary of porpoise strandings through fishing by-catch in Welsh Waters. Also provide an update on an earlier discussion of survey of UK waters on porpoise abundance.</p> <p>Action 3: Barrie John to provide a summary on the outcome of prosecutions taking place on 8 March.</p> <p>Action 4: Secretariat to provide members with contact details to be used for sightings of dead or injured porpoise.</p>
<p>5.</p>	<p>Summary of Key Workstreams – Members had received a revised document, which now highlighted priority work areas, emerging fisheries and future development of policy areas. JB explained that officers would now concentrate on the 3 main priority workstreams i.e. Scallops, whelks and cockles, to progress these towards completion. Other work areas would be moved up the list as other work is completed.</p> <p>Members were informed the document was a ‘work in progress’ and as such officers would continue to add information where required.</p> <p>Members accepted the document and felt the new format was much clearer and easier to understand.</p> <p>When asked about a timeline against key work areas, members were informed officers would provide a spreadsheet to highlight key tasks and dates to deliver work streams. This would be available for the next meeting.</p> <p>Scallops – SE informed the group that staffs were also experiencing the frustrations felt by members over the lack of delivery on key work streams. He explained that since last meeting, the 2nd consultation document had progressed and officers were now working towards completing the document. Following earlier requests for a shorter consultation period, SE explained it is unlikely that this period could be reduced purely due to the nature of the consultation, and also to reduce the risk of possible Judicial Review.</p> <p>Pressures on legal time was also a major factor in progressing any new legislation, as staff were having to deal with Brexit and other ministerial commitments.</p> <p>SE explained that recent discussions with Legal had highlighted a number of issues regarding the primary powers available to ministers. He explained that whilst they had the powers to introduce a flexible permit scheme, these powers had not been tested previously through the Constitutional and Legal Affairs Committee (CLAC), who were responsible for legislation in Wales. As a result it</p>

would be necessary to test case legislation to ensure it would be accepted by the Committee. Until this happens, we will not know if we are able to introduce the flexible measures.

Whelks – SE explained officials were now looking to introduce new legislation in 2 phases. The first would include an increase in the MCRS to 55mm in all areas and a possible closed season.

During discussions members raised concerns over the proposal to introduce a closed season, they felt this could cause unnecessary hardship for some fishers and processors, and there was concern over the storage of whelk pots during the closed period. Members put forward a number of other options which could be considered, these included pot limitation and iVMS for vessels fishing for whelk, spatial closures and or monthly catch limits.

As the detail of the closed season was not clear, members asked if Leanne could provide further details. Officers agreed to take this as an action point and would report back to the group.

SE explained the recent consultation showed that industry supported a closed season. The Chair thought there appeared to be some confusion over the possible introduction of a closed season. Discussions showed there were regional variations in the preference for a closed season with members suggesting a pilot project in the areas where they were in favour of a closed season.

The Chair went on to say, as he understood it, the suggestion of a closed season was to be a proposal within the SI to enable the fishery to be closed should it become necessary.

Members also suggested further options which included pot limitation, although consensus was this would be difficult to monitor and enforce, and the use of iVMS.

Action 5: Leanne Llewellyn to provide members with outline proposals for the Whelk closed season.

Action 6: To allay members concerns about the pace of delivery JB to prepare a statement of intent setting out how progress would be achieved on priority work streams at such a challenging time.

Cockle management – Members were informed that officers were now moving forward with options for adaptive management measures. Further surgeries were planned in the coming months to explain next steps.

EMFF – BJ explained that only 12% of the total fund available had been allocated to projects. There had been delays in a number of the process stages.

Members felt that applicants were struggling to complete the full application and sought clarification on whether the FBDA allowance could be extended. BJ explained as this was domestic budget it would be unlikely to be extended, however, she would seek agreement to extend the scheme until the end of 2018. JE confirmed that he had been in email contact with Senior Officers who had requested further information in relation to numbers of likely applicants likely to inform the FBDA review.

As discussions continued, members also suggested that industry were unaware of what is available and how to apply for funding. Also, the online application process is proving to be an issue for potential applicants.

Action 7: Members to let BJ know how many people intend applying for FBDA support, including when applications are likely to be received and the potential

value of project.

Action 8: HW to produce a document outlining what can be applied for under EMFF and the application process.

Action 9: BJ offered to attend association meetings to inform members or hold surgeries to discuss individual issues. Members to report back to associations to inform them of this offer and report back to BJ.

Escape hatches - BJ explained that EMFF funding was available, associations or a constituted body would be able to apply for funding to cover the costs involved. However BJ would seek further clarification on this and report back to the group.

There was a mixed reaction from the group over the use of escape hatches, with some members strongly in favour of using this as a conservation tool whilst other members felt the use of escape hatches would cause further issues relating to loss of valuable by-catch.

Members had received a copy of a report regarding the Pembrokeshire Sustainable Shellfish Initiative, the Chair agreed to ask Sue Burton to attend the next meeting to present the report in more detail.

Action 10: BJ to seek clarification on possible funding to associations or constituted bodies who may apply for funding for escape hatches

Action 11: Chair to invite Sue Burton to attend next WMFAG meeting to present her report findings on escape hatches to members.

Action 12: Members asked to provide evidence of the benefit of using escape panels, a number of reports have previously been written on the use of escape hatches, this information can be presented at the next WMFAG meeting.

Marketing project – Seafish and Mentor busy working on an application relating to marketing and promotion of seafood in Wales which is looking at a unique selling point for Welsh seafood. BJ asked members to provide Holly with any ideas they have on this.

Action 13: Members to provide HW with details of marketing and promotion initiatives.

Seafood Expo Global Brussels – BJ advised members that only 2 companies have confirmed they would be attending. BJ advised members unless interest in this increased it is unlikely that WG would attend in the future.

LW explained that small business felt this is a big business exhibition and they haven't got a place at such an exhibition.

Action 14: BJ agreed to look into T&S costs for a limited number of non-exhibiting attendees.

Action 15: HW to invite Caroline Dawson, Project Manager for EMFF and the Welsh Seafood Cluster at Menter a Busnes, to attend a future WMFAG to discuss marketing and promotion of Welsh seafood.

Fixed Administrative Penalties – Work has progressed on this and it is intended a consultation document would be released in early May.

Assessing Welsh Fisheries – CC explained there had been a delay in delivering the next batch assessment (mammal assessments) these are now 75% complete and should be released by the end of the financial year. The next steps will be looking at potting assessments.

Queen Scallops – SE confirmed the Cab Sec had now agreed licence conditions. Officials were now in discussions with other devolved administrations seeking their agreement. Members queried the MLS seeking clarification if this would only apply in Welsh waters. SE confirmed that this would apply to Welsh vessels wherever they fished, other administrations would apply the condition to licences issued in their areas.

Marine Plan – Consultation is still live and available on the Welsh Government website.

CFP – MJ provided members with an update explaining in particular landing obligations which are currently not having an impact on Welsh vessels, however work is underway to consider species that may present a ‘choke’ as a result of the full implementation of the landing obligation on 1 January 2019. Bass will be of particular concern for Wales. All information regarding fisheries regulations is available on the fisheries webpage.

Bass – Members were provided with a paper outlining the results of December Council. Overall the outcome was good in relation to quota species with some increases being given.

MJ explained that EU Commission want a total ban on bass fishing, however officials from the UK and other countries put forward a strong argument to ensure some fishery was able to carry on. Although the outcome was not ideal, officials did manage to reach a compromise with the Commission to ensure the fishery continued.

Authorisation to fish for bass in 2018 will be issued shortly to those who received an authorisation in 2017.

Emerging Fisheries

Wrasse – MJ informed the group there was little information available. Wrasse has not been bought from Wales and a meeting has been arranged with Marine Harvest to discuss their plans.

Razor Clam Fishery – Members were informed that work has been commissioned on methods for assessing razor clams stock in Wales. A report should be available by the end of March; recommendations will be put forward for consideration.

Potential Development Areas – JB went through the list of areas provided by members prior to the last meeting. No additional items been put forward since the last meeting;

As JB went through the list in order, LW referred to policy decisions taken by WMFAG and Welsh Government in regard to several fisheries which include bass, scallops, crustaceans, salmon and sewin and a possible ban on landing berried lobster. He explained that decisions involving the fisheries were having a detrimental effect on his income and that of other fishermen. He was concerned that decisions taken did not consider the effect they would have on the income and livelihood of those who depend on those fisheries.

LW went on to explain that prior to WG taking on management of fisheries in Wales, there were no problems with any fishery, however, now there appeared to be several fisheries in danger of collapse. He felt that WG were only concerned about sustainability and don't consider the effect decisions were having on fishers.

JB appreciated the concerns raised, but informed LW that WG had a duty to

	<p>ensure fisheries were managed sustainably to ensure their long term viability for future generations.</p> <p>The Chair explained that whilst everyone was sympathetic with the comments made, not all decisions were taken by WMFAG or WG with some being led by EU Commission decisions.</p> <p>Going through the priority list, with the help from members, JB was able to prioritise the work areas as follows:</p> <ul style="list-style-type: none"> • Export Certificates – This is a high priority item because it will be required for ‘Day 1 readiness’ post Brexit. • Under 10m Catch Reporting – Will need to be in electronic form and provide data that feeds into export certificates (above) and Day 1 readiness (high priority). • Inshore VMS – to be developed alongside U10m Catch reporting - Medium • Berried lobster – to be considered under Part II of the Crustacean Review. • Recreational fishing/angling – More information required. • Dee Estuary Fisheries Management. <p>Action 16: ESNR Consultation to be discussed at the next meeting.</p>
6.	<p>December Council – discussed above.</p>
7.	<p>Wrasse – discussed above.</p>
8.	<p>EU Transition – SE provided a verbal update, explaining that officials had attended a number of meetings Defra and other devolved administrations to consider the key challenges being faced due to Brexit.</p> <p>Action 17: SE to provide members with a short update on Brexit at next meeting.</p>
9.	<p>Potential Options for Improving Fisheries Stakeholder Engagement – JB explained following the decision taken at the last WMFAG meeting in October 2017 to continue with the suspension of IFGs, correspondence had been received from some IFG members. Concerns had been raised about the decision to maintain the current structures and the results of the WMFAG questionnaire assessment. Each of the concerns raised were discussed by the group and relevant actions identified.</p> <p>A briefing document was presented providing a full break down of the WMFAG questionnaire responses. Members were asked for their opinion on the comments within the document.</p> <p>JB also provided a list of possible options to be considered for improving engagement with stakeholders and beyond. Members agreed the following would be positive additions and should be considered:</p> <ol style="list-style-type: none"> 1. WMFAG papers to be sent to all IFG members prior to WMFAG meeting to enable them to raise issues through their representative. 2. Summary of meetings should be added to the Welsh Government website. 3. Consideration was also given to communications with persons involved in the fishing industry who are not affiliated to an association. It was agreed officials should look into this more closely before agreeing appropriate actions. 4. Members agreed the Marine & Fisheries webpages need updating/ improving. <p>Action 18: JB to seek clarification on how many ‘hits’ there are on the M&F webpages.</p> <p>For the other options presented the group felt that, as resources are currently</p>

	<p>under considerable pressure, they should not be adopted at this time.</p> <p>Additional membership of WMFAG and staff attendance at meetings was also considered, whilst there appeared to be possible ‘gaps’ in membership of the group, it was agreed the current group structure was working and allowed for engagement between members and officers, all felt there was no need for further change at this time, this would be reviewed again in October 2018.</p> <p>Members also agreed it was the remit of current members to reflect the opinions of their association and its members.</p> <p>Members were informed the Aquaculture Advisory Group was being reformed and would meet shortly, TJ agreed to be the link between WMFAG and the AAG.</p>
10.	<p>Items for Information:</p> <ul style="list-style-type: none">(i) Seafish Best Practice Guidance for Assessing the Financial Performance of Fishing Gear – HW provided additional information and advised members to contact her for more detail. <p>HW also provide information regarding a project funded by Welsh Government and Seafarers UK which is providing every vessel owner the opportunity to purchase Personal Floatation Devices with location beacons (PFDs) at a cost of £15 per unit.</p> <ul style="list-style-type: none">(ii) Marine Planning Consultation Document(iii) WEL Document – Priorities for Marine Environment and Fisheries Policy in Wales following the withdrawal from the European Union.(iv) Pembrokeshire Sustainable Shellfish Initiative Summary Report – Sue Burton to be invited to next meeting to provide presentation. <p>JB congratulated John O’Connor on being named World Animal Protection's Sea Change Champion for his efforts in his campaign to keep Pembrokeshire's coast free of lost or discarded fishing tackle which can entangle crustaceans, birds and seals as well as damage habitats.</p> <p>Date of Next meeting: Members were advised the meeting scheduled fro 18 April would be postponed and would now be held during May. MR will look into alternative dates and advise members.</p>