



---

**MINUTES OF MEETING  
FRIDAY 12 MARCH 2010**

**WILDFOWL & WETLANDS TRUST, PENCLACWYDD, LLANELLI**

**Present**

Jane Hodges (JH) Chair	Pembrokeshire Coast National Park Authority (PCNPA)
Blaise Bullimore (BB)	EMS Officer
Anne Bunker (AB)	Countryside Council for Wales (CCW)
Phil Coates (PC)	South Wales Sea Fisheries Committee (SWSFC)
Kate Collins (KC)	Environment Agency Wales (EAW)
Ged Davies (GD)	EAW
Dave Ellar	EAW
Deb Hill (DH)	City & County of Swansea (CCoS)
Lewis Keil (LK)	Dwr Cymru-Welsh Water (DCWW)
Ziggy Otto (ZO)	CCW
Lindsey Rendle (LR)	Carmarthenshire County Council (CCC)
Huw Williams	CCW
Rebecca Wright (RW)	CCW

**1 Welcome, apologies & new members**

Apologies: Simeon Jones	Carmarthenshire County Council
Trevor Theobald	Pembrokeshire County Council
Dusi Thomas	Dwr Cymru-Welsh Water

New members and additional representatives were welcomed and introduced.

*Noted:* Vicky Swales has left the Welsh Assembly Government Fisheries Unit since the last meeting. Stuart Evans, Fisheries Policy Manager, is now the contact and was invited to the meeting, in particular to address agenda item 5.

**2 Minutes of meeting 9 December 2009**

Agreed without amendment.

### 3 Matters arising from minutes of 9 December 2009 & not on the agenda

*Noted:*

Item 3. Action completed. Acknowledgement received from CCW CX but no substantive response to date. CCW monitoring resources have been cut and programmes are under threat, however scoter monitoring has been identified as a priority. Text had been taken from RAG's letter to support rationale for resource bid.

Item 7. Final ToR still awaited.

Item 8. Copy of flyer awaited.

Item 9. No comments or suggestions on future salt-marsh monitoring received

### 4 Budget & resources

*Noted:*

All RA contributions except EAW received for this FY; EAW contribution delayed because of time taken to resolve issues with annual MoA.

EAW: further meetings held with KC and Mark Potter, Biodiversity Team Leader SW & SE Wales, and Ben Sampson, Cardigan Bay SAC, to refine matching RAG outputs to EAW targets. Successful pilot by BS recently resulted in increased funding for current FY. Model to be rolled out across all RAGs for next FY which may result in restoring level of contribution. RAG outputs / EAW target matrix to be circulated. **Action: BB**

CCW: contribution for FY 2010-11 not yet finalised but reduction likely. Future contributions to be on yearly renewable basis *cf* three yearly as previously. Result of Maggie Hatton-Ellis review awaited; update to be provided at next meeting.

SWSFC: request for RAG contributions to be included in WAG Fish budget submitted by SWSFC.

Other contributions assumed unchanged for time being; non-contributors again urged to identify urgent need to (re)commence contributions.

Expenditure in current FY is close to budget; final figures for Judith Oakley on-costs and expenses awaited. Expenditure will exceed income for the year – as budgeted – cutting into reserves. Assuming contributions from CCW and EAW for 2010-11 as above, income and reserves will carry RAG through to mid – late FY 2011-12. Revised budget to be circulated once all figures received, and expenditure and projected income confirmed. **Action BB**

The possibility of a formal RAG MoA, with all RAs as signatories, addressing financial contributions, targets and outputs had been suggested by EAW; the proposal was discussed at length.

*Agreed:* unlikely to be practical, experience elsewhere suggests it would take considerable time to achieve with no certainty of success.

### 5 Change in fisheries management

In absence WAG Fisheries Unit, PC briefed members:

*Noted:*

WAG Transfer Order implementing Marine & Coastal Access Act 2009 in Wales will have effect from 1 April 2010.

Inshore fisheries management will also transfer from SFCs to WAG Fish on same date.

New WAG Fish Unit structure will be circulated once finalised.

SFC staff will form new Inshore Fisheries Management group / section, managed by PC, based in Swansea.

Relocation of former SFCs policy roles not yet clear.

Burry Inlet cockle Regulating Order (BICRO) will transfer to EAW from 1 April for initial period of two years followed by a review.

SFC byelaws will be rolled over into WAG Orders (statutory instruments).

WAG Fisheries will undertake wider marine enforcement function in Welsh waters that MMO and IFCAs will take in England.

Future WAG Fisheries representation on RAG will be clarified in due course.

### ***Burry Inlet cockle Regulating Order***

Dave Ellar introduced as EAW lead for BICRO management from 1 April.

Existing management under the RO will continue for the foreseeable future.

EAW bailiffs will undertake the active on-site management and intend to have a high presence on the ground in the first year. EAW staff and WAG Sea Fisheries Officers will be cross warranted to minimise duplication of effort on site.

Marine Stewardship Council have recently completed a review and are content to maintain the MSC accreditation.

## **6 Burry Inlet cockles & MoU update**

*Noted:*

The Hull University coordinated cockle report for 2009 was being mailed to Cockle Working Group members that day and could not be released to members until the CWG had had chance to consider it. CWG due to meet on 19 March.

GD tabled a revised MoU between CCC, CCoS, CCW, EAW and DCWW “Safeguarding the environment of the CB&E EMS whilst enabling social and economic development for communities around the Burry Inlet”

Members were *advised that:*

- the MoU is a short term, interim measure and a “novel solution”;
- there is no conflict with and does not replace the developing management scheme (MS);
- a workshop for RAG members and other RA staff to address the contents of the MoU is proposed.

*Noted:*

(EA / CCW) the profile of the EMS has been raised to a more senior level by the issues leading to and the development of the MoU; this should result in the development of the MS being addressed at an appropriately senior level.

(PC) whilst noting that this was the first time he had seen the amended MoU since its 1 December 2008 iteration, whilst the MoU had great merit in alerting senior staff of competent authorities (CAs) and bringing people together, whilst there were merits in the establishment of water quality control mechanisms to help meet a range of EC Directives which were endpoint led; he:

- sought reassurance that the MoU complied with the specific requirements of the Habitats Regulations that implement the Habitats and Birds Directives;
- expressed concern that CAs signing up to specific actions may prejudge Habitats Regulations Assessments and thus the statutory duties of each competent authority.

(EA / CCW) the text of the MoU had changed significantly from earlier versions and no actions agreed as part of the MoU would usurp any duty or prejudge any HRA.

Members discussed the MoU at length, based on their understanding of it as summarised to them by GD.

*Agreed:* the function of the MoU needs to be subsumed into the work of the RAG

*Noted:* a workshop would be organised by EA with a target date in April; e-mail to be circulated to canvas availability **Action: GD**

## 7 Management Scheme development

BB briefed members on progress and reiterated the purpose of the MS.

*Noted:*

Technical Annex 6 was circulated at the beginning of the year as agreed at previous meeting, and a further developed version again in mid February. There remain considerable information gaps and the Annex is still incomplete.

Populating the actions section is incomplete.

Input from RAs has been insufficient.

Purpose of MS clearly stated in legislation and guidance as RAs working collaboratively to develop integrated approach and measures for management of EMS to meet conservation objectives.

Development of the MS is part of the “day job” for RAs rather than something separate.

Work programme timeline agreed at Sept 2009 and reconfirmed at December 2009 meetings has already slipped.

Attempts to secure local authority senior officer engagement has met with little success.

An initial meeting with CCW took over two months to secure.

An initial meeting with EAW had been held resulting in many actions for KC to provide information or determine sources of information.

*Agreed:*

Involvement of more senior, decision-making, staff is critical; responsibility for securing that involvement lies with RA reps or RAG as a whole; EMS officer has no authority to secure engagement by local authority senior officers.

The need to speed up progress is perceived to be increasingly important as RA contributions are increasingly focussed on outputs.

Next mtg to be all day workshop focussed on action planning <sup>1</sup>.

BB to continue to populate proposed actions sections as a cock-shy and continue with bilateral meetings with RA reps. BB will not abstract actions from TA6 to compile MS Action Plan until after actions have been agreed <sup>2</sup>. **Action: BB / ALL**

Noting current transition in fisheries management, set aside fisheries actions for time being pending clarification of representation from and secured engagement by WAG Fish; further noting that fisheries management is one of the two key issues in this EMS and cannot be disregarded in the MS.

Revise target date for completion of draft MS and action plan for formal internal RA consultation and sign-off to end September 2010 (and consequential revisions to work programme time-line) <sup>3</sup>.

All RA members to ensure they engage with all relevant colleagues. **Action: ALL**

## **8 EMS Officer report**

*Noted:*

Contacts update. JO had not sent out e-mails to contacts for whom e-mail addresses were held as previously understood; only letters to contacts with no e-mail addresses had been sent; 25 returns from mail shot received to date.

Vicky Swales had provided a debrief prior to leaving WAG Fish.

*BB had attended the following meetings:*

WAG MCZ Stakeholder Engagement Group 10 Dec 2009 and 3 Feb 2010

Sustainability Pembrokeshire Environmental Education Link (SPEEL) 14 Jan (to identify PR and liaison opportunities)

Coastal Futures 20 – 21 Jan

GEMS (by video conference) 27 Jan (focus on EMS / RAG resources)

Marine renewable energy seminar 9 Feb (note recently announced proposed major wind farm development to south of EMS)

SWWFC chairman liaison meeting 17 Feb

EA (KC / MP + BS) resources 18 Feb

CCW Action planning (AB, MC, ZO, BW) 23 Feb

SW Wales Recreation Audit GIS demo 4 March

EA Action planning 10 March

*Future plans*

Wales coastal & Maritime Partnership conference, Cardiff, 18 March

WAG MCZ Tech Advisory Group workshop in April - BB will take leave to attend

---

<sup>1</sup> Implicit in this but not agreed at the meeting is circulation of the revised and most current version of Technical Annex 6 in sufficient time for members to read and prepare for the meeting.

<sup>2</sup> Whether at workshop or subsequently.

<sup>3</sup> Note: agreement on this revised timetable did not consider fisheries action identification and planning.

Carmarthenshire BAP marine event Burry Port Marina Sat 12 June

Pembrokeshire Fish Week Tenby Sun 27 June

## **9 Relevant authority updates**

LK briefed members on imminent major reorganization of DCWW, bringing outsourced operations back in-house.

### **a) consents & information exchange**

see confidential annex

### **b) research & monitoring reports**

(BB) MCA plans to undertake multi-beam sonar bathymetric surveys include Carmarthen Bay in 2012.

(BB) Otter survey report anticipated soon.

(PC) RWE nPower undertaking survey work related by proposed Atlantic Array wind farm development.

## **10 Other business**

*Noted:* CCW workshop on scoping methods for assessing vulnerability of marine biodiversity in Wales to climate change. AB to provide feedback.

## **11 Date(s) of next meeting(s)**

10.00 Friday 25 June 2010, WWT Penclacwydd; all day action planning workshop

Meeting closed at 13.45

**Confidential Annex**

**6 Burry Inlet cockles & MoU update**

Although members had not yet had a chance to read the document, based on the previous version and the description of the MoU given by GD, concerns were expressed that:

- the relationship between the MoU and the work of the RAG in developing the MS was unclear;
- the MoU appeared to be a duplication of effort;
- there was no reference in the MoU to the RAG or the MS;
- it was unclear what the problem was that the MoU was a solution to, which had not been adequately addressed on many other EMS;
- the communication within RAs and with RA representatives on the RAG needed to be significantly improved so as to avoid the perceived need for such additional initiatives

**9 Relevant authority updates**

**a) consents & information exchange**

*Noted:*

(LK) Following trials at Barry, UV disinfection of CSOs being introduced at Llanelli WWTW (commissioned, now awaiting rainfall) and Northumberland Road PS (due for commissioning end March 2010) to achieve Shellfish Waters Directive standards as measure is more sustainable than construction of very large storage facilities. Disinfection acknowledged not to remove nutrients, suspended solids or BOD.

CSO spills anticipated to continue at c 100 per annum. Ongoing are improvements required to meet UWWTD standards.

Directing resources toward SUDS is considered more efficacious than construction of large storage facilities.

(AB) Intertidal whelk collection reported from Telpyn area.

(AB) Consents situation for intertidal disposal of shellfish processing waste and undersized shellfish by shellfish processors under investigation.

(ZO) CCW advising on applications for 'stub groyne' near Llanelli North Dock, Burry Port navigational dredging and EA monitoring station pontoon. Current Burry Port dredging and spoil disposal considered unsustainable in medium – long term.

(KC) EAW review of consents for CB&E will be complete by end March. Conclusions will inform plans for future management and AMP.

(PC) WAG currently have embargo on recruitment.

(PC) Mussels are being imported into the site from elsewhere (including Dee estuary and Morcambe Bay) and stored on racks in intertidal (one known site on south side Burry Inlet and 7 (ZO) on north side). Concerns identified about genetic mixing of stocks resulting from escapes / releases, biosecurity and sediment transport modification in vicinity of racks.

(BW) CCW advising on planning work and HRAs for developments.

(DH) CCoS undergoing structural changes; Planning Department, including Nature Conservation Team, moving from Environment into Economic Regeneration division.

(GD) EAW Catchment Sensitive Officer being transferred from Tywi to Towy to address agricultural inputs and Lougher NVZ.

(LR) CCC proceeding with HRA for developments; waiting for final comment from CCW regarding HRA for Machynys development.

(LK) Proposed additional phosphate stripping at Llannant WWTW is an interim “quick hit” measure funded by CCC and CCoS. Amount of phosphate stripped will match the additional phosphate load from new developments. Nitrate stripping at Gowerton and Llanelli already removes some phosphate. Longer term schemes to remove further phosphate anticipated.

(LK / KC) Maintaining status quo does not meet HSD objectives. Further, long term, measures to reduce nutrient loads will be informed by the outcomes of the RoC.