



Ein cyf/Our ref: LG/571/21

Llyr Gruffydd MS,
Chair Climate Change,
Environment and Infrastructure
Committee

SeneddClimate@senedd.wales

19 July 2021

Dear Llyr,

Please find below answers to issues raised in a letter dated 23 March from Mike Hedges MS, then chair of the Climate Change, Environment and Rural Affairs Committee during the last Senedd regarding the export of Live Bivalve Molluscs.

In the intervening period, two of the beds in the Menai Straits have now achieved seasonal 'class A' status. While this does not on its own solve the issue, it will allow a level of exporting to resume.

I will answer each of the questions raised in the letter in turn.

Q1. What is your understanding of the effect the re-classification has had on the LBM sector in Wales?

Non-depurated LBMs from class B waters cannot currently be exported to the EU. While Defra will continue to work to re-establish this trade, industry are advised to seek ways to adapt their businesses to these new trading conditions. This has resulted in two areas achieving seasonal class A status (Class A Season runs from 1 July to 30 April, reverting to class B at all other times).

Q2. You told us that officials are “in on-going dialogue” with the FSA about the reclassification of Welsh waters. Can you outline the nature of discussions and clarify what outcome you are seeking to achieve?

Officials discussed the issue of re-classification of Welsh waters with the FSA and were assured the FSA had put in place an enhanced sampling plan for the Menai straits. This sampling plan subsequently led to the re-classification of two areas in the straits as seasonal class A.

Further discussions have taken place between officials and FSA concerning possible improvements to the classification process within the existing regulatory framework, balancing the need to support shellfish production in Wales with the protection of public health.

My officials will continue to work closely with the FSA on this issue.

3. What is your understanding of the status of the re-classification? Is this a provisional classification and what is the FSA’s intention regarding this status?

The classifications of shellfish harvesting areas the Menai are full classifications based on 3–5-year datasets and are, therefore, not provisional.

In the early part of 2020, a combination of severe weather and closure of public health laboratories for non-Covid work resulted in a gap in the dataset. The FSA has worked with the relevant Local Authorities to deliver an enhanced sampling plan to mitigate against the shortfall in the required number of samples. This has now been achieved and the number of samples is back within the recommended parameters in the FSA classification protocol.

The FSA is looking at the classification system to determine what improvements can be made to current procedures within the current legal framework, whilst ensuring the current high level of public health protection is maintained. As set out in the May [Chief Executive’s Report to the FSA Board](#), the FSA will now consider seasonal classifications pro-actively whenever *E. coli* results indicate a potential downgrade is needed, rather than rely on Local Authorities and harvesters to request consideration as was the case previously. We have already considered this in relation to investigations into recent results in Menai Straits and will be updating classifications where relevant.

4. What steps are you taking to improve the quality of Welsh waters to ensure that, in future, they will be classified as Class A?

Improving our water quality needs a multi-year funding settlement and we rely on stakeholders and partners, in particular NRW and water companies. The pressures on the water environment include pollution from agricultural sources, industry, highway and urban run-off, waste water treatment works, private sewage treatment (e.g septic tanks), misconnections and CSOs.

Significant investment would be required to tackle all of the issues and would require co-operation from a number of stakeholders and partners.

There are currently 22 Shellfish Water Protected Areas (SWPAs) in Wales. When waters are designated as SWPAs, the aim is to protect and improve water quality to support the growth of healthy shellfish and contribute to good quality edible shellfish (where it is deemed cost proportionate).

NRW has monitoring programmes in place for each farmed SWPA to assess compliance against the microbial standard for shellfish flesh. NRW set the environmental programme for water companies to drive improvements. Investigations completed over the last 5-10 years, combined with a cost assessment to understand whether investment would be proportionate, identified improvements to be made to wastewater discharges in Menai Strait East.

Welsh Ministers are currently reviewing all Shellfish Water Protected Areas in Wales.

5. Can you update the Committee on the outcome of your discussions with the UK Government on the continued trade with the EU of Live Bivalve Molluscs from Class B waters?

The UK Government have retained competency on all matters pertaining to International Trade and exports. I continue to raise this issue with UK Government.

7. You told us that, unless trade of Live Bivalve Molluscs can be resumed, aquaculture and shellfish producers would need “to look at their business models”. You also referred to the need for a “complete reconstruction of the sector”. What steps have you taken, or are you planning to take, to support the sector in this regard?

On 11 March I announced £2.3 million investment in our coastal communities to support the seafood industry, harbour infrastructure and the marine environment. The £2.3m was divided between two main schemes, £1.3 million was allocated for the Seafood Sector Resilience Scheme, a targeted one off grant to eligible Welsh vessel owning fishing businesses, equivalent to 3 months fixed vessel costs capped at a maximum of £10,000.

The scheme also provided a grant to aquaculture businesses for the first three months of 2021 at 50% of average monthly gross revenue, (the highest grossing year 2017-2019) to a maximum cap of £40,500.

The remaining £1 million was allocated to the Small Scale Coastal Infrastructure Scheme which will be made available for all Port Authorities and Local Authorities around Wales to apply for grants of up to £100,000 for capital investment. This scheme will provide targeted environmental, operational, safety and security benefits for all users of Welsh ports and harbours by improving the overall performance, sustainability, safety and well-being of industries and the general public.

The longer term programme of support for the Marine and Fisheries sector will be developed and co-designed with stakeholders taking into account the response to Brexit and our Seas, the UK Fisheries Act, and the development of a Future Fisheries Policy.

Regards,



Lesley Griffiths AS/MS

Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs, North Wales and Trefnydd