

**Title of meeting:** Cabinet Member for Environment and Community Safety  
Decision Meeting

**Date of meeting:** 14<sup>th</sup> November 2014

**Subject:** Adoption of the Shellfish Local Action Plan

**Report by:** Alan Cufley, Head of Corporate Assets, Business & Standards

**Wards affected:** ALL

**Key decision:** No

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## **1. Purpose of report**

- 1.1. The Portsmouth Port Health Authority [PPHA] district comprises of the two harbours, Langstone and Portsmouth. Within these areas, there are a number of classified shellfish beds which are commercially harvested.
- 1.2. Portsmouth City Council Environmental Health service [EH] have a statutory responsibility to monitor the quality of harvested oysters, clams and other live bivalve molluscs [LBM] from these beds to ensure that they meet the appropriate standards in order to prevent illness to consumers.
- 1.3. The local shellfish industry is reported to be worth in excess of £500,000 annually, with approximately 50 locally registered vessels operating within the PPHA. The purpose of this report is to explain how, following receipt of poor LBM sampling results, the classified beds will be appropriately closed pending further sampling and how closure protocols and the reporting of poor results will be communicated to interested and involved parties.

## **2. Recommendations**

- 2.1. **That the Cabinet Member for Environmental and Community Safety approves the proposal to manage the harvesting of live bivalve molluscs within the Portsmouth Port Health Authority area through the implementation of the Shellfish Local Action Plan [SLAP] as described in Appendix 1.**

## **3. Background**

- 3.1. In recent months, following 'Sanitary Surveys' undertaken by Centre for the Environment, Fisheries and Aquaculture Science [CEFAS] in 2013 to report on the sources of pollution impacting upon the harbours, EH has consulted with interested parties and enlarged its sampling programme, with the intention of increasing the number of beds and species classified.

- 3.2. The results of this sampling programme are encouraging and have suggested that a number of new beds will be suitable for classification. Once sufficient data has been received regarding shellfish and water quality within the harbours, EH are confident that in the next few months, following an application, the Food Standards Agency [FSA] will formally designate new classified harvesting areas.
- 3.3. Regular monitoring of these areas by EH will then ensure that the LBM remain fit for consumption, albeit only after additional treatments and purification have been provided once landed. The results will continue to be scrutinised by both the FSA and CEFAS in accordance with the relevant European directives for levels of bacteriological contamination present.

#### **4. The proposal**

- 4.1. As a result of the increased number of beds and species classified within the two harbours and the complexity of the results and reporting procedures, it is proposed that a Local Action Group [LAG] be co-ordinated / facilitated by EH under measures introduced by the FSA. It is envisaged that LBM sampling results, intelligence, pollution incidents and closures will be communicated via the LAG.
- 4.2. It is recommended that the LAG comprises of representatives from various relevant agencies and the fishing industry. Dependent upon the level of *E.Coli* present, it will be the function of EH to communicate sampling results to the LAG when trigger levels for contamination are exceeded.
- 4.3. *E.Coli* is a faecal indicator organism and is a prescribed measure of water quality. There will be three tiers of response depending on the levels of *E.coli* bacteria found in shellfish flesh monitoring samples. A Tier 1 response will trigger a minor investigation whereas a Tier 3 investigation will be more extensive and could result in closure of the shellfish harvesting area in question.
- 4.4. EH is also responsible for monitoring shellfish and water quality for algal biotoxins in the harbours. Shellfish and water samples are sent to CEFAS laboratories to be analysed for the presence of Amnesic Shellfish Poison [ASP], Diarrhetic Shellfish Poison (DSP) and Paralytic Shellfish Poison [PSP] toxins. The presence of these toxins in shellfish flesh defines action limits which may cause illness and have potentially fatal consequences for consumers.
- 4.5. The proposed communication strategy is not designed to be prescriptive, allowing flexibility and for the experience of EH officers in relation to fluctuating results and the reasons for such to be taken into account. It will not be necessary for every eventuality for all members of the LAG to be notified.
- 4.6. EH, has the power to close any affected shellfish beds in order to protect potential consumers. The SLAP will enable the better communication of this to interested parties and offer the public greater protection from shellfish subjected to pollution.

**5. Equality impact assessment**

5.1. An EIA has been undertaken for this report, and checked by Access & Equalities Team.

**6. Head of Legal Services' comments**

6.1. The FSA is required to verify that official controls of the harvesting of LBM are organised and carried out in accordance with the relevant provisions of Regulation [EC] No 882/2004 of the European Parliament on official controls performed to ensure the verification of compliance with feed and food law, animal health and welfare rules.

6.2. EH is required to develop a documented procedure relating to their shellfish sampling responsibilities. As part of these responsibilities, it is appropriate to create a SLAP on the sampling and harvesting of shellfish for the purpose of Official Control Monitoring of classified shellfish production areas under Regulation [EC] No 854/2004.

**7. Head of Finance comments**

7.1. The adoption of the Shellfish Local Action Plan will have no adverse effect on existing budgets.

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Signed by: Alan Cufley, Head of Corporate Assets, Business & Standards

**Appendix A: Background list of documents:** The following list of documents discloses facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Appendix	Location and Title
A	Appendix 1 - Shellfish Local Action Plan

The recommendations set out in 2.1 above were approved by the Cabinet Member for Environment & Community Safety on .....

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Signed by: Councillor Robert New, Cabinet Member for Environment & Community Safety