



# **Cynulliad Cenedlaethol Cymru** **The National Assembly for Wales**

## **Y Pwyllgor Amgylchedd a Chynaliadwyedd** **The Environment and Sustainability Committee**

**Dydd Iau, 8 Tachwedd 2012**  
**Thursday, 8 November 2012**

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Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynnddi. Yn y golofn dde, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

In the left-hand column, the proceedings are recorded in the language in which they were spoken. The right-hand column contains a transcription of the simultaneous interpretation.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Mick Antoniw	Llafur Labour
Russell George	Ceidwadwyr Cymreig Welsh Conservatives
Vaughan Gething	Llafur Labour
Llyr Huws Gruffydd	Plaid Cymru The Party of Wales
William Powell	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Antoinette Sandbach	Ceidwadwyr Cymreig Welsh Conservatives

**Eraill yn bresennol**  
**Others in attendance**

Olivia Burgess	Cynghorydd Polisi Morol, Ystâd y Goron Marine Policy Adviser, The Crown Estate
Jim Evans	Cymdeithas Pysgotwyr Cymru Welsh Fisherman's Association
Tonia Forsyth	Fforwm Arfordir Sir Benfro Pembrokeshire Coastal Forum
David Harding	Ysgrifennydd Cymru, Cymdeithas Cynhyrchion Mwynol Welsh Secretary, Mineral Products Association
Sarah Horsfall	Cymdeithas Pysgotwyr Cymru Welsh Fisherman's Association
Dr Mary Lewis	Rheolwr Cynghori Ecosystemau Morol, Cyngor Cefn Gwlad Cymru Marine Ecosystems Advice Manager, Countryside Council for Wales
Steven Morgan	Cymdeithas Hwyllo Cymru Welsh Yachting Association
Paul Parker	Partneriaeth Aber Hafren Severn Estuary Partnership
Morgan Parry	Chair, Cadeirydd, Cyngor Cefn Gwlad Cymru Countryside Council for Wales
Caroline Price	Y Gymdeithas Hwyllo Frenhinol Royal Yachting Association
Mark Russell	Cyfarwyddwr, Marine Aggregates, Cymdeithas Cynhyrchwyr Agregau Morol Prydain Director, Marine Aggregates, British Marine Aggregate Producers Association
Dr David Tudor	Uwch Reolwr Polisi a Chynllunio Morol, Ystâd y Goron Senior Marine Policy and Planning Manager, The Crown Estate
James Wilson	Cymdeithas Pysgotwyr Cymru Welsh Fisherman's Association

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**  
**National Assembly for Wales officials in attendance**

Alun Davidson	Clerc Clerc
Michael Lewis	Dirprwy Glerc Deputy Clerk
Nia Seaton	Ymchwilydd Researcher

*Dechreuodd y cyfarfod am 9.31 a.m.  
The meeting began at 9.31 a.m.*

### **Ethol Cadeirydd Dros Dro Election of a Temporary Chair**

[1] **Mr Davidson:** Unfortunately, the Chair, Lord Elis-Thomas, sends his apologies this morning. Under Standing Order No. 17.22, I therefore invite Members to nominate a temporary Chair for today's meeting.

[2] **Antoinette Sandbach:** I nominate William Powell.

[3] **Russell George:** I second that nomination for William Powell.

[4] **Mr Davidson:** I see that there is only one nomination, therefore I declare William Powell appointed temporary Chair.

*Penodwyd William Powell yn Gadeirydd dros dro.  
William Powell was appointed temporary Chair.*

### **Cyflwyniad, Ymddiheuriadau a Dirprwyon Introduction, Apologies and Substitutions**

[5] **William Powell:** Bore da a chroeso cynnes i bawb to this meeting of the Environment and Sustainability Committee. We have a number of apologies this morning—we have already heard that our Chair, Lord Elis-Thomas, is unable to be with us, but we also have apologies from Julie James, Keith Davies and David Rees. No substitutes are nominated for today. I have also been advised that Antoinette Sandbach will have to leave us after the morning's sessions. We have a lot of business to deal with, so we will move straight on.

9.32 a.m.

### **Ymchwiliad i Bolisi Morol yng Nghymru—Tystiolaeth Lafar Inquiry into Marine Policy in Wales—Oral Evidence**

[6] **William Powell:** I welcome Tonia Forsyth of the Pembrokeshire Coastal Forum and Paul Parker of the Severn Estuary Partnership. Would you like to introduce yourselves so that we can check the sound levels and make any initial statements that you may have before we kick off?

[7] **Ms Forsyth:** Thank you for inviting us here today to provide evidence. We are very grateful for that. I would like to raise a couple of points at the start, and they are to do with the issue of the lack of recognition of the marine environment that we feel has existed to date. It is improving, but there is still a lot of work to be done on this. The difficulty is that the marine environment is often viewed as a sector, like a terrestrial sector such as forestry, and it is a lot more complex than that. It is a poorly understood environment and, of course, the moment that you step off the land into the sea it becomes costly. We feel that there has been a lack of

recognition in Welsh Government consultations to date, in particular in the ‘Sustaining a Living Wales’ and the single body consultations, where there was little mention of the marine.

[8] If you cast your eye to the north, to Scotland, you will see that it has a very different approach, which we look on with great envy, in that there is a strong policy direction and leadership and a recognition of the marine environment. That is reflected in the fact that in Marine Scotland there are 80 staff members working on consents and licensing, and consents and licensing take half as much time to process as they do in Wales at the moment, which is a real issue for us. The approach in Scotland leads to an investor confidence and certainty that we would all welcome in Wales. In contrast, the marine consents unit in Wales has a staff of three. I appreciate that there are different powers and different issues in the two countries, but that is a significant difference. The resource issues are very important and they need addressing urgently for Wales.

[9] If you take an example in Wales—the recent marine conservation zone consultation that both Pembrokeshire Coastal Forum and the Severn Estuary Partnership were involved in—then, obviously we are all aware that it was a very confrontational and controversial consultation, but two public engagement events across the whole of Wales simply was not enough. Some of the real positives that came from that work were that we believe that it really demonstrated the value that the people of Wales place on the marine environment and their use of it.

[10] It also demonstrated something that we have talked about for a very long time, which is the absolute need for early-stage engagement—not consultation, but engagement—with the people of Wales. Of course, I am going to say that coastal partnerships can bring value to that. In particular, coastal partnerships provide a unique service in that we are completely independent of any organisation, we are neutral and impartial, we have a ready-made relationship with those coastal communities, and we specialise in certain things such as cross-border and land-sea interface. We very much welcome the meeting that we are having in the next couple of weeks with John Griffiths, the Minister, to talk about how we can support the Welsh Government in stakeholder engagement for the future.

[11] Those are the points that I wanted to make initially.

[12] **William Powell:** Thank you for a very comprehensive opening statement. Paul, would you like to make any opening remarks?

[13] **Mr Parker:** I would just echo Tonia’s thanks for inviting us to give evidence today. Obviously Tonia and I represent the two coastal partnerships in Wales, and I also represent the national coastal partnership network as acting chair for the whole of the UK. I just have three opening points. I want to talk briefly about the importance of stakeholder mechanisms; the concerns I have about the cross-border mechanisms between Welsh coastal waters and those of other devolved administrations; and the Welsh integrated coastal zone management strategy, which was launched in March 2007.

[14] First, the complexity of the marine environment in Wales and the value of the resource is obvious to everyone around the table, not just from an environmental perspective, but from an economic and social perspective. There is a great deal of scientific, social and political concern about the marine environment, and this stresses the absolute need for extensive stakeholder and community engagement, but we should not underestimate the value of stakeholder knowledge and engaging stakeholders at a very early stage. However, of course we need to recognise the resource and the time that it takes to do this properly.

[15] My second point is to reflect on some of the great work that has been done in the past

in Wales, such as the lead-in work on the integrated coastal zone management strategy that was launched in March 2007. However, this was due for review in 2010, and to the best of my knowledge, there has been no review to date. I believe there is an urgent need for this review, and for the strategy to be linked to marine spatial planning. There is a lot of overlap here, and a lot of good work has already been done. On the European agenda, the ICZM principles are being scrutinised at the moment, with DG Environment recently putting out an invitation to tender for work on the ICZM strategy and principles with specific reference to the Severn estuary as a case study.

[16] Finally, if I may, Wales's marine environment shares many joint boundaries. It is not just the boundaries with England and the relationship with the marine management organisation, but also the Isle of Man, Northern Ireland and the Republic of Ireland. I believe that the Welsh Government is the only marine planning authority that has not begun the formal marine planning process in the Irish sea.

[17] There is obviously a clear need for a UK-wide approach and significant joint working across the administrative boundaries. I acknowledge and welcome the statement in the consultation document in February 2011, 'Sustainable Development for Welsh Seas: Our Approach to Marine Planning in Wales', where the Welsh Government committed to planning as jointly as possible with the devolved administrations and set out to release a concordat with those organisations and administrations. However, again, I have not had any updates on the progress of that. So, I would like to request additional clarity about the supporting timescales and the cross-boundary issues, especially in light of the fact that the other administrations have already begun marine planning, and the concerns around our priorities and our coastal waters.

[18] **William Powell:** Thank you very much again for a very full account. I think that, between you, you have covered many aspects of the overall strategic context that we are working within. I would like to kick off with a question about the role that you see for natural resources Wales in terms of taking this agenda forward, and potentially addressing some of the shortfall in focus on marine matters that you have both referred to.

[19] **Mr Parker:** Regarding the emerging natural resources Wales body, there are still a lot of unknowns for me in terms of how marine will sit within that and how marine will be resourced. In previous evidence sessions, I think that you have touched upon the amount of time, effort and financial resource that gathering evidence in the marine field takes. I do not see, at the moment, the detail in natural resources Wales as to how this will be co-ordinated and how the resource will be allocated.

[20] There is a very important role for the body to manage the marine environment and to help monitor and implement marine planning and other strategies and directives. However, I have concerns about exactly how that is going to happen. I also have concerns over the cross-border arrangements: at the moment, you have an environment agency on both sides, and they work together internally, and the Countryside Council for Wales works with Natural England. I am a little concerned about how that mechanism will work, but I am aware that these issues are being discussed and I hope that more detail will come out. However, at the moment I do not have that detail to comment on, I am afraid.

[21] **Ms Forsyth:** I agree with Paul's comments and, as I mentioned before, during the consultation there was no clear indication of the role for marine within the new body, so we would be keen to get some clarification on that. There are some obvious opportunities for linkages between the three different bodies that we have at the moment to improve integration between them. However, at the end of the day, it will be down to the resources available for the new body to deliver on marine work.

[22] **William Powell:** Would you welcome an early meeting with the chair and chief executive of the new body to put these issues forward while things are very much at a formative stage?

[23] **Ms Forsyth:** We would very much welcome that, and the stakeholder network that we have would also welcome that.

[24] **William Powell:** As you mentioned, you have an early meeting with the Minister that will hopefully provide another opportunity for that.

[25] **Antoinette Sandbach:** In terms of the expertise that has been appointed to the natural resources Wales board, there are quite a number of marine experts on the board. Have you had any discussion as yet with any of the board members or made any contact with them since their appointment?

[26] **Ms Forsyth:** No, not at this stage.

[27] **Antoinette Sandbach:** In terms of the fact that no progress has been made on marine spatial planning, what urgent steps need to be taken to get Wales back on track?

[28] **Ms Forsyth:** One of the first stages is to open up that dialogue with stakeholders. The momentum was building, but it has gone very quiet, so the first step is to give some time frames to the work that needs to take place. Secondly, and equally as important, is the issue to do with stakeholder engagement. If you cast your eye over what has happened in the east of England, a significant amount of work has taken place on engagement. We need to get those mechanisms in place now, particularly because, at the moment, we only have the Pembrokeshire Coastal Forum and the Severn Estuary Partnership. We need to look at north and west Wales to see how we can fill those gaps.

9.45 a.m.

[29] **Antoinette Sandbach:** CCW has given evidence to suggest that what it has mainly concentrated on to date is governance arrangements. Are you aware of those governance arrangements and are you happy with them? If not, what would you like to see in terms of stakeholder engagement in order that we actually start spatially planning?

[30] **Mr Parker:** I will come back on your earlier point, if I may. There is a lot of goodwill in stakeholders at the moment and we are asking a lot of them. To coin a phrase, a lot of them are feeling a lot of stakeholder fatigue; they have been asked to go to a lot of different meetings, almost going around in circles. There is an absolute need when we ask for information on a consultation, or reference to a consultation, that we feed back on that. Unfortunately, to date, that has not been the case, as highlighted by the consultation on our approach to marine planning in February 2011. To come back to your first question, we need to respond to the feedback that the Welsh Government had from that consultation and put in place a clear programme of priorities, work and deliverables. We had slippage on the time frame and we all understand the reasons for that, but we need a clear picture and a route map of where we are going, so that stakeholders can get engaged again and feel that their efforts are appreciated.

[31] Your second question was, sorry—

[32] **Antoinette Sandbach:** CCW had said that it had concentrated on governance arrangements around spatial planning and that is what it had been looking at. Are you aware of those arrangements and are you happy with them?

[33] **Mr Parker:** I am aware of the governance arrangements that have been concentrated on. In broad principle, I am fairly happy with them, although again it comes back to a question of implementation and the resourcing of that. We are all very guilty of underappreciating the amount of time and resource that stakeholder engagement and the provision of that evidence base takes, so that would be my main point there.

[34] **Antoinette Sandbach:** Finally, you have mentioned cross-border co-operation in your evidence. Could you comment on cross-border co-operation between England and Wales, or Scotland and Wales? You also mentioned the Isle of Man and the Irish cross-border arrangements. What do you think are the key things that need to be put in place?

[35] **Ms Forsyth:** May I just start off, although cross-border arrangements are probably more Paul's domain than mine? I would just say that there has been a discussion about a concordat between the Welsh Government and other administrations, so we would obviously welcome that as a good starting point. Other than that, we very much feel at the moment that there is a little bit of catching up to do, so we would welcome the steps to start to work more closely with those other administrations to make sure that it is much more integrated. There was a lot of confusion, particularly when we looked at the MCZ consultation. It was very difficult for stakeholders to try to deal with the offshore area. In Pembrokeshire, we were looking at two offshore areas as well as looking at the onshore consultation. It was very confusing for everyone and we really need to address this.

[36] **Mr Parker:** Just to add to that, I very much agree with the broad points on the national scale. I will just focus very quickly on the Severn, which is perhaps my area of expertise. There are a lot of groups around the Severn estuary that are working specifically on issues or developments within one administrative body or the other. There are also coastal partnerships; we cover the whole estuary and try to marry up those elements and developments, and there are coastal partnerships all the way down the coast on the English side. We cover more or less, with Pembrokeshire, the whole of the south Wales coast. There is a role, and as a way forward, for these partnerships to zip the two plans together. We know that we have to have two plans, but if we can plan at the same time, that would be a big point. We need to set those priorities and that timescale now so that we can plan as jointly as possible and ask the stakeholders only once to be engaged—not ask them to be engaged tomorrow on a Welsh plan and in five weeks' time on an English plan, because that simply will not work in my opinion.

[37] **Mick Antoniw:** Your written evidence seems to suggest that you have little confidence that the resources are there to do most of this planning.

[38] **Mr Parker:** Resourcing is a real problem at the moment, certainly on the Welsh side. We have heard about the three officers as compared with the 20 planning officers in the Marine Management Organisation. I appreciate the difficult financial situation that we are in. However, there are ways of working around those issues. There are potential resources within coastal partnerships that could be used for elements of marine planning. There are groups that have good evidence and data that could be utilised further. However, we have to prioritise the development of marine planning so that we do not get left behind and we will need to find more resources and use and support the resources that we already have to the best of our abilities.

[39] **William Powell:** What observations do you have on governance issues for the marine spatial planning arrangements in Wales? Clearly, resource issues are major, but do you have any comments on the transparency and clarity of governance arrangements?

[40] **Ms Forsyth:** Could you expand on that?

[41] **William Powell:** Yes. My question relates to how Government would be accountable for the arrangements for marine spatial planning.

[42] **Ms Forsyth:** I am not sure that I can answer that because it is not my area of expertise.

[43] **Mr Parker:** It is outside my area as well. However, it is a complex matter in terms of the responsibility for Wales to plan Welsh inshore areas, but there are some non-devolved responsibilities that will go back to the UK Government. Offshore areas also have that UK element. The only point to stress on that is the timescales and aligning these matters and trying to set out our broad priorities for marine planning as early as possible so that we can align these matters and plan together to try to simplify that complex governance structure.

[44] **William Powell:** The concordat would obviously play a crucial role, as you mentioned.

[45] **Ms Forsyth:** Yes. The other point is that the interdepartmental working group that will be established will be a positive step forward. However, there is always that danger of not ensuring that integration, so it is crucial that the group works closely on that to ensure that these matters are fully integrated.

[46] **Llyr Huws Gruffydd:** Rydym wedi cyffwrdd â mater adnoddau nifer o weithiau, ac rydych yn cyfeirio at hynny yn eich tystiolaeth ysgrifenedig. Mae bron bawb arall sydd wedi cyflwyno tystiolaeth hefyd wedi mynegi consyrn am adnoddau a diffyg capasiti o fewn Llywodraeth Cymru. Bu i chi gyffwrdd arno yn eich ymateb i gwestiwn cynharach gan Mick. O dderbyn mai'r adnoddau sydd gan Lywodraeth Cymru ar hyn o bryd yw'r rhai sydd ar gael, beth, yn eich barn chi, ddylai fod yn flaenoriaethau ar gyfer y criw bychan hwnnw?

**Llyr Huws Gruffydd:** We have touched on the issue of resources several times and you refer to it in your written evidence. Virtually everyone else who has given evidence has also expressed a concern about resources and a lack of capacity in the Welsh Government. You touched on this in your response to an earlier question from Mick. Accepting that the resources that the Welsh Government currently has are those that are available, what do you think the priorities should be for that small group of people?

[47] **Ms Forsyth:** Sorry, I missed part of that because I was still trying to battle with my headset.

[48] **Mr Parker:** On priorities for the limited resources that we have, which I think was the main thrust of your question, the Welsh Government has already committed to planning on a national scale. We need to prioritise the main drivers for the marine plan, looking at the other policies in Welsh Government—the sustainability agenda comes to mind. I do not think that we can ignore marine energy, marine renewables and some of the other key drivers in Welsh waters.

[49] Once we have those key priorities and we can look at a broad marine plan, we then need to ensure that we do not forget about the spatial element and the complexity in certain areas of the Welsh seas. There is complexity around Pembrokeshire and Milford Haven, as well as in the Severn estuary with cross-border issues. There are very different issues in the Llŷn peninsula, where there is a concentration on fisheries and livelihoods. There are two stages, in my opinion: the broad national priorities and the policy drivers behind them; and then there is the spatial element. I would very much communicate that we must not forget the spatial element.

[50] **Ms Forsyth:** There is a real need for a policy direction. We need to have an



understanding of what the hierarchy of policies are. It is crucial that we look at the hotspot areas and Pembrokeshire in particular. There is no overall framework at the moment for the range of different activities that are taking place. Some work has already gone on in a lot of these areas to look at mapping some of the activities and we really need to develop that further.

[51] **Llyr Huws Gruffydd:** Iawn, ond roedd fy nghwestiwn yn gofyn ynglŷn â'r adnoddau presennol. A ydych yn tybio bod modd cyflawni hynny i gyd gyda'r adnoddau presennol? **Llyr Huws Gruffydd:** Okay, but my question was about the existing resources. Do you think that it is possible to achieve all that with the existing resources?

[52] **Ms Forsyth:** That is a very difficult question. We have a fantastic team in the marine unit, and it is because of that that we have managed to achieve so much on such limited resources to date. I think that there is still a lot that can be done, certainly in working with organisations such as ours and through the Wales coastal and maritime partnership. Previously, through looking at marine planning, we had lots of sub-groups where we were supporting the Welsh Government in developing lots of ideas. We can really move back to that. I think that that is achievable within the existing resource. However, if we are going to follow through on some of our ambitions to do with engagement and look in more detail at those hotspot areas, we must have additional resource. I think that it can be achieved in a cost-effective way and there are economies of scale. We have put a paper to the Welsh Government, and that will be the basis for our discussions with the Minister in looking at how we can do that. However, I still believe that we need more money.

[53] **Mr Parker:** I would agree with what Tonia said. She touched upon the Wales coastal and maritime partnership. With the current resources that we have and working as we currently are doing, we very much struggle to deliver what I have just outlined. However, with a small amount of additional resource and perhaps by realigning some of the resources to use the partnerships that we already have to further utilise the WCMP, and perhaps with more research and outreach work, I think we can, for a little more resource, get a great deal out of it and a great economy of scale.

[54] **Ms Forsyth:** One of the things we would really support is the recruitment of a new WCMP officer, which we had in the past and really helped to build momentum and get everybody working together. Without that staff resource, it is very difficult to bring people together. That would be a very positive step forward.

[55] **William Powell:** Thanks; I think that there are some clear messages coming through there on the resource issue.

[56] **Antoinette Sandbach:** I am going to move on to the marine protected areas and marine licensing. One of the big criticisms that came out in the MCZ consultation was about the management of existing MPAs. Could you comment on that?

[57] **Ms Forsyth:** Again, it is not our area of expertise. However, we certainly need to look to the existing marine protected areas and there are a number of issues surrounding them at the moment. There are a number of features in each of the sites that are in decline and the focus should primarily be on them in the first instance, before we look at bringing in new designations and measures.

10.00 a.m.

[58] **Mr Parker:** I would like to add that we need to get local users, including fishermen's groups, involved in the management of the existing MPAs and the proposed new MCZs.

Tonia and I are both involved in a public workshop on the MCZ process, so we are aware that fishermen see themselves as conservationists. As you know, they want to preserve fish stocks for their livelihoods. It was not the principle with which they had a problem but the approach. So, we have to get all users back on board for this to be as self-perpetuating and self-governing as possible.

[59] **Antoinette Sandbach:** I will now move on to the marine consents unit. You referred to the fact that it has three members of staff, and we have received quite a lot of evidence suggesting that the unit should not become part of natural resources Wales because it is effective, it knows what it is doing and it seems to be doing a good job. That is the evidence that we have, and I would like you to comment on it and say whether you agree with it or not.

[60] **Ms Forsyth:** Provided that it can give the same level of service, or better, than it does at the moment, it does not really matter too much where the unit sits. If we can keep the level of expertise that we have at the moment and build on it, that would be the best solution.

[61] **Mr Parker:** I have very limited engagement with the unit; commercial fishing in the Severn estuary is very limited. However, I have heard from colleagues that the unit is working as it is and that there are concerns about taking the unit away from the licencing policy and putting it in a new body, given that it has now found its feet and is working effectively.

[62] **William Powell:** Excellent. Thank you both for coming this morning and thank you also for the clarity of your answers. We will be providing you with a transcript of this morning's session so that you have the opportunity to look over it. We have a busy morning and we will be taking some of these issues forward with subsequent witnesses. Diolch yn fawr ichi.

[63] I would now like to welcome Mark Russell of the British Marine Aggregate Producers Association, and David Harding of the Mineral Products Association. Good morning to you both and thank you very much for joining us. We have had the opportunity to study your written evidence. However, if you would like to make some brief opening remarks ahead of questioning, we would be happy to hear what you have to say.

[64] **Mr Russell:** Thank you very much. Good morning, everybody. My name is Mark Russell, and I am the director of the British Marine Aggregate Producers Association, or BMAPA for short. BMAPA is the constituent body of the wider Mineral Products Association, which is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. I am joined by my colleague David Harding, who is the Welsh secretary of the MPA.

[65] In Wales, the Mineral Products Association represents 11 major construction materials producers, as well as a number of small and medium-sized enterprises and associated businesses, such as planning and environmental consultants and contractors. Our members operate 110 active quarries, three marine aggregate dredgers, 15 marine aggregate wharves, two cement works, 36 asphalt plants and a range of other associated sites. Our members are responsible for in excess of 80% of aggregate output in Wales, 95% of asphalt and 95% of concrete. Mineral products are an essential raw material for the construction industry in Wales. Before the current recession, it accounted for nearly 4,000 jobs and £3 billion per year in construction output, amounting to 10% of GDP. Without aggregates you cannot build homes, schools, hospitals, roads, railways, water and sewerage systems. Some 40% of our output is used to maintain existing Welsh infrastructure, and our largest customer is the Government.

[66] In terms of the marine component, marine supplies provide around 46% of overall sand and gravel demand in Wales, and 90% of natural fine aggregate demand—that is, sand—

in south Wales, with wharves located in Newport, Cardiff, Port Talbot, Swansea, Burry Port and Pembroke. The absence of alternative natural sand deposits in south Wales means that the marine aggregate supplies play a key role in supporting economic development and regeneration throughout the region. A further production licence area off the north Wales coast plays a key role in providing construction sand to the north Wales and Liverpool markets.

[67] **William Powell:** Thank you. Mr Harding?

[68] **Mr Harding:** I am only here to support Mark, and to perhaps fill in gaps. He will lead.

[69] **William Powell:** Okay. Thank you very much for setting out the context of your vital role in economic development within Wales and the wider UK. In your written evidence, you express concern about the relatively limited reference to the marine in recent consultations, and that echoes concerns that have been raised with us already this morning. In your view, have sufficient links been made between terrestrial policies and planning and marine policies overall?

[70] **Mr Russell:** In general terms, probably not. There is no doubt that terrestrial policies and terrestrial planning are several decades ahead of where marine policies and planning are currently. The current terrestrial planning system evolved post the second world war, about 1947. So, it has had a considerable amount of time to evolve, whereas marine policy and planning has been evolving over the last decade. Therefore, it has an awful long way to run. Part of the problem is that the marine tends to be considered to be rather simple and straightforward. The complexities and uncertainties are perhaps not as well understood by those who look at the marine, compared to those who deal with it on a day-to-day basis. In turn, I suspect that that reflects some of the resourcing constraints that come through, which, in practical terms, is what makes the difference in terms of being able to do something well and not.

[71] **William Powell:** In your evidence, as I said earlier, you refer to limited reference being made to the marine in recent consultations, for example on the new single environment body and on other strategies. Can you elaborate to us, as a committee, on any opportunities you may feel have been missed in that limited reference in those recent consultations?

[72] **Mr Russell:** Again, I would describe the marine as almost being the Cinderella of the environment, in that everybody knows that it is there, but nobody really knows that much about it, because it is locked away in the cellar, as it were, offshore. The lack of reference to it in the consultations on the natural resources body for Wales and in some of the natural resource policy consultations reflects and parallels the lack of resource that is available within those respective organisations to examine the role of the marine and the issues associated with the marine compared with the amount of resource that is in place to manage the equivalent terrestrial issues. If you look at the spatial extent of the marine area, you are talking about 15,000 sq km. I suspect that, if you did an analysis of the number of people involved per kilometre squared on land, there would be a significant difference. The key indicator of that is marine planning, which I guess we will come on to in a little bit. In the Welsh Government there is one person who is responsible for marine planning, whereas, in the terrestrial planning system, there are hundreds of people involved at quite a local scale right through the regions and up to the national scale. That illustrates the level of resourcing and awareness that exists within the wider corporate organisations when it comes to talking about terrestrial issues, which people are familiar with and are able to elaborate upon, as opposed to marine issues, which are perhaps less well understood and do not have quite such a high profile.

[73] **William Powell:** There is a clear message coming through there. Russell, you

indicated that you had a question.

[74] **Russell George:** Yes. Following on from what you just said, I sense that what you are saying is that you do not believe that the Welsh Government has given sufficient priority to marine spatial planning. Have I got that right? Can you expand on that?

[75] **Mr Russell:** No, I would not say that the Welsh Government has not given it sufficient priority. If you look at the level of resourcing across the Welsh Government for dealing with marine issues in general, it is inevitably constrained by resourcing, therefore it has to put the limited resource towards the elements that are considered to be most important at the time. Also, the situation in Wales is not that different from that in the other UK nations, in that the marine has always been a second or third division interest up until the last decade or so. It is only just starting to get promoted up the political and policy agenda. Inevitably, it takes time for the issues to emerge and for the consequences of those issues to gain some profile and resonance within the policy priorities that exist. It is at that stage that the resourcing starts to flow through.

[76] **Russell George:** You spoke a moment ago about resources and staffing levels. Could you expand on that?

[77] **Mr Russell:** As an example, in England, the Marine and Coastal Access Act 2009 introduced a new delivery organisation for marine functions, the Marine Management Organisation. There is an equivalent organisation in Scotland, Marine Scotland, which has been developed specifically to deliver the marine function and has been resourced to help deliver that function. It has been set out with a certain level of resourcing to deliver its various functions and the level of resourcing is already increasing, simply because of the amount of time and effort that it takes to deliver things in practice.

[78] **Russell George:** What action needs to be taken to improve our knowledge of the marine environment, given that there are gaps at the moment?

[79] **Mr Russell:** There needs to be more joined-up thinking, principally. The problem with the marine environment is that it is awfully expensive to undertake any sort of investigations, because, first of all, you need a vessel to do so, which inevitably comes at quite a significant cost. In the case of our industry, we are probably looking at £10,000 to £15,000 a day for a survey vessel to undertake site investigation works, which are, inevitably, spatially constrained, so you need the vessel for a chunk of time. There is a wide range of public and private interests involved in data acquisition. There are two challenges, I guess, one of which—and it is probably the most important one—is to make the best use of what we already have because there is already a significant investment in marine data, and I am not convinced that we make the best use of everything that we have, both in the public and the private sector. The second element is that, where we are commissioning work, we should think about joining up our thinking so that we are not reinventing the wheel and surveying the same areas two or three times. If we can accomplish the requirements of a number of different interests by undertaking one piece of work, then that is obviously far better than commissioning three or four pieces of work.

[80] **Russell George:** In your written evidence, you say that a consistency of approach between the Welsh Government and of Governments of adjacent waters will be important. To what extent is that collaboration happening at present?

[81] **Mr Russell:** In relation to data or across the piece?

[82] **Russell George:** Across the piece.

10.15 a.m.

[83] **Mr Russell:** It is an interesting question. From a data point of view, it probably happens in terms of nature conservation, because the responsibilities of the statutory nature conservation bodies are aligned, so there has to be some join-up there. However, to take licensing as an example, while the licensing regimes that we operate under are notionally the same whichever side of the median line you are, they end up being delivered in very different ways. You can pick out a trend in terms of where my sector has chosen to go over the last decade depending upon the relevant risks that it would place with the respective licensing delivery bodies. Depending upon the level of experience, expertise and the perceived way in which they are delivering the function, it genuinely makes a difference to the decisions that commercial operators take as to on which side of a notional line down the middle of a regional sea they choose to site their activities. When you look at licences and their locations, you will see that a number of them are on the median line, but sit either one side or the other because of the decisions that have been made.

[84] **Llyr Huws Gruffydd:** Hoffwn bigo lan ar y gymhariaeth a wnaethoch chi'n gynharach, o safbwynt cynllunio, fod un swyddog polisi cynllunio morol o fewn Llywodraeth Cymru a bod cannoedd o swyddogion ar wahanol lefelau o lywodraeth yn gweithio ar gynllunio ar y tir. Dywedoch hefyd yn eich datganiad agoriadol y gallai adnoddau fod y gwahaniaeth rhwng gwneud y swydd yn dda ai peidio. Tybiaf efallai fod consensws, wrth ystyried y dystiolaeth rydym wedi ei derbyn, fod y lefel bresennol o adnoddau'n golygu nad yw'r job yn cael ei wneud mor dda ag y gallai, felly pa lefel o adnoddau a ydych yn meddwl sydd ei angen er mwyn sicrhau bod y job yn cael ei wneud yn iawn?

**Llyr Huws Gruffydd:** I want to pick up on the comparison that you made earlier, in terms of planning, that there is one marine policy planning officer within the Welsh Government and hundreds of officials at different levels of government working on terrestrial planning. You also said in your opening statement that resources could be the difference between doing the job well or not. I suspect that there is a consensus, given the evidence that we had, that the current level of resources means that the job is not being done as well as it could be, so what level of resources do you think is needed to ensure that the job is done properly?

[85] **Mr Russell:** I think it depends. [*Laughter.*] It depends what you want to achieve, and, certainly in these straightened times, there is a difference between what you aspire to do and what you need to do. I suspect it requires decisions to be taken as to what the genuine priorities are and then to reflect on the level of resources that are required to deliver them. Part of the problem at the moment with the resourcing and delivery environment in the Welsh Government for marine issues is that there are a multitude of policy and delivery issues that have to be delivered. They are all trying to be delivered simultaneously and that means that all of them get so far, but you do not end up doing any of them well. I suspect that there would be more to be gained by dealing with fewer issues, and by tackling the priority issues and making sure that they are done properly and well, rather than spreading yourself so thinly that you are making a token effort to make progress across all fronts, but are not actually making any meaningful progress.

[86] **Llyr Huws Gruffydd:** Pe baech y Gweinidog, te, beth fyddai eich blaenoriaethau chi? **Llyr Huws Gruffydd:** If you were the Minister, then, what would your priorities be?

[87] **Mr Russell:** Oh.

[88] **Mr Harding:** There is a challenge. [*Laughter.*]

[89] **Mr Russell:** My priorities would need to be governed by what my statutory responsibilities were. From a developer point of view, what I want, and what my members want, is certainty and confidence. That comes back to understanding what you may be able to do, what you may not be able to do, where you can operate, where you cannot operate, and also knowing that the licensing system that you operate within is able to deliver effectively and efficiently.

[90] There are three components within that: there is the marine protected area network, which I know you are discussing; there is marine planning and there is licensing. The MPA network is evolving and Wales is in a relatively strong place in terms of the level of coverage because of the number of European sites, although I am aware that there are the highly protected sites that are currently going through some consideration. Planning is the big win, but the reality is that an enormous amount of time, effort and resources will be required to do planning well. Looking at the parallels in England, we see that the first marine plan area in England, which contained 60% of our activity in the UK, has been running for nearly two years now and has more than 20 people working on it full time, but I suspect that, with the inquiries and everything else that go around it, it is probably going to be the back end of next year before it actually delivers. So, there is a time issue as well as a resourcing issue. It may well be that you can deliver the planning in a more focused way, but I am not convinced that that helps to move the debate on, because what people want is to understand where they can operate across Welsh waters as a whole. As soon as you start focusing on isolated parts of it and ignoring wider things, you inevitably shift the focus or activity, which I am not convinced is necessarily the right thing to do. I have not really answered your question, but I guess you would expect the Minister to do that anyway—

[91] **Llyr Huws Gruffydd:** You are not the Minister, so that is okay. [*Laughter.*]

[92] **William Powell:** You will certainly do for now. Vaughan Gething is next and then Antoinette Sandbach.

[93] **Vaughan Gething:** I want to go back to the debate that we were having about resourcing and delivery and some of the points that you were making about the priorities. I am sure that the fact that we could do more with more resources will be a theme that we hear throughout the day. Everyone, whoever is talking to us, says that. However, in paragraph 13 of your evidence, you say something a bit different to what a number of other people have said. You say:

[94] ‘Given the limited resources available to Welsh Government, there is a lot to be said for holding back to allow some of the wider groundwork on the marine planning process to be established by others’.

[95] Hardly anyone else says that. In fact, what most people say is that, if we do not put more resource into this, we will miss the boat and all these matters will be dealt with and we will be playing catch-up. You are suggesting that it might be more advantageous to allow some of this wider work to be done by others. At the end of that paragraph, you talk about consistency. I appreciate that a number of the commercial areas that you will be operating in will not be conveniently located in one set of territorial waters. The thing about Wales is that it has borders with England, the Republic of Ireland, Northern Ireland, the Isle of Man and Scotland, so there are quite a lot of different potential approaches that could be taken. I am interested in how you would marry that up with some of the comments that you have already made about how you could do more with more resources. Where do you see the priority? I accept what you would want from a developer interest point of view, but what you would actually want the Welsh Government to be doing?

[96] **Mr Russell:** I guess that there are two elements there. With the best will in the world,

if you are able to have a team of 20 people dealing with marine planning, of course it would be the right thing to do to try to make progress now. However, I do not think that we are in that position, and I am not sure whether we are going to be in that position, given the straitened times in which we live. However, even if you had the resources, given the amount of time, effort, hard work and practical experience that is being derived through the equivalent processes in England, I suspect that, irrespective of the process that you end up having to deliver, it is going to have to overcome the same basic hurdles, so it makes sense to me to learn from others' experiences and to apply those lessons to how you choose to develop, so that you are not necessarily making the same mistakes again.

[97] On the other element associated with that, you are absolutely right that consistency is vital for us as a sector because of the location of our activities. It is important for us on an English planning scale, given the scale of the plans and the way they interact with our interests, but it is also important to the interaction with England and Wales interests as well, in the Bristol channel and in the Irish sea. In that respect, for the same reason that I gave with regard to licensing, consistency becomes really important. I suspect that it will be very difficult to deliver that consistency if you are running ahead of the game. If the Welsh marine plan is not developed in parallel with the equivalent plan and processes either on the English side of the Bristol channel or in the Irish sea, the risk of inconsistencies is increased because the two processes will not necessarily be aligned.

[98] However, what that means is that, when those processes start, you need to have the resources in place to allow you to run at the same time and in parallel. I suspect that that gives you a two-year window in which to gear up your resources, given that the first four marine plan areas in English waters have been announced.

[99] **Vaughan Gething:** So, is it a question of saying that we have a couple of years to get this sorted out? You have not said anything, so I wanted to ask you, about the possibility of joint approaches, with the Bristol channel on the English side—that is, of running a common process to deal with the rest of the Severn estuary. The estuary is not just conveniently located all in Wales or all in England. Then, it would be helpful to know whether your counterpart body in the Republic of Ireland takes the same view that consistency would be helpful, and what that means or does not mean for the Irish sea. You are talking about a wholly different sovereign state there. How could this border area be managed when everyone involved might have differing commercial interests? Will you achieve the commonality or the consistency in approach that you are looking for?

[100] **Mr Russell:** Delivering consistency is inevitably difficult, whether you are running in parallel with one another or separately. The Bristol channel in particular is a unique piece of regional sea, given its geographical uniqueness and its setting. Given the move towards management at a regional sea scale, it strikes me that you need to be far more integrated and joined up in the way that you develop something, rather than going off on your own route. We have already had a bit of experience of that with the interim marine aggregate dredging policy, which I refer to in our evidence. That, in a sense, was the first example of marine spatial planning on a central scale—for marine aggregates, in our case. The policy was developed by the Welsh Government, and the interesting thing is that, while it was developed on a Bristol channel scale, it only ever applied in the Welsh sector of that. So, the provisions for the English sector were largely irrelevant, from a planning and decision-making point of view. From an industry point of view that has interests on both sides, we want to avoid that, going forward, and one way to avoid that is to try to integrate not necessarily how you develop your plan, but the way in which you develop your plan, so that the plans are as aligned as can be.

[101] The questions that you raise about the other adjacent nation states are valid. I must confess that I do not know what is happening in the Republic of Ireland at the moment. We do

not have any interests there. However, I am aware that the Isle of Man, for example, is in a similar situation and has just started to develop something. However, it is at the very early stages of the plan development process: the evidence gathering. So, there are things that you can do to get yourself ready to be in a position to run with the plan development process. However, with the best will in the world, if the resources are not likely to come forward to help to support the development of marine planning in isolation, which I suspect will probably be the case, it makes sense to me to take advantage of all the expensive and time-consuming experience and lessons that have been learned elsewhere around the UK so that you can build on those, rather than starting from scratch.

[102] **Antoinette Sandbach:** You said that you felt that we were not making enough of the existing knowledge that we have, both public and private. I can see, for example from sea bed surveys, that there might a lot of available information. What is the best way of our making the most of that information? Would you be willing to disclose to the Welsh Government what might be commercially sensitive sea bed surveys to help it with its marine spatial planning?

[103] **Mr Russell:** The question is valid, and the issue that I flagged up is, again, not specific to Welsh waters but applies on a UK scale. More could be done to draw upon the information that the industry holds. By and large, some components of the data that we hold could be considered commercially sensitive, but, from the sea bed mapping point of view, the vast majority is not, actually.

10.30 a.m.

[104] There have certainly been examples where we have provided significant amounts of information to support habitat mapping, the definition of special areas of conservation, and the definition of marine conservation zones in English waters. We have not had the same sort of exposure in Welsh waters, because, as far as the highly protected areas are concerned, they are actually quite detached from any of our interests, but the potential is certainly there, and the industry as a whole is willing to play its part. The only caveat on behalf of the marine development sector is that the industry cannot do it all. There is sometimes a feeling in the commercial sector that we end up picking up the bill and filling the gaps because nobody else is able to. There is potentially a bit of tension there, but there is certainly some potential for a partnership approach.

[105] **Antoinette Sandbach:** Thank you for that. Maybe I can move on neatly from ‘picking up the bill’ to the marine consents unit, because I see from paragraph 14 of your evidence that you largely support that unit through the fees that you pay. You basically say that the stability of the personnel in the team has allowed expertise to build up, so I would like you to comment on the proposals to move that team to natural resources Wales, and whether you think that that is a good idea. Have you had any response from the Welsh Government about your concerns? Have you raised concerns with the Welsh Government about moving the marine consents unit into natural resources Wales?

[106] **Mr Russell:** Taking your last question first, yes, we have. The issues that we flag in the evidence are the same issues that we flagged in our responses to the single environment body consultation, and we have not received any response to those.

[107] **Antoinette Sandbach:** No response.

[108] **Mr Russell:** Not that I am aware of. There has certainly been no specific response, and I cannot recall there being too much detail in any of the responses to the consultation, either. That is partly because—and this goes back almost to the beginning of our discussion—it reflects the fact that people do not understand the sensitivity there, both in moving a



sustainable development delivery function into an organisation that, effectively, has its focus on environmental protection, and also the risks associated with losing the experience that there is within the current unit, which is absolutely key. Potentially, the new organisation could have 20 or 30 new licensing staff, but if they are all starting from scratch, that means that we, from a developer point of view, are starting from scratch. Looking at the parallels in England, with the move from the marines and fisheries agency as the licensing organisation to the marine management organisation, we see that it probably takes a three-year learning curve or more before you develop the necessary expertise and experience. All the while that is happening, it is increasing the delivery timescales of the process, and it is actually costing us money because we are having to pay for the services that we receive, which knocks the efficiency of the whole process. I am not convinced that that has necessarily been thought through properly, and I think that it is an example of the ‘and marine’ mentality where you deal with everything else, but have something left out, so you bolt it on.

[109] **Antoinette Sandbach:** One question and concern that we have expressed in a previous report is about the regulatory and licensing function, the potential conflicts and the need for Chinese walls, as it were. I notice that you argue for a marine delivery unit, so are you saying that that should sit outside NRW?

[110] **Mr Russell:** I would say ‘yes’, simply because, as a developer, I struggle to reconcile how an organisation that has certain very specific statutory functions relating to environmental protection, such as the Environment Agency or the Countryside Council for Wales as they stand, can also deliver a more sustainable development delivery function, which is, in effect, what the licensing body does. I guess the point is—and I flag it up in my evidence—that that is not happening anywhere else, and I suspect that there is a reason why, not least because of the increased tensions, particularly with big development decisions and the extent of marine protected areas. It is easy to see situations arising in which you have a public inquiry, but with one side of the organisation saying one thing and another side of the organisation saying something else, which is not a good position for a Government organisation to be in. The licensing functions that the SEB could deliver sit more with what I call the operational licensing, such as the abstraction licences and things like that—the sorts of things that it already does on land—rather than primary development control. On land, the primary development control will remain outside of the SEB, within the planning authorities, and I do not think that that distinction has necessarily been understood and thought through in the proposal to put the marine licensing function within it.

[111] **Antoinette Sandbach:** I wonder whether it might be possible for us to have a copy of any representations that you have made about that division of functions.

[112] **William Powell:** That would be informative.

[113] **Mr Russell:** Yes, certainly.

[114] **William Powell:** Mr Harding, did you have a particular contribution to make on the issue—

[115] **Mr Harding:** I was merely agreeing with Mark, and the example about the public inquiry is one of the biggest concerns that we have, namely that the SEB has a foot in each camp.

[116] **William Powell:** Thank you for emphasising that and thank you both for joining us this morning and giving of your expertise and experience, which is rooted in commercial reality. It has been a valuable contribution to our deliberations. We will provide, in turn, a transcript of this morning’s session so that you can check it for accuracy and provide feedback, as appropriate. We will now have a short recess.

*Gohiriwyd y cyfarfod rhwng 10.37 a.m. a 10.47 a.m.  
The meeting adjourned between 10.37 a.m. and 10.47 a.m.*

[117] **William Powell:** Bore da a chroeso **William Powell:** Good morning and a warm welcome to you.

[118] It is good to see you. A lot has happened in the last 12 months in this area, and we have many areas that we want to go through, so we will get under way straight away. I will ask you first whether you would like to make any initial statements. We have a body of evidence from you, which we have had the opportunity to study, but please make any initial remarks that you wish to make and we will then kick off with questions.

[119] **Mr Evans:** I have no initial remarks to make.

[120] **Mr Wilson:** I would just like to thank you for the opportunity to be here again; we really appreciate it.

[121] **William Powell:** In that case, we will go straight to questions. We will look first of all at the marine spatial planning context of our work. What consultation, if any, has taken place between the Welsh Government and the industry in relation to marine spatial planning?

[122] **Mr Evans:** I forget the year, but there was a—

[123] **Ms Horsfall:** It was 2011.

[124] **Mr Evans:** Yes; a good year or so ago. There was an initial consultation on marine spatial planning. I cannot remember the title, but I know that we provided a response at that time. However, no further progress has been made since then, as far as I am aware.

[125] **William Powell:** Something that has already come up with our previous witnesses this morning is the feedback on consultation—or rather, in some cases, the lack of feedback. Will you comment on that? It is obviously a vital process and there has been a lot of consultation going on in this and related areas. What comments would you make with regard to the quality and value of any feedback that you have received from Government following your own submissions?

[126] **Mr Evans:** It is not always easy to find and, with certain consultations, while you can determine the summary of responses within a reasonable period, some have then carried on for some time afterwards before you see the conclusion of that consultation. I would not say that that is the case with every consultation, but that has been our experience, particularly, I think, with this model.

[127] **Mr Wilson:** There is definitely room for improvement in terms of providing feedback in an appropriate time frame, but I am sure that the Welsh Government is conscious of that. We are talking about highly controversial areas in some circumstances. We have previously discussed the MCZ process. The accumulation of feedback to the consultation responses has taken a significant amount of time.

[128] **William Powell:** There is obviously a capacity issue.

[129] **Mr Wilson:** Yes; certainly. I think that we have to be realistic about it, but in respect of marine spatial planning, there are legitimate issues to be raised with the Welsh Government over the ability that it has demonstrated for providing feedback within an appropriate time frame.

[130] **William Powell:** In his oral evidence to this committee, Dr Peter Jones suggested that, potentially, marine spatial plans could specifically be set out whereby fishing areas are set aside that are not subject to restriction. What view would you have on his proposals?

[131] **Mr Evans:** Fishing areas that are not subject to restriction, or areas that are not subject to—

[132] **William Powell:** It was my understanding that he was advocating certain zones where fishing could continue without conservation considerations.

[133] **Ms Horsfall:** May I take that question?

[134] **Mr Evans:** Yes; please do.

[135] **Ms Horsfall:** We have had that suggested a number of times following Marine Acts in the UK. While we support the idea in principle much of the time, we are in a difficult position, because, hitherto, fishermen have had relatively unrestricted access to the sea. Of course, that is being eroded by different things over the period of time that we are coming to, and it is likely to be eroded even more. The problem is that, if we set aside specific fishery areas, we feel that we are going to be boxed in to those fishery areas and fishing will, essentially, be banned everywhere else. With fishing, we are talking about mobile species a lot of the time. If we say, 'Okay; this is a great area for fishing now, and if we could get that designated as a fishing area, that is fantastic for now', what happens with climate change or with just natural processes and species moving? It may be fantastic now, but in a year or two, or even in a shorter time frame than that, fish can move. Fishermen must be able to have an adaptive system. If we get areas where fishermen are literally going to be boxed in, we are in danger of having the industry not able to function at all. We would rather have unrestricted access, as we currently have. Obviously, there will be some areas where fishing has to be restricted, but we would rather have the rest of them where fishing is not restricted.

[136] **Mr Wilson:** Just to add, I do not think that the industry wants to operate in ways that hark back to the old-fashioned ways. I think that the industry accepts, and fully believes in, operating with conservation in mind. We are inherently dependent on environmental health for the long-term renewable status of our stocks. It is our livelihood. A much better approach to apply is the ecosystem approach, which the Welsh Fisherman's Association has adopted through its 'Striking the Balance' document. I am sure that Jim would like to elaborate on that.

[137] **Mr Evans:** Yes. The proposal is, I guess, in reverse of what you have suggested. Our proposal for an ecosystem-based approach, essentially, would be looking at areas where the science or the evidence suggested that there was a need. I am not sure whether everyone is familiar with 'Striking the Balance', but that is probably a good place to start. Basically, we advocate within that a regional or local approach, through stakeholder groups, to inform the management in an active management process within those areas. Again, this is all conceptual, and we hope that the Welsh Government and the administrators will be able to develop that framework, but as part of that toolkit there would be means of having higher degrees of protection within given areas, providing the evidence was there to support that designation, that the boundaries were not unnecessarily large and it was all part of an agreed process within those regional groups. Essentially, the monitoring of those sites could take place with the aid of fishermen and local experts, which would increase the buy-in and understanding. Doing that would potentially reduce the impacts to anyone within those regions because there is a potential to earn revenue from the monitoring and evaluation process as well.

[138] To set that up, we have gone through the process of getting some fishermen accredited through Swansea University's biosciences department, to do marine ecological surveys. As part of a delivery mechanism for an ecosystem-based approach, industry then stands ready to play its part within that and helps to inform the process going forward. Essentially, those areas would not be randomly picked as scientific playgrounds—that word may be a bit crude—but rather to improve understanding; there would be a reason for it and everyone would understand the reason. That would mean getting stakeholder support as they would be involved in the process, improving their understanding all the time, and you would ultimately see the benefits of it. Although that is trying to put a big document into a nutshell, we are looking at it from the reverse.

[139] **William Powell:** It has been done quite successfully. I read also that that would be rooted in this system of constant review, so that you could have an adaptive approach if there were movements over time, possibly not even over lengthy periods of time, as Sarah Horsfall said.

[140] **Antoinette Sandbach:** Obviously, there is a current network of marine protected areas. Has the Welsh Government sought stakeholder engagement with fishermen's groups to monitor conservation and enforcement in those areas in the past, and is it doing that now?

[141] **Mr Evans:** In what way do you mean?

[142] **Antoinette Sandbach:** There have been some suggestions that there has been a lack of enforcement of the protection in those sites. What can you tell us from your experience of that and do you know whether local fishing groups are involved in helping the Welsh Government to enforce the status in the MPAs?

[143] **Mr Evans:** There is not a formal process that I am aware of.

[144] **Mr Wilson:** We have a developing relationship with conservation agencies. In some parts of the industry, that is more firmly established than with others, but the trust-based dialogue that exists now between the fishing industry and conservation authorities—the CCW and the Welsh Government—is much better than it used to be. There have been suggestions made, following on from the initiative that Jim just discussed, to use fishermen as data collectors. It is very clear that there has been a failure to scientifically verify the existing suite of marine protected areas that we have—the special areas of conservation and special protection areas—after they have been designated. Also, there are legitimate questions to be asked about the reliable and relevant scientific information that was used in the designation of those sites in the first place.

[145] **Antoinette Sandbach:** Are you saying that, as a result of the MCZ consultation, there is now a dialogue with Welsh Government to bring forward some of the approaches that you outlined in 'Striking the Balance'?

[146] **Mr Wilson:** There was dialogue before. I am a mussel farmer, so Jim wanted to disown me before we came in today; I cannot understand why. [*Laughter.*] However, the mussel sector and the Welsh Fisherman's Association are party to a project called FishMap Môn, which was envisaged in 2008-09 and did not start until 2010. One of the outputs of that project has been developing that relationship, and FishMap Môn, in concept, is like an ecosystem-based project. For the wider community, that honest, transparent and equitable relationship really started to flourish. 'Striking the Balance' builds on that. We are in a positive upswing in terms of our relationship with other bodies.

11.00 a.m.

[147] **Mr Evans:** What James has mentioned is more relevant to conservation advisers. Was your question more specifically targeted at the Welsh Government's fisheries department, for example?

[148] **Antoinette Sandbach:** It was on enforcement and, in particular, on whether or not, for example, local fishing groups have been aware that there have been problems with MPAs from external fishermen coming in and whether or not you have seen action being taken.

[149] **Mr Evans:** To underline what James has said, we have a positive and constructive relationship with the relevant Government departments and their officials. As you are probably aware, the latest stakeholder model for dealing with matters on a regular basis is through the regional inshore fisheries groups and the Wales marine fisheries advisory group. A rolling agenda item for those groups is fisheries enforcement. Clearly, more resources would be ideal and make immediate improvements to a number of things, but in reality and in the current economic climate, we are where we are, so there is room for improvement, but it is about how you make those improvements with the constraints that you have.

[150] **Antoinette Sandbach:** That brings me on to my next point. Given that there are limited resources for enforcement, how do you see the role of local fishing communities in helping Welsh Government with enforcement action? Are those channels of communication effectively open now so that you can see when something is reported and when action is taken? For example, is it documented and is there some attempt to prosecute? Are those channels open?

[151] **Mr Evans:** They are. As it happens, it is a fairly recent development, but through the inshore fisheries groups, the fisheries unit—and I do not know the number off the top of my head—has set up a hotline number linked to the Milford Haven fishery office. I understand, and I may be proved wrong, that that is a 24-hour service and it may, in some way, be linked to the Environment Agency too, although I cannot be certain about that. So, that is a positive step. Where there have always been historic problems, with any potential prosecution it comes down to the burden of evidence. Other discussions have been had about how evidence could be gathered in other ways and be equally reliable and successful for use in a prosecution. That is all part of an ongoing discussion.

[152] **Antoinette Sandbach:** One issue raised in the MCZ consultation was the lack of enforcement in current MPAs. Do you agree with that?

[153] **Mr Evans:** It is hard to answer that question because, following the transfer from the sea fisheries committees to the Welsh Government and to the fisheries unit and when the enforcement went that way, I do not think that there was an increase in staff as such. There have been some recent changes and some positions are currently being advertised, but that was a limited resource in the first instance because, prior to that transfer, the sea fisheries committees had responsibility out to 6 nautical miles and the Marine and Fisheries Agency had responsibility out to 12 miles. They have had to combine those two and bring them in-house, thereby increasing their responsibility, but without providing any further resources. I suspect that that is an evolving process. The noticeable difference is the visible presence of fisheries officers today as compared with the former SFCs.

[154] **William Powell:** To add to that, the Deputy Minister, in his response to our scrutiny of budget matters, referred to the fact that there will be some additional resource, in terms of vessels, to add to the enforcement team. So, that is something that we can look forward to in the coming year, if I understood that correctly.

[155] **Mr Wilson:** Are you referring to MPA enforcement, or enforcement of other activities within the MPAs? In terms of fisheries enforcement inside the MPAs, there is a

level of enforcement that is taking place, which clearly has resourcing issues. The most high-profile fishery that we have is the scallop fishery. This year, a condition of participation in that fishery was having the Succorfish constant data tracking units on board. As far as I understand, those systems are functioning very well and are providing very good and accurate real-time data to the enforcement officers. That should vastly improve their ability to undertake their role effectively.

[156] **Mr Evans:** Through that remote data collection, they can also focus their enforcement in a more effective way. In the longer term, I think that all of those issues have been addressed holistically.

[157] **Llyr Huws Gruffydd:** Byddaf yn gofyn fy nghwestiynau yn y Gymraeg, os yw hynny'n iawn. Yn amlwg, gwelwyd datblygiadau arwyddocaol iawn yn ddiweddar o safbwynt y parthau cadwraeth morol gwarchoddedig iawn, yr argymhellion a wnaed gan y Llywodraeth, a'r ffaith bod y Gweinidog wedi cyhoeddi ei fod am sefydlu grŵp o randdeiliaid i adolygu'r sefyllfa hon. Rwy'n tybio eich bod yn croesawu'r datblygiadau hyn, ond hoffwn glywed eich sylwadau chi ynglŷn â lle mae'r datblygiadau hyn yn gadael y mater o ddatblygu'r parthau hyn, yn benodol, dros y misoedd nesaf.

**Llyr Huws Gruffydd:** I will ask my questions in Welsh, if that is okay. Evidently, very significant developments have been seen recently in respect of the highly protected marine conservation zones, the recommendations that were made by the Government, and the fact that the Minister has announced that he wants to establish a stakeholder group to review this situation. I take it that you welcome these developments, but I would like to hear your comments on where this leaves the issue of developing these zones, specifically, over the coming months.

[158] **Mr Evans:** I will answer that. We very much welcome the Minister's decision on that issue. It is a big, positive step in the right direction, as far as we are concerned. I believe that the Minister specifically said within his statement that the Government preferred the ecosystem-based approach and that there would be social, economic and cultural considerations within that. When the task and finish group is established, it can consider the responses. My understanding is that, through those responses, the group will be providing a new direction or steer on the consultation. That will then be referred to a reference or focus group, which will include stakeholders. The combination of those two groups, based on the significant level of responses that have been had, can only help the process, going forward. I understand that the ideas stage, and agreeing the next steps, is what will be taking place between now and April. I am not sure whether anyone else has anything to add.

[159] **Mr Wilson:** Of course, this new direction is welcome. There was previously a concern that, to some extent, the tail was wagging the dog. The new direction that was announced by the Minister allows for a proper and appropriate rebalancing of that situation. There are obligations that the Welsh Government has signed up to through the Marine and Coastal Access Act 2009. The way in which we apply those obligations should be fully science based. We should not be led by the opinions of people who are not necessarily part of the local communities that will be affected by these new MPAs.

[160] **William Powell:** I will move on now to the issue of co-ordination. In your evidence, you make some points about the importance of effective cross-border co-operation. In that context, do you have any concerns about the level of engagement from the Welsh Government in the offshore marine conservation projects that are currently being led by DEFRA?

[161] **Mr Evans:** If you do not mind, I think—[*Inaudible.*]

[162] **Ms Horsfall:** As my colleagues have said, we have had an increasing level of co-

ordination, not just with the industry and the Welsh Government, but with the UK Government. We have had necessity forced upon us in some ways, not just by the marine Act, but by initiatives such as the MSFD, which requires Governments to work together on a regional seas basis. In a way, we have had the requirement forced upon us and, over the last 12 months, I think that there has been an increased recognition of that. We have definitely seen increasing amounts of co-operation between the Welsh Government and DEFRA. It has possibly not seen the same amount of co-ordination with the Scottish Government, but that is something that we are not particularly involved in so much. However, we have certainly seen increased co-operation and that is a good thing. These seas are the whole of Europe's, in a way, and we have to see co-ordination across the groups. We cannot manage our seas in isolation, because species move from place to place and we need to co-operate on an international basis. We have seen steps in the right direction.

[163] **Mr Wilson:** Are you asking about co-ordination or engagement? I think that there are very legitimate issues to be raised about the ability that we had as an industry to engage in the Natural England-led MCZ process. That seemed to develop into a very dogmatic process. I went to a couple of the Irish sea conservation zone meetings. There were a strict number of stakeholder representatives who were asked to provide evidence to that group. It was not very easy getting Welsh views heard on that group. Strangely, it is no coincidence that a lot of the offshore large MCZs proposed exist in the Welsh offshore zone. It depends upon which end of the extreme you come from. The MCZ process has failed for one reason or another. From the industry's perspective, as a stakeholder-led process, I do not think that the Natural England initiative has produced results that are any more favourable than the approach that we have seen abandoned in Wales. Largely, I think that the flaws in the English approach have led to the delay that Richard Benyon announced earlier this year.

[164] **Mr Evans:** Equally, it is quite relevant that, with regard to the Irish sea conservation zone project, apart from not consulting with Welsh industry, one of the major faults or problems with that is that it did not take into consideration any other proposals for MPAs that were going to be taking place in Welsh territorial waters. Clearly, there were other areas in round three that were taken out of the equation, essentially because the planning had been approved or had been applied for at that stage. That element or area was taken out of the overall picture, which meant that any proposed areas that were supposed to be within a given percentage of whatever habitats they were looking to protect were dispersed further. There were a number of criticisms, but, in a Welsh context, the location of the sites that have been indicated up to this time would support the fact that we were not in the room.

[165] **William Powell:** In that context, what level of guidance has been provided to the industry on relationships between the different European directives that are in place and current UK legislation?

[166] **Mr Wilson:** That is a good question.

[167] **Ms Horsfall:** None.

11.15 a.m.

[168] **Mr Wilson:** I think that you could equally ask people in Government or in Europe that. I was in Brussels the other week and was talking to people from the Directorate-General for Maritime Affairs and Fisheries about the MSFD. They were CFP specialists and they did not really appreciate the significant crossovers that exist. You are talking about big documents with fundamental and profound implications for the way in which we use the marine environment. Trying to get a handle on the crossover points does my head in, and I think that that is a generally held view. In terms of the MSFD, Sarah is pretty well read on it. It alone is an incredibly complicated document. The descriptors that are used to establish

good environmental status are still under development, but the interpretations of those on a regional basis can make a profound difference to the way in which that directive is applied.

[169] **William Powell:** So, the sheer difficulty almost encourages silo-type working because of the difficulty of getting an overview.

[170] **Mr Wilson:** Absolutely. To some extent, this is the paradox in the system, because the MSFD, the CFP and many other policy directions that we get from Europe incorporate ecosystem-based approaches, but the sheer size and complexity of issues push you away from that. There is an agenda that is being promoted in Brussels at the moment, the blue-growth agenda, and in terms of how the MSFD incorporates blue growth, I think that tensions will, potentially, be manifested there.

[171] **William Powell:** Sarah, you were name-checked earlier, so did you want to contribute on that point?

[172] **Ms Horsfall:** Not at the moment.

[173] **Mr Evans:** May I check what the question was? Were you asking how these various regulations are communicated to us?

[174] **William Powell:** Yes. How are they communicated to the industry?

[175] **Mr Evans:** James has had many years in the industry and with these processes and is a lot more familiar than I am with them. A lot of this has been a learning process for me, and I think that you have to research these issues for yourself and then try to figure out how one relates to the other. Were there a joined-up approach, as we mentioned in the evidence, that would avoid any potential conflict or confusion in achieving these targets, because a lot of the overarching policies set fairly clear delivery dates, and yet, if this confusion exists, and this depends upon everybody being on the same page to deliver it, surely that will be a hurdle to achieving those dates.

[176] **Ms Horsfall:** That is an area where the Welsh Government has a distinct advantage, because it is often just a question of scale. When you are looking at such an intimate setting as Wales and the Welsh Government, you can have people who are specialists but they do not necessarily have to be in separate departments—they can all work together, which can be a distinct advantage—whereas when you are looking at the CFP or MSFD, they are dealt with by completely different departments within the European Commission. Those departments do not talk to each other on a daily basis and those officials do not understand what is going on. Wales can be at a distinct advantage there: we feel that we could have the co-ordination that is not necessarily apparent in other administrations.

[177] **Russell George:** I suspect that we are coming towards the end of this session, but, with regard to your 'Striking the Balance' document, what discussions have you had with other parties outside your own industry and Government? What feedback have you had from them?

[178] **Mr Evans:** Do you mean non-governmental organisations and conservation agencies?

[179] **Russell George:** Yes.



[180] **Mr Evans:** The feedback has been very positive. The Countryside Council for Wales and the Royal Society for the Protection of Birds have referred to it in their evidence, and have supported it. I believe that one or two other organisations have as well.

[181] **Russell George:** Have you met with them at all?

[182] **Mr Evans:** Yes. I have met the Wales Environment Link. We had our first meeting three or four weeks ago, independent of the stakeholder groups—obviously, it has a presence there. I met it independently at its offices, and I believe that we had a positive discussion. Clearly, some people have fairly firm and fixed ideas. I think that what this offers is a potential solution that is in everybody's interests, while minimising impacts. We all need to be in the same position. We all need to be on the start line. We all need to understand what everybody's position is in respect of marine environment management and conservation and fisheries management, and work on that basis and move forward together. People who tend to use extreme views to support their case generally do not serve the purposes of conservation. What we are suggesting is a process that I do not think anyone could disagree with. It might be basic and might need a lot of work, but, surely, as a place to start from, we should all be looking at that. We are all equally appreciative and respectful of each other's concerns and will have to resolve this within a common ecosystem-based approach. That will serve fisheries management, sustainability, conservation and the environment.

[183] **Llyr Huws Gruffydd:** Would you extend that further to include the marine renewable energy sector, sports and tourism?

[184] **Mr Evans:** We have a meeting with them tomorrow.

[185] **Llyr Huws Gruffydd:** So, those discussions are developing, in a sense.

[186] **Mr Evans:** Yes, they are. James is probably more advanced with those discussions than we are, but we are both attending a meeting with Centrica tomorrow in Bangor.

[187] **Mr Wilson:** We see great opportunities in the concept of co-location, for example. Whether those are achievable in an engineering sense has yet to be seen, but it has great value as a concept and could be a game-changer with regard to how much food we produce from the seas in Wales. Jim is absolutely right: the industry is engaging in the process now. In preparation for attending this meeting today, I flicked through some of the evidence that was provided by other respondents. The overarching objectives that the Welsh Government has for its seas are:

[188] 'clean, healthy, safe, productive and biologically diverse oceans.'

[189] Many respondents included that text in its entirety, but some respondents just included 'clean, healthy, safe' and 'biologically diverse', and missed out 'productive'. There is a truth in that. There are members of the marine community who do not want to see the production of food from the marine environment. They want to see an area that is closed off: a pristine biosphere, in effect, in the marine environment. That does not reflect local, cultural and economic needs and does not sit very well with the future opportunities and potential for fisheries and aquaculture in Wales.

[190] **Mr Evans:** Equally, there are references to favourable conservation status and various percentages that are grossly misleading. We would be more than happy to provide a note to the committee on that, if that would be helpful.

[191] **William Powell:** We would welcome that; it would be very useful. It is interesting:

there are some curious parallels between the comments that James Wilson has just made and some of the feedback that we occasionally get about terrestrial planning in relation to some of the protected landscapes and issues around community sustainability and making a living. There are some lessons there for us to take forward.

[192] Thank you to all three of you for joining us this morning and for giving us such full responses. As always, we will provide you with a transcript of the session so that you can check it for accuracy. We look forward to our ongoing work with you.

[193] Good morning. I welcome Steve Morgan from the Welsh Yachting Association and Caroline Price from the Royal Yachting Association to our session this morning. You are most welcome. We have received the evidence that you submitted and we have some questions on it. At this point, would you like to make an initial statement? Also, please introduce yourselves so that we can check the sound levels.

[194] **Ms Price:** Absolutely. First, thank you for inviting us to contribute a bit more in addition to our written submission. I am not sure how many of you know exactly what the relationship is between the Royal Yachting Association and the Welsh Yachting Association, so it might be helpful if I were to describe that for you before we begin.

[195] **William Powell:** That would be helpful, yes.

[196] **Ms Price:** The Royal Yachting Association is the national body for all forms of recreational and competitive boating. It represents dinghy and yacht racing, motor and sail cruising, rigid inflatable boats and sports boats, powerboat racing, windsurfing, inland cruising and personal watercraft. We also manage the British sailing team. As you know, Great Britain was the top sailing nation at the 2000, 2004 and 2008 Olympic Games. The Welsh Yachting Association was established to promote specifically the sports of sailing, windsurfing and powerboating in Wales, and it acts as the RYA's council for Wales. The Welsh Yachting Association represents 115 clubs and associations and more than 25,000 participants in the sport in Wales. It receives grant aid from Sport Wales and works closely with the National Watersports Centre at Plas Menai. Steven, do you want to add anything?

[197] **Mr Morgan:** Just to say that we are a recognised governing body in our own right and we work closely with our UK governing body. I have nothing further to add.

[198] **William Powell:** Excellent. Thanks very much. It is helpful to get a feel for the context in which you are working together. What are the implications for your organisations of decisions that are currently being made about marine development and activities in the absence of overarching marine spatial plans?

[199] **Ms Price:** The biggest value of marine spatial planning for us is that it enables a step back to look at absolutely everything going on in the marine environment. It enables you to understand how the various activities taking place interact, as well as the conflicts and benefits of co-location. The implication of decisions being taken in advance of there being a marine spatial plan that has been fully worked out is that it is very difficult to understand what the full implications might be at any one time. So, when we make reference in our evidence to the fact that it would be beneficial to perhaps delay some of the decisions until such time as marine spatial planning has moved forward somewhat, it is because it makes the situation far better informed. There is a vast array of datasets available, as I am sure you are aware. One of the great things that marine spatial planning allows you to do is to draw these together and review them in one place. Admittedly, you are always looking at a snapshot, but the beauty of having the plan is that you at least know where you are in terms of the baseline before you start moving forward. So, the implications are that we perhaps do not know everything we could know.

[200] **William Powell:** Drawing on your experience, to what extent have stakeholders such as your organisations been involved in the development of marine spatial planning in Wales?

[201] **Ms Price:** We were engaged in the Welsh Government's original consultation on the approach it was planning to take to marine spatial planning for Wales and invited to provide our views, which we did. There has not been much since really.

[202] **William Powell:** That is interesting. This has come up already with some of our earlier witnesses, who felt that there has been an absence of feedback on the initial consultation submissions, which has been disappointing for them—and possibly for you.

[203] **Ms Price:** I would say that that is a fair description of what happened. What the original consultation did was to set out the suggested approach, which was to do an overarching all-Wales marine plan, and then the option was put forward of the potential to do smaller, sub-regional plans if there were areas where there was a lot of activity or they could already see that there was potential for conflict and so perhaps it might be necessary to drill down a little more into the detail. It seemed like a sensible approach to us and that was the contribution that we made in our consultation response. As you have heard from previous witnesses, everyone submitted their response to this consultation and then there has been almost a radio silence, if you like. I understand, from speaking to the marine branch, that that is perhaps because it got tied up in other things and also it had received some legal advice, apparently, about its initial approach, and that was something to do with the complexities of having sub-regional plans within an all-Wales plan. I am afraid I do not know all the details of that.

11.30 a.m.

[204] **William Powell:** No, but that is interesting and it is also relevant in terms of the economic importance that your sector has that your voice is heard and that you get appropriate feedback. You referred to the data sets that exist and, obviously, there is a substantial body of data, but, in your view, are those data sufficient to underpin the ongoing process of spatial planning in the marine sector?

[205] **Ms Price:** While there is an awful lot of data out there about the marine sector, there are inevitably gaps. One of the benefits of drawing together marine planning is that it enables you to identify where these data gaps exist and what opportunities you might have for filling them. Recreation, particularly, is an area where there is sometimes a dearth of data. The RYA holds together—with its devolved councils—a data set that looks at main cruising routes, where clubs go racing and where our activity is focused around the coast, which, where it has been used elsewhere, has certainly been very useful, because historically recreation is something that is quite hard to map. There will always be gaps and, where there are resources available and it is felt that it is useful and will contribute to the wider plan, it is always helpful to try to fill those, but it is difficult to do until you know where the gaps are.

[206] **William Powell:** Antoinette, did you have a question on this point?

[207] **Antoinette Sandbach:** Yes. I want to pick up on that, because we have heard again that there may be evidence or information held by private organisations that could be passed on to the Welsh Government that might help with those gaps. You described the data set that RYA holds. Have you been asked to provide that to Welsh Government?

[208] **Ms Price:** When it did the original consultation about the approach to marine planning, it asked whether we were aware of any data sets that we thought might be useful. We described the data set that we had available, so, it is aware of it and we have it in a format

that we could submit to the Welsh Government when it is ready to take it.

[209] **Antoinette Sandbach:** But you have not been asked for it since?

[210] **Ms Price:** Not yet, no.

[211] **Russell George:** Good morning. In your written submission, you seemed quite positive about the ‘Striking the Balance’ document. Could you expand on your views on that approach?

[212] **Ms Price:** ‘Striking the Balance’ is the Welsh Fisherman’s Association’s alternative approach to marine conservation. It sent that to us, as an interested stakeholder, and we were very pleased to receive it and read it. We are supportive of any adaptive management approach, which is, essentially, what underpins that. That approach seemed to draw on examples of good practice that seem to be already happening in certain locations around Wales. I am thinking particularly of the Llŷn Peninsula, where that approach is already taken. The feedback that we have had from our members and our clubs in that area is that they are very supportive of that and they would be keen for it to receive a little more consideration in terms of thinking about the approach to marine conservation zones in Wales.

[213] **Russell George:** With regard to the next steps or the approach that the Government has taken on the marine conservation zone process, how would you like to see the Government proceed?

[214] **Ms Price:** Its recent announcement in terms of taking a little more time to review the large number of responses that it had from the consultation is a good one. I would be concerned if it did not allow itself time to digest the feedback it has received. I have seen several of them and a number of stakeholders make some extremely valid points, and I would be concerned if those were not at least thought about. So, I am glad that it has given itself time to think a bit more about it. I would be keen for it to give a lot of thought to the highly protective approach that has been laid out in the original consultation. This has been the source of most of the concern of our stakeholders; the highly protective approach and the associated restriction of various activities. That would be the bit that I would be keen for the Government to think about how it would work, particularly.

[215] **Mr Morgan:** To give you an example, there is the site proposed for Llŷn—between St Tudwal’s Island East and Llanbedrog. Pwllheli Sailing Club is one of four sea-based designated academies across the UK. The number of major international and UK national events that run on that site in the last four years has generated millions of pounds for the local economy. Not only is it a site of importance for international competition, but it is also where our Welsh national squads train through the winter. Hannah Mills, who won a silver medal at the Olympics a few months ago, started off her sailing not far from us, but as soon as she got into the Welsh national squad structure, she came up to Pwllheli. The importance of that site and the potential restrictions that may or may not come about have a big impact for us as a sport in contributing to several Welsh Government strategies, such as ‘Creating an Active Wales’ and ‘A Vision for Sport in Wales’, the elite sport strategy. That is our real concern in relation to some of these sites.

[216] **Llyr Huws Gruffydd:** Hoffwn barhau â’r un thema—y parthau cadwraeth morol gwarchod uwch. Rydym yn ymwybodol o ddatganiad y Gweinidog yn ddiweddar ynglŷn â’r broses a sefydlu grŵp i edrych ar y sefyllfa. A ydych chi’n hyderus y bydd y sector hamdden a chwaraeon yn cael  
**Llyr Huws Gruffydd:** I want to continue on the same theme—the higher protection marine conservation zones. We are aware of the Minister’s recent statement about the process and the establishment of the group to look at the situation. Are you confident that the leisure and sport sector will have a

llais digonol yn y trafodaethau hynny?

sufficient voice in those discussions?

[217] **Mr Price:** I have seen the breakdown of the task and finish group, which has representatives from various departments across the Welsh Government. Interestingly, there is no specific representation from any of the departments that are directly responsible for sport. So, there is perhaps room for some improvement there. However, I understand that the task and finish group has been tasked with something fairly specific and, therefore, I expect that that is why those representatives were selected.

[218] I would be interested to see how those departments that are represented on the task and finish group will draw input from other departments. Something that the Welsh Government has been keen to emphasise in our discussions with it in the past is that it always tries to take on board cross-departmental input. How much that is evidenced is perhaps another question. However, the point is that the effort to try to make that happen is always there, even if there is not necessarily a direct representative on the task and finish group in question. We would much prefer for there to be a direct representative, and we will make that submission when we speak to the marine branch later about the task and finish group, but, we would hope that, through our direct input to the stakeholder focus group, which will also be set up alongside the task and finish group, our representations can be made in that way.

[219] **Mr Morgan:** Byddem yn awyddus iawn i Chwaraeon Cymru fod yn rhan o'r broses hon, a Chymdeithas Chwaraeon Cymru, fel corff sydd â golwg ar draws gwahanol chwaraeon ac sydd yn rhedeg yr *outdoor pursuits group*. Fel corff sy'n cynrychioli dros 25,000 o aelodau—o fewn clybiau ac aelodau unigol—fe fyddem yn gobeithio bod yn rhan o'r broses honno hefyd.

**Mr Morgan:** We would be very eager for Sport Wales to be part of this process, as well as the Welsh Sports Association, which is a body that has an overview of various sports and runs the outdoor pursuits group. As an organisation that represents over 25,000 members—within clubs and individual members—we would also hope to be part of that process.

[220] **William Powell:** Antoinette, did you have a question?

[221] **Antoinette Sandbach:** Yes. I want to talk about the marine protected areas. Does the MPA designation have any affect on your activities at the moment? What is your view on the current enforcement in relation to MPAs, in conjunction with the MCZ process?

[222] **Ms Price:** There are around 138 designated MPAs in Welsh waters already and I would say that the co-existence of recreational boating and marine protected areas is very successful. That is our starting point when we are dealing with anything to do with marine protected areas: we very much believe that recreational boating can co-exist with the marine environment very harmoniously, and, indeed, many of our members choose to go boating because of the unique perspective it offers them to enjoy the marine environment.

[223] The views of our constituents around the Welsh coast are that existing marine protected areas are managed to a better and not-so-good extent, depending on where you are. When we have spoken to the people who live in those areas and other stakeholders, such as fishermen and the conservation bodies that exist in those areas, namely the officers on the ground, they are certainly of the view that MPAs could be managed more effectively and could perhaps deliver more if more resources were available for them to deliver some of the elements that they are keen to introduce. Our concern about introducing further MPAs in the form of marine conservation zones would be that evidence suggests that the resources are sometimes limited for delivering the well-intentioned and existing management plans. So, it is interesting to see how the management of new sites—particularly ones that are intended to be so highly protected and, therefore, will have a range of measures that need to be enforced—

will be achieved with, presumably, the same level of resources.

[224] **Antoinette Sandbach:** So, a small bit of butter would be spread even more thinly on the toast, if I can summarise it that way.

[225] **Mr Morgan:** It is fair to say that the majority of our club members and members enjoy being out in the natural environment and are conscious of their responsibilities and do what they can to protect the marine environment. We have put forward in our submissions that self-regulation and education are probably far more sustainable in terms of the management of this process, moving forward.

[226] **Antoinette Sandbach:** May I pick up on the new natural resources Wales body, which was previously called the single environment body? What role would you expect the new body to have in relation to the management and enforcement of marine conservation zones? Did you make submissions about the licensing functions and the regulatory functions of that body, and the Chinese walls that would need to exist in those areas?

[227] **Ms Price:** We did make representations. Interestingly, through the various consultations that have come out about the single environmental body that was and, now, about marine conservation zones, there has never been any clarity about who would take on that responsibility, and this is a question that we raised in our submission. However, this seems the natural body to do so, based on the organisations that it will draw together and the existing responsibilities that those organisations hold.

[228] In reference to the marine licensing aspect, which currently sits within the marine consents unit in the Welsh Government, there are two sides to the argument of bringing that into the natural resources body. It makes sense, in that its overarching function naturally covers the licensing aspect, but we would have concerns about that happening, because we have seen it done before elsewhere, and not particularly successfully. I am thinking of the creation of the Marine Management Organisation in England and the transfer of those obligations from the Marine and Fisheries Agency into the MMO. Admittedly, that was combined with a geographical move from London to Newcastle, which meant that an awful lot of incredibly experienced staff chose not to go and, inevitably, with this kind of regulation, much of what is good about the function of those regulations is based on experience of dealing with similar applications. The loss of that expertise through the creation of the Marine Management Organisation has introduced massive delays and a lack of understanding of the issues at play, because what was done, essentially, was to backfill by moving a lot of terrestrial planners across, and, as we all know, the marine environment is a very different place, and you cannot use the same basis for making your decisions. The marine consents unit that exists at the moment in the Welsh Government is excellent, and the team there is very good, experienced and knowledgeable. It is always available to take questions and discuss, and it works incredibly well. Our concern about that function moving into the natural resources body is the potential loss of those resources, and that is before we even get into the potential of their regulating themselves in some circumstances.

[229] **Antoinette Sandbach:** So, do you think that the unit would be a good external stress test as to how the NRW is working and that, at least for the time being, it is better for it to be outside?

[230] **Ms Price:** I do. I do not know whether you have anything that you want to add.

[231] **Mr Morgan:** No.

11.45 a.m.

[232] **William Powell:** That echoes the concerns that we heard earlier from representatives of the aggregates industry, and indeed other stakeholders. That is something that we will need to take forward. In your view, has there been sufficient discussion across the different departments of Government in relation to the implications of the MCZ process?

[233] **Mr Morgan:** That is an interesting question, is it not? We spent some time back in the summer talking with our sponsoring body, Sport Wales, about that policy, so that the Minister with responsibility for sport had an overview of the potential implications of the highly protected marine conservation zones, and our ability as a sector to contribute to the wider vision for sport and creating an active Wales. Whether that was the first time that it knew about it, I do not know, but certainly that briefing was the first time that Sport Wales had been made aware of the potential issues.

[234] **Ms Price:** Just to build on what Steven said, when we were having the early discussions from a socioeconomic point of view, which is where we were looking to contribute, it was not clear at that stage how much discussion there had been with the various departments that were involved with the economic side of things within the Welsh Government. I could not comment on how much that is a reflection of the truth or not, but it was not clear—obviously, it had come from an ecological basis, which is understandable; that is the background behind it—but it was not clear how much the layer of economics had been looked at within the Welsh Government at that stage.

[235] **William Powell:** Certainly, questions have been raised in this building in Plenary with the Minister for Business, Enterprise, Technology and Science around the impact on tourism and other sectors that would be parallel to that.

[236] **Mr Morgan:** A good question to take back would be to ask about the department within the Welsh Government that is putting £4.1 million into the £8.3 million capital build at Pwllheli.

[237] **William Powell:** Interesting. What concerns do you have around offshore conservation projects that are currently being taken forward by the UK Government?

[238] **Ms Price:** Is that in relation to the European marine sites?

[239] **William Powell:** Indeed.

[240] **Ms Price:** Interestingly, the further offshore the sites get, the lower the detrimental impact for recreational boating, if you want to use that phrase. The water becomes deeper and, generally, the environment, habitats and ecosystems that they are seeking to protect in the offshore sites tend to be on the sea bed. By virtue of the type of ecosystem that they are seeking to protect, the fact is that the water is deep there, and that is extremely pertinent. Obviously, our activity takes place on the sea surface, and our interaction with the deep water, and the sea bed in particular, is minimal, if not non-existent. Our concerns there are incredibly limited, and we really just seek to be engaged there. We want to know that the sites exist, so that we can advise our members if they are going that way, particularly if there are times of year when there will be breeding cetaceans or pinnipeds in the area, and they may wish to be sensitive to that following the advice that we have put together through our environmental initiative, the Green Blue.

[241] **William Powell:** Vaughan Gething, I believe that you had a question on resources.

[242] **Vaughan Gething:** In your evidence, you say that you are not in a position to formally comment on whether there is sufficient staff or resource, but that has been a theme in other evidence. Generally, people have been saying that they would like to see more resource,

without ever specifying what level of resource that would be. Then we heard the aggregates industry say that the Welsh Government should, perhaps, let other people get on with it first. Do you have any view on the level of resourcing available to try to achieve a coherent level of spatial planning, in particular?

[243] **Ms Price:** Our view is that the existing resource, insofar as the Welsh Government's marine branch is concerned, is too small. If you think about the growth in marine policy in recent years, it does not appear to have been matched by a similar increase in resource in terms of delivering that policy. The marine branch that exists is staffed by very knowledgeable and extremely competent people with whom we have excellent relationships, but they are clearly extremely busy, and I would say that the marine conservation zone consultation rather focused the issue somewhat when it was clear that some of the resources that were dedicated to other elements of marine policy had to be drawn in to dealing with the consultation and the various questions that came about because of the marine conservations zones project, which is only one element, really, of marine policy. So, yes, we have a view in that we feel that there should be further resources assigned to help to deliver the various elements of marine policy, but we did not feel that we were in a position to comment on specific figures or the relative percentage of budget, or anything like that.

[244] **Vaughan Gething:** That, again, is a theme, in that no-one is able to say how much more would be adequate.

[245] This morning, we heard from the Pembrokeshire Coastal Forum and the Severn Estuary Partnership. I am interested in something that they said: potentially, you could have bodies outside Government helping to contribute to that overall level of resource to help to make progress. Is that something that you have a view on? Obviously, we are in financially straightened times, where it is easy to ask for money and resources but much more difficult to deliver those. I do not know if you saw or heard the evidence, but have you thought about alternative ways that resource could be added to Government?

[246] **Ms Price:** The coastal fora in particular are in a unique and helpful position to be able to help to deliver various elements of policy. They already have platforms that draw together stakeholders from a wide range of interests and are located in areas where there are already plans, activities or work streams that are attempting to deliver various elements that will be formalised by the marine policy work streams that will be taken forward by the Government. We are very supportive of that approach.

[247] As Steven alluded to earlier—this is something that we are very keen on—this community buy-in, which is required to make any kind of management of sites, for example, on a local basis successful, is a model that could be usefully employed elsewhere. So, yes, I think that there are alternatives and I think that the coastal fora are well placed to deliver that. My only concern would be—and this is a point that we raised in relation to marine spatial planning a long time ago through the Wales coastal and maritime partnership—that the membership of coastal fora is, by virtue of their nature, people who already have an interest in what is going on. So, it is made up of the recreational users of the area, the industry that is located in that area and the conservationists who are interested in that particular area. When you are looking at wider elements of marine policy, it is important to draw in more stakeholders than that.

[248] One of the biggest concerns that some of those in the marine branch had about the marine conservation zone process was how to reach people for whom marine conservations zones are right on the periphery of their interest. How do you draw them in to make them understand that this has the potential to impact on their livelihood? The same is true for coastal fora, the memberships of which are made up of people who already have an interest in what they are doing. My concern about them being involved in delivering other elements of



marine policy would relate to how we bridge the gap between the people who are already interested and the people who should be interested but at the moment do not know about it. There is not really a clear path to draw them in.

[249] **Vaughan Gething:** That is a perennial problem in any form of consultation, unfortunately.

[250] **Ms Price:** Absolutely.

[251] **Vaughan Gething:** To pick up on the point about coastal fora and perhaps moving slightly to the side, we heard comments earlier and in the written evidence of some of the earlier witnesses about the desirability of seeing coastal fora in the rest of Wales where they do not currently exist—the north Wales and mid-west Wales coastline, in particular. Given your own current involvement and the comments that you have already made, do you have a view on that and, in particular, on how those might come about? If they are set up centrally, created and led by Government, that is not where the current fora have come from, in many ways; they are led by local interests and an agglomeration of those. I would like to know not just whether you would welcome there being coastal fora in mid-west and north Wales, but what you think some of the barriers are and the reasons why those fora have not been created yet.

[252] **Mr Morgan:** Money is probably the key issue here, is it not, in terms of setting these up? Who sets them up? If they are led by Government, then it becomes something that the people may turn their backs on. It is far more sustainable if it is driven through local groups, clubs and local interest groups. I am sure that we could think of 101 reasons why people would not want to set them up. However, our volunteers sit on the Pembrokeshire forum, and the feedback is positive with regard to the benefits and the information that comes backwards and forwards. Perhaps some of the key stakeholders who need to get involved are the governing bodies of the various sports, in order to ensure that their key volunteers and local representatives are there, so that the information goes back down to the grass roots to the clubs and the end users.

[253] **Vaughan Gething:** I assume that the port authority was part of the driving force in creating the Pembrokeshire Coastal Forum. What involvement do you have in the Severn Estuary Partnership? Do you have the same sort of involvement, with volunteers sitting on the board?

[254] **Mr Morgan:** I do not think that we have anyone on the Severn partnership.

[255] **Ms Price:** The Severn partnership obviously sits across the two organisations, so it overlaps with the Welsh Yachting Association and the Royal Yachting Association. We have quite a high level of interest in what goes on there, because a lot of boating goes on there as well. Interestingly, we probably engage a little less with the partnership than we do with the Pembrokeshire Coastal Forum, but that is mostly because a lot of work has gone on in Pembrokeshire in relation to the recreational code of practice with which we were heavily involved. There are also various products going on around there—they are looking at things such as eco-moorings—and there have been various projects that they have been doing more recently, I suppose, than what has been going on in the Severn Estuary Partnership.

[256] We have volunteers that sit on the Severn Estuary Partnership board and engage with its work. I guess that it is just that, in the recent past, the partnership has been more focused on other areas, which means that we have had less of an active role to play in some of the project work that it has been looking at. As I say, we have good relationships with the partnership as well, and it is a platform that works well in that it is neutral territory so you come together to discuss a whole range of issues, but the coastal forum does not have its own

agenda, and that is its value.

[257] **Mick Antoniw:** With regard to resources, as a UK-wide organisation you have not said much about your experience beyond engagement with the Welsh Government and Welsh bodies. Are there any better examples of resource use, provision and engagement that the Welsh Government could learn from based on your experience in Scotland, England or wherever?

[258] **Ms Price:** Do you mean from a Government perspective or do you mean outside of Government?

[259] **Mick Antoniw:** Both.

[260] **Ms Price:** If you think of the way that marine policy is taken forward in England, a lot of that is driven by DEFRA, where the size of each department working on different policy areas is much larger. DEFRA throws more resources at it, which means that more work gets done. I do not know if that necessarily means that progress is much quicker, but it means that when it is looking at elements such as stakeholder engagement and building feedback into the process as it develops its policy, it has more bodies to take that on board and to deal with it. Sometimes with those areas of the work, it is a case of having people at the meetings who are able to have those conversations and take the various views on board. That works well.

[261] Marine Scotland has a good model, which works particularly well. The MPA process in Scotland has been incredibly successful, although I do not know how much of that is to do with its starting point, which was to assume that everything is not restricted unless it is restricted, which was the polar opposite of the Welsh Government's starting point. It means that Scotland was already paving the way for better stakeholder relations. There are examples of different approaches that have been taken elsewhere and there are reasons why they are more successful and reasons why they are not, but, ultimately, in situations where more resources are available, there is more space to manoeuvre—there are more options at their fingertips rather than having to do something in one way. If there is a need to change that one way, that is more difficult when your resources are limited, if that makes sense.

[262] **Mick Antoniw:** Yes, I understand that.

[263] **William Powell:** Excellent. Thank you very much indeed for your written submissions and for joining us today to build on those. A number of interesting elements have come forward that will help to shape the work that we are doing and will be taking forward with the Minister when we next have the opportunity to see him. You will get a transcript of today's session so that you have the opportunity to check it for accuracy. We look forward to continuing our work with you in the future. Diolch yn fawr.

[264] **Ms Price:** Thank you.

[265] **William Powell:** We will now break for lunch and reconvene at 1.00 p.m.

*Gohiriwyd y cyfarfod rhwng 11.59 a.m. a 1.04 p.m.  
The meeting adjourned between 11.59 a.m. and 1.04 p.m.*

**Ymchwiliad i Bolisi Morol yng Nghymru—Tystiolaeth Lafar  
Inquiry into Marine Policy in Wales—Oral Evidence**

[266] **William Powell:** Prynawn da. Good afternoon. I would like to welcome David

Tudor and Olivia Burgess from the Crown Estate to our session. We are very grateful that you have joined us today. Please introduce yourselves briefly so that we can check the sound levels. If you have an opening statement or remarks, we are happy to hear those before we begin our questions. If you prefer, we can go straight to questions.

[267] **Dr Tudor:** My name is David Tudor. I am the senior marine policy planning manager for the Crown Estate. I would like to give you a quick context of our role in relation to your inquiry. The Crown Estate, as some or most of you will know, is a UK public body. We manage the land hereditary rights of the Crown. That is not the land of the royal family; it is the land of the state. Our job is to manage the land for the country under the Crown Estate Act 1961. Our main role is to enhance the value of that estate, and we generally do that through leasing rounds. Under the Energy Act 2004, we have the right to lease renewable energy generation sites, such as wind, wave and tidal generation sites, all around the UK. Under the Energy Act 2008, we also have the rights, under the Crown Estate Act, to lease sites for carbon storage under the UK sea bed, as well as other rights relating to minerals, such as sand and gravel for aggregates, concrete and so on. We do not have any rights over oil, gas or coal.

[268] The Crown Estate has a large role in stewardship around Wales. It puts a lot of money into stewardship projects in Wales. Our work generally has to do with the leasing of these energy projects but also as a trusted advisor to Government—and that is all Governments, really. We work closely in partnership with the Welsh Government. We have a memorandum of understanding with the Welsh Government, the only one we have with any of the devolved administrations, and we work very closely with the Welsh Government, helping to advise on marine planning in particular as well as on things such as marine conservation zones and generally on marine policy.

[269] **Ms Burgess:** My name is Olivia Burgess. I am a marine policy adviser working in David Tudor's team. My work focuses specifically on marine policy and external relations. I work closely with the Welsh Government and the other Governments and Government bodies of the UK to understand and, where possible, to have an input to, the development of emerging marine policy and to understand what that means in the context of the roles and responsibilities we have as the Crown Estate.

[270] **William Powell:** Thanks very much. In your evidence to the committee, you note the relative lack of progress on developing marine spatial planning in Wales. In common with some of our earlier witnesses, you also make reference to the limited resource available to take that forward currently. However, you also state that you would be more than happy to contribute to and to facilitate the process of developing Welsh marine spatial planning. Can you please explain to the committee the process you would like to see taken forward to maximise the potential for effective marine spatial planning?

[271] **Dr Tudor:** Yes, it is quite a complex area, really. Being a UK body, the Crown Estate works with the four Governments, particularly with the Marine Management Organisation in England and with Marine Scotland. They are further down the track with marine planning; there is no doubt about that. Northern Ireland does not yet even have a marine Act, so it does not have a statutory right to do marine planning. Therefore, Wales sits in the middle ground between what the MMO and Marine Scotland are doing and what the Northern Ireland Government is doing.

[272] On the point about resources, the issue is more sophisticated and complex than the question of whether there are enough people because Wales has a big advantage in having groups such as the Wales coastal and maritime partnership, which the Crown Estate sits on. Nothing like that exists in England. The Welsh Government is able to draw on the resources of public bodies, non-governmental bodies and so on that do not exist in other parts of the UK

generally, and certainly not in England. The Welsh Government needs to tap into the resources that exist, although perhaps not within the Government. You can argue about one post, two posts or 10 posts; that is important, but the argument is more sophisticated than that.

[273] The Crown Estate was doing marine planning for a number of years before the marine Acts. As the monopoly landowner of the sea bed around the UK and as a responsible landowner, we have had to plan—with a small ‘p’, not in the statutory sense—where we think the best place is for X, Y or Z. Once we have put that into the system, it is up to the Governments and consenting bodies to decide whether that is allowable or applicable. To stress my point, there is an opportunity for the Welsh Government to work in partnership with what exists in Wales as well as outside Wales. I would like to see more partnership and sharing of resources, knowledge, information and data between the four countries and the Crown Estate. Those five bodies have the opportunity to work closely together on sharing their common understanding of the UK seas.

[274] **William Powell:** It is refreshing to hear about the issue of resources seen in that wider context of what Wales also has to bring to the table. However, are there specific lessons you feel we in Wales could learn from our neighbours—not so much from Northern Ireland, which, as you have said, is some way down the track at present and awaiting a marine Bill of its own. However, what specific lessons do you feel we should take on board from England and Scotland?

[275] **Dr Tudor:** It is about taking the best elements from them. As you are probably well aware, the Scottish Government and Marine Scotland have a very strong drive for renewable energy offshore, so that has given its planners a clear mandate and a clear priority. In England, it is slightly different; the Marine Management Organisation deals with a wider range of issues, or, at least, the Government is perhaps not so strict or clear on what the top priority is. For the English Government or the MMO, it is very much about working with all the stakeholders, understanding their priorities and understanding Government priorities. It is about learning from the MMO that wide understanding of the industry and the offshore environment, and then taking from Marine Scotland that clear prioritisation. That prioritisation can come only from Government, which allows the planners to really focus on the elements of delivering the planning in the marine space.

[276] **William Powell:** You made reference to the four nations of the UK, but what mechanisms would you like to see in place that would also take in the Irish Republic in terms of its role in marine spatial planning? Do you think that there is a particular mechanism that would be useful to encourage partnership working across the Irish sea as well?

[277] **Dr Tudor:** Mechanisms do exist. We have, for example, the British and Irish Council, and there is potential for an Irish sea partnership. The Irish sea is an interesting place where, essentially, the four countries of the UK, plus the Republic of Ireland, all sit together. There is an opportunity therefore for real cross-border working there. There is obviously the European Union, and there is a lot of talk about recommendations/directives coming from Europe around marine spatial planning, which would entail the UK and Wales working with the Republic. As I said, there are opportunities for a bit more innovation in the UK generally, not just from Wales, around how the four Governments, the Crown Estate and those public bodies can work together to share resources, and then work with countries overseas such as the Republic of Ireland.

[278] **Llyr Huws Gruffydd:** Mae nifer o'r rhanddeiliaid sydd wedi rhoi tystiolaeth i ni wedi gwneud y pwynt y byddent yn awyddus i weld gwell rhyngweithio rhwng trefniadau cynllunio ar y môr ac ar y tir. Mae gennyf i **Llyr Huws Gruffydd:** A number of stakeholders who have given evidence to us have made the point that they would be keen to see better interaction between terrestrial and marine planning systems. I would be

ddiddordeb i glywed ychydig o'ch sylwadau chi ynglŷn â'r angen i gydlynu hynny yn fwy effeithiol ac a ydych chi'n rhagweld modd i wneud hynny. interested in hearing some of your comments in relation to the need for more effective co-ordination and whether you can see a way of doing that.

[279] **Dr Tudor:** Again, it is often more complex than people think. You will hear many people working in the marine area talking about transferring the terrestrial model and putting it into the marine environment. I have been working in marine policy and marine science for a number of years and I do not think it is as simple as that. However, there is a lot that can be learnt from the terrestrial environment; the terrestrial planning system has been around a lot longer than marine planning. However, as everyone knows, the three-dimensional space in the marine environment makes it very different. Land ownership makes it very different; for example, there is only one landowner for the marine environment and there are multiple owners on land.

[280] To address your question specifically, the local authorities have a role to play. At the moment, their remit is very near shore, very often at the beach, but that is where industries, whether they be ports, marinas or any of those things, join the coastal marine boundary and it is where lessons can be learnt and where priorities will be decided. I do not think we should underestimate how different the near shore—the coastal environment—is from the offshore environment. All the activities and conflicts happen near shore, but the near-shore environment is very different to 10, 20 or 30 km offshore. To answer your question, lessons can be learnt, but let us not try to pick up terrestrial planning and plant it in the sea because it would be an error to replicate it directly.

[281] **Llyr Huws Gruffydd:** Diolch am hynny. Beth yw eich barn chi felly am strategaeth rheolaeth integredig ar barthau arfordirol Cymru—sy'n dipyn o deitl, yn y Gymraeg beth bynnag—a'i pherthynas hi gyda'r broses gynllunio gofodol morol? Mae rôl i'w chwarae yn y fan honno, rwy'n siŵr. **Llyr Huws Gruffydd:** Thank you for that. What are your views therefore on the integrated coastal zone management strategy—which is quite a title, in Welsh anyway—and its relationship with the marine spatial planning process? I am sure there is a role to play there.

[282] **Dr Tudor:** Absolutely. The integrated coastal zone management strategy for Wales was published a few years ago now, and the links between the ICZM strategy and the potential marine spatial planning need to work together.

1.15 p.m.

[283] The mechanisms for all of that are again slightly complex, but let us not overcomplicate them. It is as simple as the local authorities and the Welsh Government being involved with the terrestrial part of the ICZM. The Welsh Government is obviously responsible for the Wales spatial plan, so there is an element of the Welsh Government holding the cards for spatial planning on land. Offshore, there is only one planner; there is only the Welsh Government. So, let us put the ICZM principles and future marine planning together, but let us not overcomplicate things. It is almost a case of, 'Let us start and learn from this'. This has never been done in the UK; the MMO is doing it now, but it has not been done before. It has started to be done around the world and in Europe, but there is no handbook that you can pick up. It is a case of, 'Let us get started and iron out these things', rather than trying to think about how we can get these complicated planning measures together.

[284] **Llyr Huws Gruffydd:** Mae cwestiwn ynghylch adnoddau yr ydym wedi'i glywed yn gyson heddiw a bu i chi gyfeirio **Llyr Huws Gruffydd:** There is a question about resources, which we have heard consistently today and you referred to it

ato'n gynharach. Y consensws yr ydym wedi ei gael fel pwyllgor yw nad yw'r adnoddau angenrheidiol o safbwynt capasiti o fewn Llywodraeth Cymru yno ar hyn o bryd i yrru peth o'r agenda hwn yn ei flaen. Rwyf yn tybio y byddech yn cyd-fynd â'r farn honno.

earlier. The consensus that we have had as a committee is that the necessary resources in terms of capacity are not there within the Welsh Government at the moment to drive some of this agenda forward. I assume that you would agree with that opinion.

[285] **Dr Tudor:** As I said, it is more complex than just saying that an extra couple of people are needed. The resources are there in the terrestrial planning departments to draw upon. There is also the new natural resources Wales body and expertise in conservation, regulation and the environment. Again, there are public bodies outside Wales, such as the Maritime and Coastguard Agency, which has a UK remit. So, there is a lot out there that can be drawn on further. However, to answer the simple question as to whether there are enough resources, frankly, given the amount of work that I do with the MMO in England and with Marine Scotland, yes, the whole area could do with more resources.

[286] **Llyr Huws Gruffydd:** Byddech yn gweld felly rôl i Lywodraeth Cymru i arwain ar y gwaith o dynnu'r holl adnoddau hynny at ei gilydd. A ydych yn teimlo nad yw hynny'n digwydd i'r graddau y dylai ar hyn o bryd?

**Llyr Huws Gruffydd:** You would therefore see a role for the Welsh Government in leading the work of drawing all those resources together. Do you feel that that does not happen to the extent that it should at the moment?

[287] **Dr Tudor:** The Welsh Government definitely has a role in pulling those together, whether that is in conjunction with the Wales coastal and maritime partnership or the internal workings in the Welsh Government. There is a role for the Crown Estate to help with that as a UK body that delivers to all Governments. We have a role in drawing the Welsh Government in and assisting it. I would not go so far as to say that it has been inadequate so far; I just think that more can be done and things need to get started.

[288] **William Powell:** Have you had any discussions with the Welsh Government about the concerns that you have expressed regarding the transfer of marine consenting rights to the natural resources Wales body?

[289] **Dr Tudor:** We have had limited discussions with it. We have made clear our feelings to the inquiry. My issue with it is that we feel that the marine consents unit in the Welsh Government is excellent—it delivers to stakeholders and to industry. We are neither Government nor industry; we sit in that middle ground and we watch from a close distance. It is an excellent unit that works very well. It does not have a conservation or environmental focus; it essentially has a sustainable development focus. My thoughts are that if it were to transfer to the natural resources Wales body, that would need to be thought about. If it continues to be a sustainable development delivery unit, that would be excellent. We have seen what has happened in the past, for example, when the Marine Management Organisation was set up in England a couple of years ago; the old Marine and Fisheries Agency in the Department for Environment, Food and Rural Affairs was transferred to it and moved up to Newcastle; it lost a lot of staff and continuity. Its priority was to ensure that delivery continued. That is key for the unit if it goes into the new body: there should be continuity of delivery, skills should not be lost and there should be a continued focus on sustainable development principles. It should not be drawn in to focus on conservation or on environmental issues.

[290] **William Powell:** These concerns have been expressed to us by the British Marine Aggregate Producers Association, both in its oral evidence to the committee and its written evidence. Do you see a danger of that much appreciated and valued service fragmenting if this transfer were to go forward?

[291] **Dr Tudor:** I have no insight into the individuals concerned, but there is always the chance that, when things change, continuity is lost and there is a fragmentation of skills and knowledge. That is not to say that the new body would not be capable: the Environment Agency does a lot of regulation and permitting, but it does not do much in the offshore marine environment; and, obviously, CCW does not have a permitting regulatory role, but it has an advisory role. So, that is the issue. If it is handled properly, there should be no problem, but the importance of continuity for the transfer through to the new process should not be misunderstood.

[292] **William Powell:** Another issue that has been raised today and previously is the possible desirability of Chinese walls within the organisation to avoid any potential conflict of interest in delivering this. Do you think that there is any validity around that?

[293] **Dr Tudor:** I think that procedures, processes, structures and governance measures need to be put in place. I do not have a view on Chinese walls, outsource units or four walls, the point is that it is clear and that industry stakeholders understand what those processes are and that there is no ambiguity or perception of the unit not delivering as it did previously.

[294] **William Powell:** Thank you. Mick Antoniw, do you want to comment?

[295] **Mick Antoniw:** No, not on this.

[296] **Vaughan Gething:** I want to pick up on some of the discussion that we have had with others who have given evidence about renewable energy. I understand that the Crown Estate has a significant role in this, because of its ownership of the sea bed. I come back to the suggestion that was made to us about the possible co-location of renewable energy sources underwater and whether that would make sense in terms of other forms of protection or permitting exportation. Obviously, the mussel farmer who was here this morning was understandably keen on that. I am interested in whether the Crown Estate has taken a view on that in terms of where it would like to see things or how it sees the potential to move forward.

[297] **Dr Tudor:** Co-location, as a principle for us, is a positive thing. As the manager and landowner, we would like to see co-location and co-existence of activities as much as possible. It is down to the individual industries and sites to see how that works. A big consideration, which is often forgotten, is health and safety. A lot of people talk about, for example, fishing or shellfisheries within windfarms and I think that that is a fantastic principle of co-location. However, the health and safety element needs to be considered. For example, if someone is collecting their pots and there is a huge swell and there are huge turbines next to them, is that safe? So, co-location is a fantastic idea and the Crown Estate believes in it. Through our planning and other Government planning, the ultimate goal is to achieve it, but let us do it on a case-by-case basis, rather than just saying, 'Yes, that industry and that industry can co-locate'. Some simply cannot; some could and some definitely can. Olivia, do you want to come in on the co-location element?

[298] **Ms Burgess:** I very much agree; from the conversations that we have been having, it is clear that it very much depends on the site and the circumstances. There will also be differences between when developers construct a windfarm and when it is fully operational. What about the maintenance of the site? There are many different considerations and they will all vary, depending on the industry that they are trying to co-locate with. So, I would very much agree that it should be done on a case-by-case basis. However, in principle, with all the competing uses out there, it is a positive step forward that these conversations are happening and that there is potential for two different industries to co-locate in one area.

[299] **Vaughan Gething:** Are there any other areas of the British coast where this is further

forward in terms of being practical, because we know that some offshore windfarm units have been located? I am thinking, for example, of the area off the coast of Norfolk and the collapse in some of the shellfish populations that has taken place in the wash over the last 20 years or so. There is a suggestion that external windfarms might be helpful in terms of helping those populations to recover. I am interested in whether there is anything slightly more practical. In principle, it is a great idea. Is there anywhere else in the UK where you are involved that is further forward so that you can say, 'Actually, it can work and, in this situation, it has', bearing in mind all the very practical points you raise around what it means to make it work? I appreciate that there will be times where the safe operation of other economic activities around windfarms will not be possible.

[300] **Dr Tudor:** There are examples. On the fisheries angle, there is a lot of research going on around types of gear and the space needed for the safety of gear going through windfarms. There is research going on about the appropriateness of different shellfisheries and windfarms, and the appropriateness of the collection around that. So, there is a lot of research being undertaken, but not a huge amount going on, particularly around the fisheries issue, beyond trials and research et cetera. However, there is a lot of other co-location happening. For example, you spoke to the aggregates industry, and those aggregates industry boats are not there 24 hours a day, so when they are not there, there is shipping going through there and fishing going on. So, there is already a lot of co-location going on anyway. I think that perhaps it is a misunderstanding by some people that we must get the co-location going quickly and that this is the big answer—it is happening day to day. Admittedly, the new kid in town is renewable energy and that is the new thing that people have to try to work out. It is a question of how you co-locate a tidal device under water with a fisherman trawling. That is extremely difficult. So, there are certain things that you basically know. I do not think that any part of the UK is any further ahead. I think that there is a lot of understanding and thinking going on about this, and a lot of learning, particularly around co-location with renewable energy.

[301] **Vaughan Gething:** I would like to come back to one thing that the aggregates witnesses told us this morning. They gave us a slightly different perspective on resources, but they also talked to us about their desire for a consistent approach. Most developers come in and say, 'In any particular area, we want consistency and we know what we have to do'. One of the things that they said was that Wales might want to wait for other people to do some of the early heavy lifting, and then basically take advantage of the lessons that they may or may not have learnt in their processes for marine spatial planning. They also raised a very practical point that, from their industry's point of view, the neat boundaries that may exist between devolved nations and the Republic of Ireland may not be quite as convenient in terms of where they actually want to exploit resources. That would be the same for a number of other industries that use the sea—you could say the same for fishing as well. I am interested to know how, in other areas that are further forward in terms of trying to progress marine spatial planning, those boundaries issues are being worked through. Obviously, from your point of view, your ownership stops at some point; yet it is the case that we know that not all the resources are neatly lined up with territorial ownership. How has that affected you? How do you see that affecting the process of marine spatial planning around the whole of the UK?

[302] **Dr Tudor:** That is a very good question. To reiterate, as a UK public body we have a great interest in the cross-boundary work within the UK. We see that the individual statutory planning authorities are working in their own patch and almost waiting to see how they will get to those borders. The MMO is concentrating on English waters and there is Marine Scotland, and they have not yet got to the border areas, if I can put it like that. We have not got there yet. I think that I am trying to say that there is a role to play in trying to facilitate that. You are also right in saying that our remit stops at the UK border; so, it really is a matter for DEFRA and the other Governments to get involved in discussions with other sovereign states, whether that is France or the Republic of Ireland. Our role in that is trying to facilitate.



We work a lot with international renewable energy developers and multinationals, across borders. They could just as well invest in Germany as in Wales, England or Scotland. We are trying to make the UK attractive for those industries and to make marine spatial planning work across boundaries as much as possible. The important issue is that marine spatial planning has always had this mantra that whatever it is aiming for should really solve all our problems; it could do, but I think that the cross-border issue in the UK and with neighbouring states needs to be tackled sooner rather than later. There are discussions in the European Union that I am aware of around more co-operation around marine spatial planning, but I think that the UK needs to get its house in order before we wait on Europe to join in.

[303] **Vaughan Gething:** So, how would you envisage it, practically, from your point of view? You own sea beds, say, throughout the Bristol channel, as an example. Given that your ownership and interest in the marine spatial planning approach will take place in whatever part of the Bristol channel that we are talking about, have you had discussions or are the discussions on hold? Is that not essentially taking place at present between authorities? I am interested in the Welsh end as well as in the English waters.

[304] **Dr Tudor:** Without speaking for those authorities, I understand that discussions are happening between the Welsh Government and the MMO in England, for example. From our point of view, we do have these discussions and, as I touched upon earlier, I really believe that there is an opportunity for the areas that are common across the UK and the Crown Estate—such as knowledge, data and software—to be shared more widely. I will give you an example: if Marine Scotland is thinking about where to put a windfarm, and where the important areas are for cetaceans, for mammals and for diving birds, I can say that the Countryside Council for Wales is also thinking about that in Wales, and so is Natural England, perhaps. While it is site-specific, the principles of our marine planning, and the data, should be common. The opposers and the proposers should have the same information, knowledge and data. That is the key thing for me.

1.30 p.m.

[305] It is not about policy. Policy is owned by the Government, but the UK could do more to share knowledge and could do more on information delivery, and the Crown Estate could play a role in that, where we have the responsibility. We have no responsibility for fishing, leisure and so on, but where we do have responsibility, we could share more widely with Governments. The four Governments plus the Crown Estate could do a lot more to share in relation to those common interests.

[306] **Mick Antoniw:** I have a small point on resources. You made some quite sharp points in your paper, particularly in paragraph 3, about the impact of the limited resources available to the Welsh Government. If there were a priority area, where additional resource would make the most impact, what, in your opinion, would that be?

[307] **Dr Tudor:** Quite simply, but without oversimplifying it, it is about starting to do the planning. For example, I was part of the Wales coastal and maritime partnership advisory group that helped with the preparation for the consultation a year or two ago. That consultation was fantastic and the responses have been taken in. What is going on in Scotland and in England has been watched, and there has been a lot of information gathering. I have a lot of respect for the Welsh Government's marine branch. So, the priority now is to start implementing things, whether that is gathering evidence, gathering data or thinking about whether the zoning is appropriate, or whether there should be priority areas for certain things like tidal energy, given that, frankly, there are only certain places that can go. So, it is about beginning the process: setting out a timetable and going for it.

[308] I do not have the knowledge to say whether one extra post is needed, or two or 10. It

is about getting some extra resource, whether it is drawn from other people or from having direct full-time equivalents within the marine branch, and then about getting started on the real beginnings of the planning, rather than the thinking and the discussion. That time has gone; it is now time for implementation.

[309] **William Powell:** In this time of scarce resources, in certain policy areas, there are examples of contributions, either from the private sector or from organisations such as yours. Is that a relevant consideration for marine spatial planning?

[310] **Dr Tudor:** Yes, undoubtedly. It is imperative that public bodies, non-governmental organisations and the private sector get involved in marine planning. As you said, it has never been done before, so we cannot expect experts to emerge within the Welsh Government; it needs that help and assistance from all of us in the private, public and NGO sectors. The Wales coastal and maritime partnership has that forum, and whether it is the right one or not, a forum already exists in Wales, so let us draw on that, where possible, to try to move things forward.

[311] **William Powell:** Could that go as far as co-funding? Staff time and commitment is obviously a costly resource itself, but could that take the full range of forms?

[312] **Dr Tudor:** Everything is on the table, frankly. Sitting here today, I would not like to comment on whether co-funding is appropriate, but it is important to get all these things on the table at a time when we are trying to deliver something and everyone wants the same thing.

[313] **Ms Burgess:** At an industry level, we have started to see those conversations about gathering data and sharing data across industry starting to happen. So, where they can share across industry, it is also beneficial to share across Government and across public and private bodies. So, as that develops, having the resource within Welsh Government to look strategically across all the sectors to gather that information can only be beneficial. However, it is certainly starting, so it just needs to gather momentum.

[314] **Llyr Huws Gruffydd:** Mae gennyf un pwynt bach am barthau cadwraeth morol. Rydych yn ymwybodol o ddatganiad diweddar y Gweinidog am sefydlu grŵp i edrych yn ehangach ar safbwyntiau'r budd-ddeiliaid o ran y broses sy'n ymwneud â pharthau cadwraeth morol sydd â gwarchodaeth uwch. Tybiaf, yn ôl eich tystiolaeth ysgrifenedig, fod yr *approach* hwnnw yn un y byddech yn ei groesawu.

**Llyr Huws Gruffydd:** I have one small point about the marine conservation zones. You will be aware of the Minister's recent statement on establishing a group to take a broader look at the views of stakeholders about the process in relation to the more highly protected marine conservation zones. I assume, given your written evidence, that that approach is one that you would welcome.

[315] **Dr Tudor:** Yes, it is. We have been helping and advising as much as we can throughout the process. We were part of a technical advice group, offering data, information and a lot of our software tools and our expertise throughout the process to date. The task and finish group has been mentioned, and the stakeholder group is welcomed. This is such an important issue that a bit of time spent considering it is advisable.

[316] **Llyr Huws Gruffydd:** A ydych felly'n meddwl y dylai'r lefel hon o ymgysylltu â budd-ddeiliaid fod wedi digwydd yn gynharach yn y broses?

**Llyr Huws Gruffydd:** Do you therefore think that this level of engagement with stakeholders should have happened earlier in the process?

[317] **Dr Tudor:** That is an interesting question. First, my team and I were very much



a new way of working, we have to ensure that our marine thinking has reached a point of equal sophistication, so that the two can progress side by side, because there are many interactions, obviously, between the terrestrial and the marine environment.

[325] **Russell George:** Good afternoon. Why do you believe that there has been limited progress on marine spatial plans in Wales?

[326] **Mr Parry:** Could I just make one statement, perhaps, before I pass over to my colleague on this one? We have got to the stage with marine policy and particularly with marine planning at which, to make a maritime analogy, we have built the ship, and it is sitting in the port, but what we do not have is a map. We probably know how to draw one, but we have not drawn it yet. We do not have a wind or any fuel in the tank, and probably not enough crew. So, a lot of the policy thinking has been done and the framework is well developed, but we are now at that stage where we need to get out of the harbour and go on a journey with this. The actual drawing of the map is the critical thing, particularly with regard to marine planning. So, considerable progress has been made, and it will just take a decision, I think, and the commitment of resources, because the resource issue is clearly a significant one. Mary will give you more detail on this.

[327] **Dr Lewis:** On marine planning, as Morgan outlined in his analogy there, we have the tools ready to do marine planning, and there has been some progress because there has been some useful advice, for example from the Wales coastal and maritime partnership to the Welsh Government a few years ago now, on the process of marine planning. In addition, the Welsh Government carried out a consultation in 2011 on approaches to marine planning in Wales. However, as you have heard a lot in this inquiry, marine planning has not actually got going yet. From our point of view, it is an issue for the Countryside Council for Wales as well as for other organisations, and it is a matter of the resources to do it properly, but also then the prioritisation of resources and where you decide to prioritise your effort in marine planning and management terms. We see ourselves as having a specific role in providing evidence and advice on the marine planning process, but until we have clarity about the form of that process, the structure and the level of detail that we are expected to go into, we are not able to take forward our work in that area, either.

[328] **Russell George:** I suppose that, in England, their ship has gone out and sailed. What are the implications for Wales of being behind those plans?

[329] **Mr Parry:** It is true to say that there is apparently a little more action in the sense that there are consultations on plans in England, but I would caution against making too much of that, because the content of those, and the degree to which they are closer to implementation compared with Wales is maybe not that significant. A fair amount of preparation has gone on in Wales, and it is sort of sitting there waiting to go. I would not make too much of that comparison, although it does look as though there is more happening in England. Mary has more familiarity with how this is happening within the Government.

[330] **Russell George:** I am thinking about the implications for Wales of being behind on that process. Is it a good thing or a bad thing?

[331] **Dr Lewis:** As you have probably heard in previous sessions, England has split its marine planning function into 11 planning regions, two of which are well under way, and two have just begun, so there are five, six, no seven—sorry, I cannot do the maths, but there are a number yet to go, which include the planning regions adjacent to Wales. There is a requirement in the Marine and Coastal Access Act 2009 for neighbouring plans to take account of each other, to try to ensure that they are compatible. The issue starts to bite when planning reaches a stage in England where they need to start turning their attention to planning regions adjacent to Wales. If marine planning has not got going in Wales by then,

we cannot plan meaningfully in those cross-border areas. So, slightly competing or different objectives might develop. That is when it really starts to bite.

1.45 p.m.

[332] Given the size of Wales et cetera, when you look at the planning regions that they are dealing with in England, you will see that they are perhaps similar, so it might be possible to deal with Wales as one planning region rather than necessarily carving it up. So, once it starts in earnest, there is a good opportunity to really start catching up.

[333] **Russell George:** In your written evidence, you stated that your advice to the Welsh Government to date has related to marine planning as focused on governance arrangements. Can you tell the committee what your advice to the Government has been on governance arrangements?

[334] **Dr Lewis:** We have obviously responded to consultations and we played a part in the advice provided by the Wales coastal and maritime partnership a number of years ago. In terms of governance arrangements, we have been focusing on highlighting the fact that what is really important is who you involve, how you involve them and when you involve them. It is really just about making the right decisions about that to ensure that the process is properly inclusive and properly open. So, it is more about highlighting some general principles about how you go about an inclusive planning process and wanting to see that reflected in marine planning in Wales.

[335] **Mr Parry:** It is the Government's responsibility to create the governance arrangements on the advice given by us and by others.

[336] **Russell George:** Finally, earlier, we spoke to witnesses from the Pembrokeshire Coastal Forum and the Severn Estuary Partnership, who have also given written evidence to us suggesting that coastal partnerships could play a key role in the development of marine plans. Do you have any views on this?

[337] **Mr Parry:** I think that we would be very positive about that, particularly if they engender local support and local interest. To do that, they will have to be representative and able to see the national perspective as well as simply local concerns. That is a balance to be struck, and I think that that is why the Wales coastal and maritime partnership has played an important role over previous years. We hope that that will continue to be an umbrella body for coastal fora. Mary, you have experience of how it works on the ground.

[338] **Dr Lewis:** I would endorse what Morgan has said. The coastal partnerships exist in some areas of Wales, but not in others. So, they may have an important role to play in terms of an overall structure for including local communities et cetera in planning. The Government will still need to look at an overall and inclusive structure and then at the role that the particular partnerships will have to play in that.

[339] **Mick Antoniw:** I would like to follow on from Russell's point, because it tied in with some of the matters that were raised earlier. In terms of carrying out planning, how you gain ground and so on—bearing in mind all of the issues with resources et cetera—in paragraph 0.17 of your written paper, which is very helpful, you refer to the fact that you already have large amounts of data and you refer to the creation of CCW's marine evidence directory. Other evidence has been given to us today about the considerable amounts of material, research and information in existence, whether from the corporate side, from the dredging association or other bodies. How extensive is the material and information that you have? Do you have a view on the extent, collectively, of the information that might be available in completing this task? That is, once you start the process, a lot of the work is there; it is a

question of pulling it together, putting it in the correct format and then analysing it.

[340] **Dr Lewis:** Yes, that is exactly the issue. We have a wealth of information about the marine environment. I would not begin to suggest that we have a complete and comprehensive picture of what there is, the pressure on the marine environment and the sensitivities, but we are improving our understanding all the time. We have a lot of information, which, as you have picked up, we have collated in our marine evidence directory. The issue is that it is about how that needs to be assessed, analysed and presented to support marine planning, which is why you need to understand at which level of detail marine planning is going to happen et cetera. There is a lot of information but the key issue is how we interpret it and provide it.

[341] In addition, there will always be a requirement to understand more about the marine environment. I know that you have heard this from other witnesses in your inquiry to date, namely that the issue with collecting further evidence on the marine environment is that it is time-consuming, expensive and technically difficult. So, we need to be clear about how we prioritise our resources to do that. It is a matter of knowing the process, the priorities and the sectors or areas that are of most interest for marine planning, so that we can collect further evidence and use our resources wisely, but it is also a matter of collecting evidence that helps in decision making, and not just evidence that we think is useful. It helps us to know what decision makers need evidence for, but until we have the marine planning process, that is difficult for us to do.

[342] **Mr Parry:** It is a good principle, in environmental management, to learn by doing. I think that we have to be careful of the tendency not to take any action because we do not know everything, because we may never know everything. We should be trying things on the basis of a reasonable amount of information and learning from stakeholders, particularly—in the marine environment—from the fishing industry, and finding new ways of collecting data. By learning through that process of doing, we can improve, move faster and probably achieve more than we would if we were stuck in a situation of being too risk-averse because we did not know enough.

[343] **Mick Antoniw:** Has work been done to analyse the compendium of information available? If you were to start pulling this together, where is it, who has it and what do they need to do so that you have a big picture of what is available out there?

[344] **Dr Lewis:** We have done that for our evidence. It is a much bigger job to do that for the kind of evidence and information that all the different organisations have. That is something that would be useful to do from the outset.

[345] **Llyr Huws Gruffydd:** Rwyf eisiau treulio ychydig o amser yn edrych ar yr ardaloedd morol gwarchoddedig. Hoffwn glywed pam eich bod yn meddwl bod cynifer o'r ardaloedd morol gwarchoddedig yng Nghymru yn dal i fod mewn cyflwr anffafriol?

**Llyr Huws Gruffydd:** I want to spend some time looking at the marine protected areas. I would like to hear why you think so many of the marine protected areas in Wales are still in an unsatisfactory condition?

[346] **Mr Parry:** Rwy'n cydnabod bod cyflwr nifer o'r rhain yn anfoddfaol. Mae dau ffactor yn gyfrifol am hynny. Mae'n rhaid cofio nad yw'r cyfnod ers i'r rhain gael eu dynodi mor hir â hynny. Mae rhai pethau yn cymryd amser i ddatblygu, ac mae effaith negyddol neu bositif pa bynnag

**Mr Parry:** I acknowledge that the condition of many of these is unsatisfactory. Two factors are responsible for that. We must remember that the period since these were designated is not that long. Some things take time to develop, and the negative or positive effects of whatever activities are introduced

weithgareddau sy'n cael eu cyflwyno i reoli'r ardaloedd hyn yn aml iawn yn cymryd amser i ddangos newid.

to manage these areas very often take time to appear.

[347] Mae cwestiwn ynglŷn ag adnoddau, nid yn unig o ran arian ond hefyd o ran adnoddau ynghylch sut i gydweithio â gwahanol randdeiliaid sy'n gweithio yn yr amgylchedd morol. Er bod y partneriaethau hyn yn aml wedi gweithio mewn rhai ardaloedd lleol, nid yw'r patrwm ar draws y wlad yn gyson. Felly, mae angen inni edrych ar lle mae hyn wedi gweithio, dysgu'r wers a chael strategaeth i Gymru gyfan fel rhan o'r hyn rydym yn gobeithio ei gyflwyno wrth symud o bolisi i weithredu.

There is a question of resources, not only in terms of funding but also in terms of resources for how to collaborate with different stakeholders working in the marine environment. Although these partnerships have often worked in local areas, the pattern across the country is inconsistent. So, we need to look at where this has worked, learn the lesson and adopt an all-Wales strategy as part of what we hope to deliver as we move from policy to implementation.

[348] **Llyr Huws Gruffydd:** Diolch am hynny. Roeddech yn sôn am yr angen i gydweithio ymhellach, ac nad yw o reidrwydd yn golygu mwy o bres. Felly, rydym yn sôn am fwy o amser, mewn gwirionedd, ond mae angen adnoddau i hwyluso'r cydweithio hwnnw hefyd, onid oes?

**Llyr Huws Gruffydd:** Thank you for that. You mentioned the need to collaborate further, and that it does not necessarily mean more funding. So, we are, in effect, talking about more time, but resources are also needed to facilitate that collaboration, are they not?

[349] **Mr Parry:** Rwy'n meddwl bod angen arian, ond nid dyna'r unig beth sydd ei angen. Fel y dywedodd ein swyddog yn gynharach, mae casglu gwybodaeth am yr amgylchedd morol yn gallu bod yn ddrud, felly mae eisiau bod yn realistig bod angen adnoddau. Fodd bynnag, mae pethau eraill y gallwn eu gwneud i gael mwy o gysondeb ar lefel Cymru gyfan.

**Mr Parry:** I think that funding is needed, but that is not all that is needed. As our official said earlier, collecting information on the marine environment can be expensive, so we have to be realistic about the need for resources. However, there are other things that we can do to bring about more consistency across the whole of Wales.

[350] **Llyr Huws Gruffydd:** Rydych wedi cynnig nifer o argymhellion i'r Llywodraeth yn eich adolygiad o reoli'r ardaloedd morol gwarchoddedig. A oes unrhyw awgrym pryd y bydd y Llywodraeth mewn sefyllfa i sicrhau bod rhywbeth yn symud yn hyn o beth?

**Llyr Huws Gruffydd:** You have made a number of recommendations to the Government in your review of the management of marine protected areas. Is there any suggestion of when the Government will be in a position to ensure any progress on that front?

[351] **Dr Lewis:** We have made recommendations to Welsh Government during this year on what we consider to be action that could be taken to improve the management of our marine protected areas as a network, as opposed to looking at them on a site by site basis. That is very much picking up on what Morgan was saying about trying to look at the sites collectively and being more effective and efficient in terms of the resource that we have and our understanding of impacts across those marine protected areas as a network of sites. We have identified that there is a real need for strong leadership and a strong central steer, underlining the importance of securing effective MPA management and some central co-ordination. Those recommendations are with Government and we are awaiting a more detailed dialogue with Government about how those may or may not be taken forward. We are not clear yet as to exactly when that will be happening, partly because there is a

prioritisation of MCZ work at the moment.

[352] **Llyr Huws Gruffydd:** Rydych chi wedi dweud o'r blaen mai'r flaenoriaeth yw sicrhau safon ac ansawdd yr ardaloedd morol gwarchoddedig presennol. A ydych yn dal i deimlo bod hynny'n fwy o flaenoriaeth na datblygu ardaloedd ychwanegol?

**Llyr Huws Gruffydd:** You have previously said that the priority is to secure the quality and standard of the current marine protected areas. Do you still feel that that is more of a priority than developing additional zones?

[353] **Mr Parry:** Rydym yn cytuno mai dyna'r flaenoriaeth. Rydym hefyd yn meddwl bod rôl bwysig iawn i'r ardaloedd gyda gwarchodaeth mwy cyflawn, ond sicrhau gwell cyflwr i'r rhai cyfredol fyddai'r flaenoriaeth. Mae'r safleoedd penodedig hyn yn lleoedd da iawn i ddysgu beth yn union yw effaith unrhyw ymyrraeth gan bobl yn yr amgylchedd morol ac mae pethau pwysig iawn maent yn gallu eu dangos inni. Dyna pam rydym yn dweud eu bod yn bwysig, ond maent yn rhan o strategaeth ehangach ac mae'r flaenoriaeth, efallai, yn rhywle arall. Pe bai'r adnoddau a'r gallu ar gael, byddem yn gweld y cwbl fel un pecyn.

**Mr Parry:** We agree that that is the priority. We also feel that there is a very important role for the highly protected marine conservation zones, but improving the condition of current sites would be the priority. These designated sites are excellent places to learn about the impact of any human intervention in the marine environment and they can show us some very important things. That is why we say that they are important, but they are part of a wider strategy, and the priority might be elsewhere. If all the resources and capacity were in place, we would see it as a whole package.

[354] **William Powell:** To what extent were you disappointed that your recommendations around community engagement as part of the wider MCZ process were not taken on board by Government? Would you like to see that revisited now, given the recent announcement?

[355] **Mr Parry:** I think that this week's ministerial statement was very helpful in recognising that this is an area where improvements can be made. We would agree with the Welsh Fisherman's Association, which was supportive of the idea of highly protected marine conservation zones, providing that they were established with full engagement and the full support of local communities. So, it is important that that is done properly, and experience from elsewhere in the world is that they are most successful where users—particularly the fishing interests, but other users too—are part of the management and are committed to the same objectives. That is a lesson for us all to learn.

[356] **William Powell:** Could you elaborate a little on your response to 'Striking the Balance', which was submitted by the Welsh Fisherman's Association, and which was the basis of its evidence session to us this morning?

[357] **Dr Lewis:** As Morgan has said, we understand that that was one of around 7,000 responses that the Welsh Government had to the consultation on marine conservation zone proposals. We see that as a very valuable contribution because of the fact that it endorses a collaborative approach to the management of marine protected areas. We in CCW have always endorsed that approach and are actively involved in collaborative management through relevant authority groups on SACs, for example, and in Skomer, which is our only marine nature reserve in Wales; we have been managing it actively for 20 years, in partnership with local interests. So, it is an approach that we strongly endorse and strongly try to deliver through our own work. It is very encouraging to see that that is a shared view from different sectors. It gives us a positive way forward in terms of completing or adding to the coherence of our marine protected area network, but also in managing it more effectively in the future. The door is open for really positive dialogue on that.



2.00 p.m.

[358] **William Powell:** What involvement has CCW had in the process of designating offshore marine conservation zones that has been led by the Joint Nature Conservation Committee and, indeed, DEFRA?

[359] **Mr Parry:** I should say, first of all, that I am a member of the JNCC by virtue of my being chair of the Countryside Council for Wales, and its role in terms of the offshore environment beyond 12 nautical miles is a significant one. It is important that this is done at a UK level. I am a great supporter of us thinking, as we proceed down the road of devolution, about the arrangements for working at the UK level and at the European level too. In the marine environment, the UK dimension is hugely important, and co-operation, and our ability as a Welsh agency to share information through the JNCC with colleagues in Scotland, Northern Ireland and England, are critical. I think that it is doing good work, but Mary will have more of the specifics about how it is engaged in those offshore protected areas.

[360] **Dr Lewis:** In terms of looking for marine conservation zones in the offshore area, there were two specific projects neighbouring Welsh areas—the Irish sea project and the Finding Sanctuary project to the south. We did have ongoing informal dialogue with JNCC and both the projects that were set up, and we had observer status on the steering group for the Irish sea project, so we did have good links with those. There are two key issues, really. One is that those projects were looking for more and larger marine conservation zones—larger numbers of them, covering larger areas—compared to the approach taken in Wales. So, although we had communication, in terms of actual collaboration on how those sites might be taken forward collectively, it was a bit more challenging, because we were trying to fulfil slightly different requirements from the outset. Also, it is fair to say that the projects set up in the English and offshore waters to look for marine conservation zones were heavily resourced by DEFRA, with independent staff teams set up to take them forward, and finding the resource within Wales to keep pace with that has been a struggle.

[361] **William Powell:** In his oral evidence to our committee, Dr Peter Jones suggested that, where suitable, opportunities could be sought to co-locate marine conservation zones and renewable energy projects. Do you favour that approach in general?

[362] **Mr Parry:** Marine planning provides the route for us to think about these things. It might be a bit early to make a commitment to what you say and what Peter Jones proposed. However, what is happening at the moment in the absence of marine planning is that different sectors are going ahead with their use of the marine environment and, at some point, that will create problems, because there are more and more users in the marine environment, with the renewable energy sector being one. It is a good time to have a bit of creative thinking. There are two things moving in our favour on this: the Government's commitment to sustainable development and thinking about economic, environmental and social outcomes together, which is a good driver for this, and the new natural resources Wales body that will be taking over our work and the work of the Environment Agency and Forestry Commission. That integrated thinking will begin to come up with new ways of working, and it may well be that co-location and multiple benefits from a good spatial planning approach in the marine environment will bring those benefits forward.

[363] **Vaughan Gething:** We have had discussions about co-location previously, and, going back to the different evidence that we have had, both from the fishermen—when we talked about the fact that fish do not conveniently stay in one location around the coast—and the aggregates people, who spoke about the fact that the resources that they are interested in sometimes straddle different zones of control or responsibility, depending on the language you choose to use. So, on this point about co-location, at various points things are already co-located, in that you get resources that are used at different times by different people in the

same area. I know that there is a point of principle, but then there is also a practical one about what the proposal actually is. I am interested in whether, from speaking to colleagues across the rest of the UK, you have any idea whether there is an attitude developing to this very practical point, moving on from a principle that sounds great and nice and easy. Then, in thinking about the work you do with the JNCC and other bodies around the rest of the UK, I am interested in how you are talking together about the reality of marine spatial planning in different parts of the UK and the border zones. The evidence we have heard previously is that, at the moment, everyone is shying away from the borders: they are dealing with the bits that are easier to deal with and there is the issue of how you deal with the borders and the reality that the sea and the sea bed are perhaps not as conveniently demarked as the line on the map may suggest.

[364] **Mr Parry:** I will give you a quick answer on the JNCC before I pass you over to Mary to answer your question. The Welsh Government and the new body in Wales need to recognise the importance of the JNCC because it is at that level that we can begin to sort out some of these border issues and find common standards and ways of working. Inevitably, on the part of Welsh Ministers, there will be a desire to do things in a way that is appropriate to Wales, and that is right. However, we will never overcome these border issues and different approaches, or some of the problems that might arise from different approaches, unless there is a commitment to organisations such as the JNCC. We also need to resolve, and I am sure that we will, the slight disparities with regard to the functions of the MMO around the UK as well. That needs to be factored into decisions on creating the new body in Wales. I know that they are part of the ongoing discussions.

[365] **Dr Lewis:** You raise two questions. One was about the practical implications of co-location. I can think of a couple of examples of where that has been looked into. One example was marine conservation zone proposals coming forward in the Finding Sanctuary project area in the outer Bristol channel, which meant marine conservation zones being proposed near to proposed offshore wind development sites. There was some quite useful dialogue between the renewable energy sector, Natural England and the JNCC on how that might work. There were some quite practical discussions about that because, obviously, although, in theory, it sounds like a very good idea and it could be very useful, you need to be sure that you are securing your conservation objectives, whatever they may be, at the same time as ensuring that the structure, whether it is an offshore windfarm or whatever, can operate effectively and be maintained. Therefore, there are some particular issues that need to be considered.

[366] However, more broadly, an interesting example might be the marine protected areas project in Scotland, which is specifically seeking contributions to its marine protected areas network that involve co-location or areas that are managed for other reasons but that, due to the way they are managed, provide conservation gains. It is looking at ways in which you can review that on a five or six yearly cycle or whatever to ensure that you still have the security of management from a conservation point of view. Therefore, there is emerging practical thinking on that, which is helpful.

[367] On the point about boundaries and whether we are going to be able to overcome that issue in terms of planning and management, those will always be there. There are different administrative boundaries for all sorts of different functions that we will always have to tackle. It is about a willingness to work collaboratively. Obviously, differing timescales are challenging in that regard. However, above the marine planning issues we have talked about, there is the marine strategy framework directive, which is quite a new piece of European legislation that we are in the process of implementing in the UK. It is looking at securing good environmental status across all UK waters. So that goes across all those different potential administrative boundaries, and the UK Government and administrations are working collectively to try to deliver that directive. That is really positive in terms of collective work to try to improve the status of the whole marine environment.

[368] **Vaughan Gething:** In your paper, you express some concern about good environmental status. It may be helpful to hear why you have those concerns and whether you think each Government is doing what it could be doing. If they are not, what could or should be done? I want to deal with this point about resource and capacity because the evidence we have heard and read, and not just today but previously, is that there is not enough capacity in the Welsh Government and that it needs to beef this up because, at the moment, we cannot deliver our own ambitions. However, when we talk about resource and capacity, part of my concern is that it is very easy to ask for more resources but an awful lot more difficult to deliver them, particularly as we know that we are going to have less money in the next few years over the life of this Assembly.

[369] Therefore, I am always interested in what you see as being the lack of resource and how much it would cost and where you could get it from. It would be very easy for us as a committee to recommend that the Welsh Government needs to provide more resource in this area. We could say that all the time on any area we deal with. I am interested not only in the reasons why but how much resource we are talking about and whether you have any idea where that would come from and how. Earlier this morning, there was a suggestion that it does not all need to be from within the Government, and you may want to borrow resource and information from other sectors. Another suggestion was made by the aggregates group, who said that you could let someone else do some of the heavy lifting first and then borrow the work that they have done, and that may help you to get to where you want to more quickly without using more resource to do that. These are all very practical things, but, ultimately, if we are going to make recommendations, I would want to have some comfort that we are not just saying, 'Get more resource, and we do not really care where you get it from'. I would like us to be more responsible than that.

[370] **Mr Parry:** Okay. I would agree that there is the potential to do things in a different way. The process of marine planning is in itself a conversation with lots of interests and there may well be private sector interests or other partners in this process who have an interest in seeing this thing work and who can see that a properly planned marine environment or a framework within which they can operate in an efficient way would save them money. Therefore, there may well be private sector interests that could see a benefit from going down this road, so I agree that we need to think in ways other than just simply coming with a begging bowl to the Government to do this. There is also an issue of priorities, which perhaps Mary can say a little more about.

[371] **Dr Lewis:** This is something that we reflected on before coming to speak to you today. Obviously, there is a resource issue, but, more broadly and perhaps as important is the prioritisation of existing resource and looking carefully at the marine governance legislative and policy framework that we have ready to use and thinking carefully about which are the most important aspects to be focusing on and delivering. If considerable additional resources are not forthcoming or are not available, then what do we do first? You have heard it said a lot—and we share the view—that, if we can get the right marine planning framework in place, then that automatically prioritises some of the other areas of marine management, conservation, delivery et cetera. On a practical front, we have been considering how we can make more effective and efficient use of existing resources rather than just wanting more resources. Our recommendations to the Government in relation to improving the management of marine protected areas are an example of that. Instead of thinking that we have a series of different types of designations all with their own requirements, we are thinking about how we could look at them as a network of marine protected areas and identify the key pressures across that network and prioritise our efforts towards those, rather than looking at each one individually. So, there is a lot more that could be done in terms of more effective and efficient working. However, it takes a lot of time to work out how to do that.

[372] **Mr Parry:** I would just like to add that there is potential, particularly in terms of gathering information and monitoring, for those marine interests that are already at sea to do that, because one of the costs for a Government body is getting the capacity in terms of ships to get out into the marine environment, which is quite expensive. However, there are a lot of operators and people using the marine environment, who, if they could see the value to them, would be good partners in terms of collecting data on fish stocks, pollution levels, and many other areas. So, I think that the conversation about marine planning needs to include that common shared interest in doing things efficiently and doing things cost-effectively.

[373] **Llyr Huws Gruffydd:** Gan ein bod yn sôn am adnoddau, rydym mewn cyfnod o newid, ac mae staff wedi cael eu symud ac yn y blaen wrth inni edrych ar greu corff cyfoeth naturiol Cymru. Hoffwn glywed a ydych yn teimlo bod symud y staff a'r aildrefnu sy'n digwydd wedi cael effaith ar allu'r cyngor cefn gwlad i gyflawni ei dargedau o safbwynt polisi morol.

**Llyr Huws Gruffydd:** As we are talking about resources, we are in a period of change, and staff have been moved and so on as we are looking to create the natural resources Wales body. I would like to hear whether you feel that moving staff and the reorganisation that has happened has had an effect on the countryside council's ability to fulfil its targets on marine policy.

[374] **Mr Parry:** Byddwn yn dweud bod pob un o'r tri chorff wedi gorfod derbyn y ffaith na fydd rhai pethau yn cael eu cyflawni cyn mis Ebrill. Felly, mae'n wir i ni i gyd bod pwysau a bod staff yn aml iawn yn gwneud mwy nag un swydd, ac mae'r prif weithredwyr, staff y Llywodraeth a'r Gweinidog yn ymwybodol o hyn. Gadawaf i Mary sôn am yr effaith y mae hynny'n ei gael ar y gwaith o ddydd i ddydd yn y swyddfa, ond rydym yn cydnabod bod hynny'n digwydd a byddwn yn gobeithio y byddai'r pwyllgor a'r Llywodraeth yn rhoi cyfle i'r corff gael ei draed tano flwyddyn nesaf.

**Mr Parry:** I would say that each of the three organisations has had to accept the fact that some things will not be achieved before April. So, it is true for us all that there are pressures and that staff very often are doing more than one job at once, and the chief executives, the staff within the Government and the Minister are aware of this. I will leave it to Mary to speak about the impact this is having on the day-to-day work in the office, but we acknowledge that that is happening and I hope that the committee and the Government will give the body an opportunity to find its feet next year.

2.15 p.m.

[375] Y bwriad yw bod y gwaith angenrheidiol, lle mae bywydau mewn perygl a lle mae disgwyliadau gan bartneriaid a'r rhai y bydd y corff newydd yn eu gwasanaethu, yn cael ei wneud o'r diwrnod cyntaf. Bydd rhai pethau eraill efallai a fydd yn cymryd rhywfaint o amser. Mae'r potensial i wneud pethau cymaint yn well ac mae pawb yn optimistaidd ynglŷn â'r posibilïadau ar gyfer y flwyddyn nesaf.

The intention is that the essential work, where lives are at risk and where there are expectations from partners and those to be served by the new body, is undertaken from the very first day. There will be certain other issues that perhaps take a little time to establish. The potential is there to do things so much better, and everyone is optimistic about the possibilities for next year.

[376] **Dr Lewis:** Absolutely. I would just add that it is true to say that, on a day-to-day basis, the move to natural resources Wales puts a lot of additional pressure on staff in their day job, because the short-term focus is drawing a lot of staff time away to get us ready to go into natural resources Wales. However, it is right to get us ready so that the long-term delivery of the work of natural resources Wales is better set up from day one. So, there is a lot of pressure at the moment and staff have to give a lot of time to that, but it is focusing minds about the priorities in our day jobs. It is for a period of time, but I think that we accept that the pressures we are under and the stages that we have to go through are right to get us in the

right place in April next year.

[377] **Llyr Huws Gruffydd:** O edrych ymlaen, pa sicrwydd yr ydych wedi ei gael gan Lywodraeth Cymru ynglŷn â lefel yr adnoddau a fydd ar gael i gyfrannu tuag at waith yn y cyd-destun morol o dan y corff newydd?

**Llyr Huws Gruffydd:** Looking ahead, what assurances have you had from the Welsh Government about the levels of resource that will be available to contribute to the work in the marine context under the new body?

[378] **Mr Parry:** Mae braidd yn fuan i ateb y cwestiwn hwnnw, yn yr ystyr bod y gyllideb ar gyfer y corff newydd fel un ffigur yn glir, ond mater i'r prif weithredwr a'r tîm rheoli yw penderfynu ar yr adnoddau a sut mae'r rheini'n cael eu dosbarthu rhwng y meysydd gwaith gwahanol y bydd y corff yn eu dilyn.

**Mr Parry:** It is a little premature to answer that question in the sense that the budget for the new body as a single figure is clear, but it is then up to the chief executive and the management team to decide on resources and how they are allocated between the various work streams that the body will be involved in.

[379] Bydd y bwrdd, rwy'n siŵr, yn cymryd diddordeb mawr yn hyn, ond mater i'r prif weithredwr, sydd newydd ddechrau ar ei waith, fydd hyn. Mae rhai pethau lle mae ymrwymiad o flaen llaw i wneud pethau ac, yn ôl a ddeallaf am y sefyllfa, bydd y rheini'n parhau i'r flwyddyn nesaf; hynny yw, bydd y pethau y mae ymrwymiad wedi'i wneud eisoes yn eu cylch yn parhau, ond dros gyfnod. Yn amlwg, bydd blaenoriaethu, ond mae'n rhy fuan i ddweud ar y funud pa un a ydym yn hapus gyda'r sefyllfa ai peidio. Rydym yn gobeithio y bydd y corff newydd yn cael yr adnoddau i wneud ei waith a buasai'n bechod pe bai unrhyw doriadau yn gwanhau o'r dechrau allu'r corff i gyrraedd yr uchelgais sydd wedi ei osod ar ei gyfer. Mae'n uchelgeisiol ac mae yma botensial i wneud pethau'n well i bawb yng Nghymru sy'n dibynnu ar yr amgylchedd ar gyfer eu bywoliaeth, nid i'r amgylchedd yn unig. Mae'r uchelgais hwnnw yn gryf ymysg pawb sy'n ymwneud â hyn, felly rydym yn gobeithio y bydd yr adnoddau yno i gyflawni'r gwaith.

The board, I am sure, will take a great interest in this, but this will be a matter for the chief executive, who has just started in his post. There are certain things about which there is a prior commitment to act, and my understanding is that those will be carried forward into next year; that is, the things about which a commitment has been made will remain in place, but over a period. Of course, prioritisation will take place, but it is too early to say at present whether we are happy with the situation. We hope that the new body will receive sufficient resources to carry out its work and it would be a shame if any cuts were to weaken, from the outset, the ability of the body to achieve the ambition that has been set for it. It is ambitious and the potential is there to do things better for the sake of all those in Wales who depend on the environment for their livelihoods, not just for the environment itself. Everyone involved holds that ambition firmly, so we hope that the resources will be put in place to carry out the work.

[380] **William Powell:** I would like to move back for a moment to a couple of issues around the marine strategy framework directive. In your evidence to us, you state that you feel

[381] 'that there is a lack of ambition in the UK proposals for Good Environmental Status'.

[382] What explanation has been offered by the UK Government and by the devolved administrations as to why they have come forward with their particular proposals?

[383] **Dr Lewis:** We have made that point, as have a number of other organisations. In the recent joint Government administrations consultation and proposals for good environmental

status, and targets and indicators in relation to the marine strategy framework directive, in some areas Governments put forward different options: a first and a second option. One was perhaps more aspirational, taking you further into greater environmental benefits, and one was acceptable in terms of delivering the directive. Usually, the option that was preferred was the acceptable one. The rationale, generally, was the cost of the additional measures required to take the implementation of the directive further. We have highlighted that, probably, in this round of implementation of this new directive we will not see substantial change in the condition or status of the wider marine environment, but this directive addresses the whole of European seas. It is quite a long game, if you like. Our experience with things like the habitats and birds directive is that it takes a number of cycles of implementation and review to start to see real change and benefit. That may well be the case with the marine strategy framework directive, as well, although before implementation began the hope was that it would deliver really substantial change across the whole environment as opposed to specific areas that might be protected under other legislation.

[384] **William Powell:** I am aware that we have had quite an extensive focus in this session on resources, but in your evidence you specifically cited this area as one where there is a risk of not being able to implement appropriately the next stages of the directive. Have you had any response from the Welsh Government in relation to that particular concern, and do you think that there is a realistic danger that we might expose ourselves to a risk of fining at European Union level if we do not take that forward appropriately?

[385] **Dr Lewis:** European directives always focus the mind from that point of view, do they not? I think that the next stages of implementation, where the responsibilities are devolved, are where it begins to bite a bit more for Wales, if you like. The next stages are actually delivering a monitoring programme and delivering the actions needed to improve the environmental status of Welsh seas. The next stage is planning those. Until we have on the table what those actions may be, and what the monitoring programme may be, we do not know exactly how extensive the cost or resource implications are. It just remains a fact that, in Wales so far, there has been no new resource, whether it is people, substantial funds or whatever, to take forward the marine strategy framework directive. It is hard to see how we can secure the improvements required unless some new resource comes along, or unless resources are diverted specifically to the marine strategy framework directive, which, after all, is now perceived as the overarching framework to improve the condition of our seas, sitting alongside all the domestic measures that we have.

[386] **Mr Parry:** It may be that the potential of this directive has not struck home yet. It may be that we need to demonstrate the potential of what this could achieve, and I think that CCW has a role to play in that. If that potential were recognised, perhaps resources would follow. If there were ever a framework that introduced sustainable development, if you like, in the marine environment, this is it, because it is much more than an environmental directive; it is seeking to see all the users of the marine environment right across the whole piece, from ports to aggregates to energy industries, and to have a framework, a key objective of which is to improve its ecological status, but which is actually much more about recognising the rapid growth that there has been in the use of the marine environment and about finding a way of addressing conflicts. It could be a perfect fit for the Welsh Government's aspirations for sustainable development.

[387] **William Powell:** One area that I think that we still should raise in this session and which has been a consistent theme in some of our earlier sessions with previous witnesses is marine licensing. Do you have any concerns about a potential conflict of interest arising should the plans go forward for the marine consents unit to be transferred across to the new natural resources body? That has been raised by a number of different stakeholders in their written evidence, and in the oral contributions this morning?

[388] **Dr Lewis:** Yes. I appreciate that that has been raised as a concern. Marine licensing is a delivery function, and the natural resources Wales organisation will be a delivery organisation. So, so far, it is appropriate. The Environment Agency is coming into natural resources Wales, and it has a number of regulatory and permitting functions, so marine licensing is highly consistent with the kinds of functions that the organisation will be performing. The critical issue, which is being looked at in great detail at the moment and given a lot of consideration, is the importance of separating the various functions very clearly from the outset. When the organisation opens its doors on 1 April, there need to be separate management, staffing and resources structures for the regulatory and decision-making arm of the organisation, quite distinct from the advisory arm of the organisation. There also need to be transparent processes so that people can see the advice that has come from one separate arm to the arm that is making the regulatory decisions, and so that people can see how that has affected decision making. Processes have been put in place, and we can learn from other organisations that have had that dual function, so there should not be an issue. We are aware that that needs to be clear from day one.

[389] **William Powell:** Llyr Huws Gruffydd raised various issues about the human resource implications of the forthcoming changes. It is worth emphasising that a number of witnesses this morning, coming at it from different angles, talked about how well this small dedicated unit currently functions. They expressed a level of concern about the danger of fragmenting that unit or changing its focus. Is there any validity to those concerns, and do we need to keep a careful eye on that?

[390] **Dr Lewis:** They are obviously legitimate concerns, but the marine licence is a discrete licence in its own right. It is almost the same, but not quite, as a planning licence at sea. It is a discrete function that has to be performed, and it cannot be diluted by being put alongside other permitting or regulatory functions. Clearly, there is an issue in having the right expertise within natural resources Wales from day one to be able to deliver that function, but I do not think that there is a proper concern, really, about diluting its function.

[391] **Mr Parry:** I emphasise the point about transparency, which can help to overcome a lot of the concerns from external organisations. It is quite right that the functions should be carried out properly, that advice be taken and that it should inform decisions on permitting. We need to be confident in the new body, and the Minister needs to see the value of having openness and transparency in the advice that is given and put in the public domain, so that the basis for any decisions are open and visible to everybody. Then, the separation becomes less of an issue.

[392] **William Powell:** My final question relates directly to that. In your evidence, you state that the Welsh Government has been examining its marine governance structures. Can you indicate at this stage what that might mean in practice?

[393] **Dr Lewis:** You need to ask the Welsh Government, which would be able to give you further details on its proposals, but we understand that it is looking at the structures that it needs to give advice on the development of policy and evidence to support decision making and policy development, and at whether it has the right structures in place to do that. So, the Welsh Government would be able to give you more details on its proposals, but on a coherent structure that gives a route in for natural resources Wales and other organisations, I imagine that it would be valuable to have one governance structure that we all feed into, rather than disparate groups.

[394] **William Powell:** Would you like to make any concluding remarks for us to take away from today's session?

[395] **Mr Parry:** No, other than to thank you again for putting the spotlight on marine

policy, which is a critical and timely issue. The marine environment is a hugely significant component of the work of the new body, and it is occupying me and many others at the moment in looking at the bigger picture. Getting a proper focus on it at this time is good news, so thank you for your inquiry and for your questions.

[396] **William Powell:** On behalf of the committee, I thank you for attending today. Diolch yn fawr am ddod heddiw. It has been a useful session and we look forward to having an ongoing dialogue with you on this and other matters.

2.29 p.m.

**Papurau i'w Nodi**  
**Papers to Note**

[397] **William Powell:** Are there any issues that arise out of our papers? I see that there are probably not. I remind you that the committee next meets on 14 November, when we will be taking evidence on the Natural Resources Body for Wales (Functions) Order. Thanks very much.

*Daeth y cyfarfod i ben am 2.29 p.m.*  
*The meeting ended at 2.29 p.m.*