



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

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

Dydd Mercher, 22 Ebrill 2015
Wednesday, 22 April 2015

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Jeff Cuthbert	Llafur Labour
Russell George	Ceidwadwyr Cymreig Welsh Conservatives
Llyr Gruffydd	Plaid Cymru The Party of Wales
Alun Ffred Jones	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Julie Morgan	Llafur Labour
Jenny Rathbone	Llafur Labour
Mohammad Asghar	Ceidwadwyr Cymreig (yn dirprwyo ar ran Antoinette Sandbach) Welsh Conservatives (substitute for Antoinette Sandbach)
Joyce Watson	Llafur Labour

Eraill yn bresennol
Others in attendance

Celine Anouilh	Cyfarwyddwr, Sefydliad Siartredig Rheoli Gwastraff Director, Chartered Institution of Wastes Management
Martin Bishop	Rheolwr Cenedlaethol Cymru, Confor National Manager for Wales, Confor
David Clubb	Cyfarwyddwr, Renewables UK Cymru Director, Renewables UK Cymru
Gareth Clubb	Cyfarwyddwr Cyfeillion y Ddaear Cymru Director, Friends of the Earth Cymru
Richard Garner-Williams	Cadeirydd Cymdeithas Eogiaid a Brithyll Cymru Chairman, Salmon and Trout Association Cymru
Tegryn Jones	Prif Weithredwr, Awdurdod Parc Cenedlaethol Arfordir Penfro Chief Executive, Pembrokeshire Coast National Park Authority
Paul Knight	Prif Weithredwr Cymdeithas Eogiaid a Brithyll Cymru Chief Executive, Salmon and Trout Association
Rachel Lewis-Davies	Cynghorydd Materion Gwledig, Undeb Cenedlaethol yr Amaethwyr Cymru Rural Affairs Adviser, NFU Cymru
Dr Stephen Marsh-Smith	Cyfarwyddwr Gweithredol, Sefydliad Gwy ac Wysg, Afonydd Cymru Executive Director, Wye and Usk Foundation, Afonydd Cymru
Rhian A Nowell-Phillips	Dirprwy Gyfarwyddwr Polisi Amaethyddiaeth Undeb Amaethwyr Cymru Deputy Director Agricultural Policy, FUW
Rachel Sharp	Prif Weithredwr Ymddiriedolaethau Natur Cymru Chief Executive Officer, Wildlife Trusts Wales

Dr Sharon Thompson Pennaeth Cadwraeth, RSPB Cymru
 Head of Conservation, RSPB Cymru

Steve Wilson Cyfarwyddwr Gwasanaethau Dŵr Gwastraff, Dŵr Cymru
 Director of Wastewater Services, Welsh Water

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

Alun Davidson Clerc
 Clerk

Nia Seaton Y Gwasanaeth Ymchwil
 Research Service

Adam Vaughan Dirprwy Glerc
 Deputy Clerk

Dechreuodd y cyfarfod am 09:31.
The meeting began at 09:31.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introductions, Apologies and Substitutions

[1] **Alun Ffred Jones:** Croeso i'r pwyllgor. Rydych chi'n gwybod y rheolau ynglŷn â'r larymau tân o ran dilyn y tywyswyr allan. Diffodd ffonau symudol. Rydym ni'n gweithredu'n ddwyieithog, felly mi fydd hawl ichi siarad yn Gymraeg neu yn Saesneg. A oes unrhyw un eisiau datgan buddiannau o dan Reol Sefydlog 2.6? O ran ymddiheuriadau, rydym ni wedi derbyn ymddiheuriadau gan Mick Antoniw, ac wrth gwrs, rydym ni'n cydymdeimlo'n ddwys â fo a'r teulu yn eu colled. Hefyd, rydym ni wedi derbyn ymddiheuriad gan Antoinette Sandbach, ac mae Mohammad Asghar yn dirprwyo ar ran Antoinette. Mae William Powell yn ymddiheuro hefyd.

Alun Ffred Jones: I welcome you to the committee meeting. You know the rules regarding fire alarms in terms of following the ushers out. Please turn off mobile phones. We operate bilingually, so you have the right to speak in Welsh or in English. Does anybody wish to make a declaration of interest under Standing Order 2.6? In terms of apologies, we have had apologies from Mick Antoniw, and of course we send our deepest sympathies to him and his family for their loss. We've also had apologies from Antoinette Sandbach, and Mohammad Asghar is substituting for Antoinette. William Powell also sends his apologies.

09:32

Cyfoeth Naturiol Cymru: Craffu Blynyddol—Tystiolaeth gan Randeiliaid
(Diwydiant)
Natural Resources Wales: Annual Scrutiny—Evidence from Stakeholders
(Industry)

[2] **Alun Ffred Jones:** A gaf i groesawu'r tystion sydd wedi dod ger ein bron ni fel rhan o'n hymgyngoriad a'r sesiwn casglu tystiolaeth, wrth gwrs, i helpu'r pwyllgor i graffu ar waith Cyfoeth Naturiol Cymru? Efallai y daw cadeirydd a phrif weithredwr y sefydliad gerbron y pwyllgor.

Alun Ffred Jones: Could I welcome the witnesses who are before us as part of our consultation and our evidence-gathering session, of course, to help the committee to scrutinise the work of Natural Resources Wales? Perhaps the chair and chief executive of that organisation will come before committee.

[3] Rŵan, mae'r amser yn fyr y bore Right, time is short this morning, so may I

yma, felly a gaf i ofyn i ni fel Aelodau i fod yn fyr yn ein cwestiynau, a gofyn i chi'r tystion hefyd fod yn weddol gryno yn eich ymateb ac i ddweud yn union beth yr ydych yn ei feddwl? Os ydych chi eisiau canmol, mynegi pryderon neu amheuon, rydym ni eisiau eu clywed nhw y bore yma. Felly, a gaf i ofyn ichi jest cyflwyno eich hunain a dweud pwy yr ydych chi'n ei gynrychioli, ac wedyn mi ofynnaf i i Jeff Cuthbert ddechrau'r holi?

ask us, as Members, to be brief in our questioning, and I ask you as witnesses also to be fairly brief in your responses and to say exactly what you think? If you want to praise, express concerns or doubts, we want to hear them this morning. So, could I ask you just to introduce yourselves and tell us who you are representing today, and then I will ask Jeff Cuthbert to start the questioning?

[4] **Mr D. Clubb:** Diolch yn fawr. David Clubb. Rwy'n gweithio i Renewable UK Cymru, sy'n cynrychioli'r diwydiant ynni adnewyddadwy yng Nghymru. Rwy'n gweithio i gwmnïau preifat a chymunedol.

Mr D. Clubb: Thank you very much. I'm David Clubb. I work for Renewable UK Cymru, which represents the renewable energy industry in Wales. I work for private and community-based companies.

[5] I'm also here, partially I guess, to represent the internal interests of NRW, because I sit on their energy delivery board. So, I'm wearing two hats here today.

[6] **Alun Ffred Jones:** Ocê, diolch yn fawr. **Alun Ffred Jones:** Okay, thanks very much.

[7] **Ms Anouilh:** Good morning. My name is Celine Anouilh. I work for the Chartered Institution of Wastes Management as the regional development officer for Wales. I suppose I'm sitting in the place of the chair of the centre. The invitation came to me, but the chair of the centre is not available today, so I'm here to give evidence, which is going to be more on-the-ground evidence.

[8] **Alun Ffred Jones:** Diolch yn fawr. **Alun Ffred Jones:** Thank you very much.

[9] **Mr Wilson:** Bore da. I'm Steve Wilson, director for Dŵr Cymru Welsh Water.

[10] **Alun Ffred Jones:** Diolch yn fawr iawn. **Alun Ffred Jones:** Thank you very much.

[11] Jeff, we'll kick off with you.

[12] **Jeff Cuthbert:** Thank you, Chair. Good morning. A general question, really, about Natural Resources Wales, since its creation and in terms of its constituent parts that came together. Do you feel at this time that, first of all, Natural Resources Wales has the right balance of skillsets in order to deliver its regulatory and advisory functions? Do you think it is sufficiently resourced with the right level of capacity to do the job that it's meant to do? Do you think that there are cost savings that have been achieved in terms of the merger, and do you feel that they're supporting their priorities appropriately?

[13] **Alun Ffred Jones:** Who wants to kick off?

[14] **Mr Wilson:** I'd like to kick off. As far as the service that they provide Dŵr Cymru, we do find that they've got the right skill set, certainly. We deal primarily with what was the old Environment Agency Wales side of the business, and their knowledge, their understanding of the water environment remains strong, and we find, from a technical level, that we have a good dialogue with them. When it comes to cost-saving opportunities, I'm sure there are a few more. As a large body in Wales that is trying to drive down costs as well, we

certainly know the challenge of how to get more for less, and it's always a challenge. But, I think working with other partner organisations, and the third sector, there are some opportunities there for further cost savings. So, in terms of the service they're delivering in our side of the environment, we're very positive.

[15] **Alun Ffred Jones:** Anyone else? David? Don't touch the button; it'll explode. *[Laughter.]*

[16] **Mr D. Clubb:** Okay. You asked about skills. Within the sector that I deal with, we have a very highly skilled set of staff, which hasn't changed considerably since the old days. So, what you had was the Forestry Commission staff, who were very skilled in assessing energy resource and deployment, and you still have that very strong skill body there. But, the resource has decreased, so I'm somewhat concerned that, within the renewable energy sector, which, as we know, is growing—I'd like it to grow far stronger, but it's growing nonetheless—we seem to have a smaller resource for dealing with what's effectively a growing body of work. The cost savings I can't comment on. I would say that they are, broadly speaking, delivering the mandate that they've been provided on the energy sector, but, as I say, I've got some concerns about whether that's going to be achievable in the future if the resource isn't increased, given that we have an energy system that is changing quite rapidly and also growing fairly rapidly.

[17] **Ms Anouilh:** In terms of the skill set from NRW on the waste management side, we do believe that they do have the skills. Since last year, we see more and more employees of NRW becoming chartered waste managers with us, which is the highest standard for our industry. There are still some employees who could become members and get this qualification and professional status, but it's been very encouraging because they're coming forward and do become chartered, which is proving their competencies and their skills. In terms of cost-saving opportunities, I've just had a look at their environmental report and it seems like they produce quite a lot of waste per individual in the organisation. They do recycle a lot, but maybe there is something they could do on that matter.

[18] In terms of service delivery, in the work we do with them, we expect them to provide all of the new legislation in terms of waste management and to disseminate the information to us and participate to inform and make all the professionals from the industry knowledgeable and skilled. Again, they've been working a lot with us, providing information on a regular basis.

[19] **Alun Ffred Jones:** Okay. Jeff?

[20] **Jeff Cuthbert:** Steve, you mentioned on the cost savings that you felt that there were probably other areas. Would you like to give some examples? And then, Celine, you mentioned, if I understood you correctly, them generating waste. Did you mean as individuals, or do you mean as an organisation, and, if so, what were you referring to?

[21] **Ms Anouilh:** In the report, they mention the waste generation per head for individuals within the organisation, at the workplace. So, I think they're talking about 350 kilos per year, which is similar to what a householder would generate. And I think they recycle 250 kilos, which is great, but they probably could do better.

[22] **Jeff Cuthbert:** Setting an example.

[23] **Ms Anouilh:** That's it.

[24] **Mr Wilson:** In terms of cost savings, there are a number of areas where we'd use similar activities. Therefore, whether one party should deliver or whether there's opportunity

to work more in partnership, we have a very large sampling programme that we have to operate. We have samplers running around in vans; NRW have samplers running around in vans. We have a big telemetry system monitoring all our assets across Wales. They have telemetry monitoring, river gauging stations, et cetera. So, we have already started to talk with NRW about where those opportunities may lie. In terms of service delivery on the ground, I think there's still some more opportunity of maybe working with some of the third sector organisations and some of the river trusts who can deliver outputs on the ground on behalf of NRW. We've started to work in partnership with those kind of bodies. We've found some advantages in doing that, not only for engagement purposes but also from a low-cost delivery point of view as well.

[25] **Llyr Gruffydd:** Can I just go back to capacity issues, because you all addressed skills and it sounds to me as if you're broadly confident that the skills base is there, but the question is as to whether the capacity is there to deliver decisions and advice and information in a timely manner. Certainly, some of the written evidence that we've received suggests that there are concerns around that. So, really, the question is: are you confident that the capacity is there at the moment, because, of course, there is, as well, a reducing head count still within Natural Resources Wales? Also, we know that the environment Bill, for example, is to appear within a matter of weeks, I imagine. That, no doubt, will bring with it additional pressures for Natural Resources Wales. So, two questions really: can you be a bit more explicit in terms of current capacity to deliver on time and on schedule, and also any concerns you might have about future capacity if there's an increasing work load that is not reflected in an increase in resources?

[26] **Mr D. Clubb:** I'm quite happy to lead on this. Capacity, I would say, is not just about the staff resource, but it's also about what they do with that resource. That leads on to something that is perhaps almost more interesting than just the capacity issue, which is management and culture in the organisation. If all of the staff who are tasked with doing their jobs were doing them according to a consistent due process across the whole organisation, I think that capacity issues would be less problematic than they appear to be. The experience that our members have is that the guidelines are applied inconsistently across Wales. There are varying levels of decision making that are delegated to individuals and there are concerns about the fact that, despite the broad thrust of the senior management and the chief executive about being more ready to do business in an environmentally sound way, but nonetheless to do business in a way that hasn't previously been done, that's not filtered down, in many cases, to individual officers. So, I know that culture change is a massive problem for any organisation. When I spoke to my members last year about this, they said that the service they'd received hadn't improved since the days of the legacy bodies. NRW said that they took that as a vote of confidence because, of course, starting this whole new body had been a hugely turbulent operation. I've asked the question again recently and it hasn't significantly improved since then. I think that should be seen as a bit of a warning flag for NRW.

[27] **Alun Ffred Jones:** Anybody else want to respond to Llyr's question?

[28] **Jenny Rathbone:** May I come in on this point?

[29] **Alun Ffred Jones:** Okay. Yes, go on.

[30] **Jenny Rathbone:** I just want to pursue this idea of inconsistent advice being given, because I noted that Vattenfall specifically had mentioned that. I wondered whether you'd give us a specific example of this, because it is surprising that an organisation wouldn't be giving consistent advice for a project in north Wales or south Wales. Could you—

[31] **Mr D. Clubb:** I will struggle to give you specific examples, because our members are sometimes reluctant to publicly criticise a body with which they have to work at numerous

levels and on numerous projects across the whole of Wales. In some cases, some of our members may have absolutely no problem whatsoever. But, they are reluctant to point to specific examples of projects publicly where those issues could be resolved locally, or if it might prejudice future working relationships on the ground.

09:45

[32] **Jenny Rathbone:** I understand that reluctance, but you would agree, would you not, that were it to be proven that there was inconsistent advice being given, then you would be open to judicial review, and therefore it would be surprising if NRW wasn't closing any loopholes there might be in that regard?

[33] **Mr D. Clubb:** Well, frequently the planning process results in all sorts of inconsistencies, which often end up in the court anyway. So, I think on the question of the developer side, they're weighing up the risk of taking NRW to task as one of the statutory consultees, or any of the others, which sometimes there are problems with anyway, with regard to trying to get the process through eventually in as straightforward a way as possible. So, I know that the developers work with NRW and have a dialogue to try and resolve some of these issues internally, but I think we're probably not the only industry where you might struggle to get very clear specific examples of projects where that's been an issue.

[34] **Jenny Rathbone:** Okay. That's something that we can take up with NRW.

[35] **Alun Ffred Jones:** Sorry, just to—

[36] **Llyr Gruffydd:** Well, I was just wondering whether other panel members would like to address the capacity issue.

[37] **Ms Anouilh:** Yes, in terms of waste management, I'm aware that there are 55 members of staff directly involved with waste issues, and if we consider the number of companies across Wales needing permits and licences to run their waste management facilities—I haven't got the exact figures for this number of sites, but there are hundreds and hundreds of them—we may ask whether 55 members of staff are enough to make sure that all these companies are compliant with legislation.

[38] **Mr Wilson:** Our experience around capacity is one of swings and roundabouts. There are a few examples, and permitting's probably one of them, where it seems to take about 17 weeks to turn a permit round here in Wales. Environment Agency England will turn one round in about 13 weeks. That's probably a capacity issue, but, on the other side of the coin, I can get a decision quite often out of NRW quite quickly, particularly when we're discussing environmental improvements and pollution prevention. With Environment Agency England, it drifts off to Bristol and I could wait months for a simple bit of guidance. So, for us, we find it's very much swings and roundabouts.

[39] **Alun Ffred Jones:** I won't bring in Llyn Padarn at this point, Mr Wilson. Oscar.

[40] **Mohammad Asghar:** Thank you, Chair. Thank you very much indeed for this. NRW, I understand, has some financial constraint for your delivering your objectives. Why have you adopted a minimum standard to deliver your statutory functions rather than giving the full, complete maximum standard of delivery rather than minimum, because of financial funding that is a constraint on your department? So, could you explain where is the shortage of money that means you can't deliver the maximum standard?

[41] **Mr D. Clubb:** The impact is timescales, basically, for us, in that if there are fewer case officers working on a particular topic then it just means that their workload increases and

they will struggle to deliver within their stated suggested timelines. So, there may well be no breach of mandatory service, or it may be the case that, if there is a breach in the suggested service guidelines, that's not taken up again by the developer, because, in a similar way to the local planning authorities, if there's a non-compliance issue with regard to a statutory timeline, you can take a local authority or planning authority to court for non-compliance, but that's unlikely to gain you many favours with the people who are trying their best to work on that project. So, the officers may be trying their very best to achieve their tasks within the time. If there are fewer of them, then that time will increase, and there were likely not to be significant sanctions from the private sector.

[42] **Alun Ffred Jones:** Are you finished, Oscar? Okay, Jenny, and then Julie.

[43] **Jenny Rathbone:** To pursue the issue of restrictions on the pollution of water from pesticides, I just wondered whether you could elaborate on the reference you made to NRW introducing restrictions. I would hope there are restrictions already, but could you just speak specifically about how well it works when you become aware of pollution in your water, which you think may have come from x, y, z? Who then—? What do you do? Do you contact NRW, and they then get down to the source of the pollution? How does it work?

[44] **Mr Wilson:** I think a good example to bring out there would be on the Teifi. At our Llechryd water treatment works, we started to detect levels of MCPA, which is a pesticide that is used quite often by farmers for rush control, for that kind of grass—when your garden gets a bit waterlogged, you see those kinds of rushes growing; that's where it comes from. MCPA can only really be taken out of drinking water with a very expensive activated carbon treatment process. It's expensive to put it in, and it's expensive to run. So, actually, working with colleagues from NRW, and actually engaging, using their contacts, and engagement with NFU Cymru, and other bodies, we've created a solution now where we're free-hiring out to farmers the right kind of equipment to be able to use a non-toxic pesticide. It won't cause us a problem in our treatment processes, and it's more friendly to the environment, and it's a better solution than us investing huge quantities of cash and putting up bills accordingly to do that. So, the very fact that NRW has very good contacts across the whole environment space—the conservation side, contacts with the farming community—has worked very well.

[45] In terms of pollution prevention, we've got lots of assets across a lot of Wales. That means I've got to have a lot of people out there, maintaining those kinds of assets. Working with local NRW officers to investigate misconnections, for instance, has been a really good process as well. We might identify that a householder has misconnected their—. You know, an extension's been built, and they've put a new kitchen on the end of it, they've put the drainage into the surface water pipe, not the foul pipe, we don't have statutory powers to deal with that; local authorities do, and NRW do. So, we're actually working in partnership together. We've removed quite a bit of water pollution that way. We've found a really high level of engagement from local officers on the ground; I think the fact that they're very focused on the place that they work in is a really good thing as well, because that brings up a lot of local focus, and we can work together to get things done.

[46] **Alun Ffred Jones:** I'd like to move on, if I may.

[47] **Jenny Rathbone:** Okay.

[48] **Alun Ffred Jones:** Julie, do you want to—

[49] **Julie Morgan:** Can I just ask you about whether you see that there are any conflicts of interest within NRW, particularly with the different arms of the body—for example, the forestry and the regulatory arm? You've been referring to this now, and I know that the fishing organisations have expressed concern. Do you want to comment on that?

[50] **Mr Wilson:** We don't come across any kinds of conflicts of interest in the space that we work in, so I haven't got anything to say on that.

[51] **Julie Morgan:** Right. What about you?

[52] **Mr D. Clubb:** I would say the opposite. Again, sitting on this energy delivery board within the organisation, they've made a considerable effort to bring together the energy delivery side with knowledge transfer partnerships, with strategy, and with the ecosystems services conservation side. So, there's been an attempt, at middle to senior level management, to ensure that information flows across the different parts, and that there's no undue influence from one part over the other, but that there's still an awareness of what's happening within the system. So, albeit that there's not sufficient resource perhaps below that level, they're nonetheless working very well, I think, at the mid to senior level management.

[53] **Julie Morgan:** Right. So, you don't see any conflicts of interest there.

[54] **Mr D. Clubb:** No.

[55] **Alun Ffred Jones:** Before I come to Celine, in some of the responses, we've seen examples of letters from senior civil servants to NRW, questioning their policy with regard to energy developments in certain areas. Now, I don't want to go after the exact detail, but it did seem that there's either a mismatch between NRW's policy and Government policy, or that Government simply don't understand NRW's stance. So, is there anything around that that is concerning you, as one who represents these people, be they community groups, or private enterprise?

[56] **Mr D. Clubb:** Well, I think that, again, the general thrust of NRW is broadly in line with what we would like to see from the responsible management of our natural resources. We would like to see— Within NRW itself there are tensions between different parts of the organisation—some of which would like to see far more development of renewable energy, some of which would like to see less. I think that's normal within any significant body. You will probably see it within any significant public sector organisation, for example.

[57] **Alun Ffred Jones:** Wouldn't you expect some consistency on that issue?

[58] **Mr D. Clubb:** Well, there are different opinions. The consistency we would like would be on the process. So, there are these fora for exchanging opinions and information within the energy delivery board, and I'm sure that there are many within the organisation. What counts for me is whether the overall strategy is applied in a consistent manner at the individual officer level and I think that's where it's not, perhaps, happening as well as it might.

[59] **Alun Ffred Jones:** Celine, do you want to respond to Julie Morgan?

[60] **Ms Anouilh:** Yes. We are not aware of any particular conflict of interest within NRW. As far as CIWM is concerned, we've always really dealt with what used to be the Environment Agency Wales, because this is where the waste management work is done, so they are still the people we are talking to most of the time. I've got no comments, really, on that.

[61] **Alun Ffred Jones:** Time is running out, so if you want to say something, you've got to say it in the next five minutes. Russell.

[62] **Russell George:** Thank you, Chair. I think what was behind the last question was

particularly with regard to when the organisation is regulating itself, because previously there were three bodies and one may have been regulating the other, if you like. So, I just wanted to give that opportunity for you to respond to that particular point on where NRW is regulating itself in some way and you feel like there's a conflict of interest in that scenario. If there's not, there's not. That's fine.

[63] **Mr Wilson:** I would say—sorry, David—on what David's been saying, actually it's the opposite. With the management of some of our upland reservoirs, we would sometimes have difficult conversations with the Forestry Commission; now they're a part of NRW, we've found much more co-operation.

[64] **Alun Ffred Jones:** Are there any comments further to what you've already said?

[65] **Mr D. Clubb:** No, just that there are, internally, structures—a Chinese wall, effectively—preventing the energy delivery side from influencing the conservation planning side, so they act on a formal basis to request information or to provide information, so I don't think that there's a problem like that.

[66] **Russell George:** NRW themselves talked about this Chinese wall, and I'm glad you've brought it up, because that's exactly the term they used. You're telling us that you're happy that those Chinese walls are working as they should be, correctly.

[67] **Mr D. Clubb:** With the viewpoint that I have, I see that there's consistency at that mid to senior management level, so I'm assuming that that happens further down as well.

[68] **Alun Ffred Jones:** Joyce.

[69] **Joyce Watson:** I just want to ask about your views on transparency to stakeholders of the decision making of NRW, because we've had quite a bit of consultation responses suggesting it's not transparent.

[70] **Alun Ffred Jones:** Do you want to respond to that?

[71] **Mr Wilson:** Sometimes decisions are made and we might question why they've been made, but what we've always found with the relationship we've got with NRW officers and, certainly, as David has said, that mid to senior level and the executive level, is that we might not always agree, but we get to understand the reasons why decisions have been made and they give us the courtesy of listening to our viewpoint as well. So, occasionally, they'll take enforcement action against us when we've done things wrong. Of course, I would love to avoid those kinds of situations, but every time those have happened, there have been reasons behind them, we've had dialogue and we've moved forward.

[72] **Alun Ffred Jones:** Okay. Any other questions?

[73] Llyr, i orffen. Llyr, to close.

[74] **Llyr Gruffydd:** Just to ask for one-word answers, if you wish: how would you characterise staff morale at Natural Resources Wales at the moment?

[75] **Mr D. Clubb:** Variable.

[76] **Llyr Gruffydd:** Good answer. [*Laughter.*]

[77] **Ms Anouilh:** The only experience I've got with the employees of NRW is a good experience and they're coming to work with us more and more and they're keen to work with

us.

10:00

[78] **Mr Wilson:** Two words—they're 'committed', but it's understandable with change, isn't it, that there's 'concern' in the organisation? We're just going through a reorganisation ourselves, with that inevitable five-year investment cycle we go through. The morale of the workforce often dips at this kind of point. It's up to leadership and management to turn it around.

[79] **Alun Ffred Jones:** Diolch yn fawr iawn. A gaf i ddiolch i'r tystion am ddod i mewn ac am ateb cwestiynau? Byddwch yn derbyn copi o'r trawsgrifiad i chi sicrhau cywirdeb. A gaf i ddiolch i chi, felly? Diolch yn fawr iawn i chi am ddod i mewn. Symudwn ymlaen at yr eitem nesaf.

Alun Ffred Jones: Thank you very much. May I thank the witnesses for coming in and responding to the questions? You will receive a copy of the transcript so that you can ensure its accuracy. Can I thank you, therefore? Thank you very much for coming in. We will move on to the next item.

[80] Thank you.

[81] Eitem 3 fydd y cyrff anllywodraethol yn ymwneud â'r amgylchedd: RSPB, Ymddiriedolaethau Natur Cymru a Chyfeillion y Ddaear Cymru.

Item 3 will be the non-governmental organisations to do with the environment: the RSPB, the Wildlife Trusts Wales and Friends of the Earth Cymru.

10:02

**Cyfoeth Naturiol Cymru: Craffu Blynyddol—Tystiolaeth gan Randeiliaid
(Cyrff Anllywodraethol sy'n Ymwneud â'r Amgylchedd)
Natural Resources Wales: Annual Scrutiny—Evidence from Stakeholders
(Environment NGOs)**

[82] **Alun Ffred Jones:** Bore da. A gaf i eich croesawu chi yma atom ni i'r sesiwn yma, lle rydym yn casglu tystiolaeth ynglŷn â gwaith Cyfoeth Naturiol Cymru fel paratoad ar gyfer sesiwn graffu gyda chadeirydd a phrif weithredwr y corff ar 6 Mai? A gaf i eich croesawu chi i gyd yma? A gaf i ofyn i chi ddweud eich enw a'ch safle cyn ein bod ni'n mynd ati i'ch holi chi?

Alun Ffred Jones: Good morning. Can I welcome you to this session, where we are gathering evidence on Natural Resources Wales's work to prepare for a scrutiny session with the chair and the chief executive of the body on 6 May? Can I welcome you all here? Can I ask you to tell us your name and your position before we move to questions?

[83] **Ms Sharpe:** Certainly. I'm Rachel Sharpe. I'm the chief executive officer of Wildlife Trusts Wales.

[84] **Mr G. Clubb:** Gareth Clubb ydw i, cyfarwyddwr Cyfeillion y Ddaear Cymru.

Mr G. Clubb: I am Gareth Clubb, director of Friends of the Earth Cymru.

[85] **Dr Thompson:** Sharon Thompson, head of conservation at RSPB Cymru.

[86] **Alun Ffred Jones:** Iawn, diolch yn fawr iawn.

Alun Ffred Jones: Okay, thank you very much.

[87] Jeff Cuthbert to kick off.

[88] **Jeff Cuthbert:** Thank you. Good morning. First of all, the broad issue of Natural Resources Wales, the merged organisation, as you know. Do you believe that, as it's currently constituted, it has the right degree of expertise, the right skill sets, in terms of its employees to deliver its obligations? If you feel that there is a shortfall, perhaps in the skill sets, what action would you want Natural Resources Wales to take to address that?

[89] **Ms Sharp:** I have to take this one. We do have concerns that there has been a loss of expertise, particularly scientific expertise, within NRW. We'd also like the committee to look at how many of the original Countryside Council for Wales members of staff remain in the organisation. We believe there's been a disproportionate loss of that expertise, particularly within species identification, ecological survey, the ability to undertake environmental impact assessments, habitat specialisms are a particular concern of ours, and also specialisms in things like invasive species and microbiology as well. Now, that loss is further compounded by two things: one is that the members of the staff that are remaining have often moved department, sometimes outside their expertise, or they have too much of a heavy workload; and also, on funding for non-statutory organisations outside NRW, they have also lost their funding. So Wales as a whole is losing this expertise. Therefore, the question is: can NRW have the right evidence—it talks about being good for knowledge—to be able to substantiate the advice that it is giving? So, we would like to see a recruitment exercise to reverse this loss.

[90] **Jeff Cuthbert:** Okay, before Gareth and Sharon respond as well, can I ask you if you've raised the specific points about the lack of expertise, particularly from the old Countryside Council for Wales with Natural Resources Wales? If you have, what's the response been?

[91] **Ms Sharp:** We have raised, in general, our concerns. The ability for us to get direct responses from the leadership has been limited, and also to address some of these concerns to the board, has been limited. So, we've been able to very effectively—. Most of what we've been saying is not about—. The local staff at the local level are very responsive and often share our concerns, but trying to get that message to the leadership of NRW has been extremely difficult.

[92] **Jeff Cuthbert:** Okay, thank you.

[93] **Mr G. Clubb:** Mae yna ddwy ran wahanol i'r cwestiwn yma. Yr un cyntaf ydy: a ydy'r staff sydd ar gael yn gymwys ac â'r sgiliau angenrheidiol i wneud y swyddi yn y maes amgylchedd? Wel, rwy'n credu bod yna staff sydd yn brofiadol ac sydd yn gymwys iawn, iawn, ond y broblem yw—gobeithio yr ydych chi wedi ei weld yr arolwg staff diweddaraf gan y sefydliad, sy'n dangos bod yna lawer iawn, iawn o staff yn bwriadu gadael y sefydliad, naill ai cyn gynted ag y bo modd, neu o leiaf o fewn y tair blynedd nesaf. Mae tua hanner y staff yn bwriadu gadael o fewn y tair blynedd nesaf. Mae hwnnw'n ystadegyn ofnadwy i unrhyw sefydliad ac y mae'n rhwym o effeithio ar allu'r sefydliad i asesu ac i fonitro a gwneud y gwaith o ddydd i ddydd.

Mr G. Clubb: There are two separate parts to this question. The first one is: are the staff available qualified and do they have the necessary skillset to do their jobs in the environmental area? Well, I think that there are staff who are experienced and highly qualified, but the problem is—I hope you will have seen the most recent staff survey from the organisation, which shows that there are many staff who intend to leave the organisation, either as soon as possible or certainly within the next three years. That's around 50 per cent of the staff who intend to leave within the next three years. That is a terrible statistic for any organisation and it's bound to have an impact on the capacity of an organisation to assess and carry out its day-to-day activities.

[94] Y peth arall, wrth gwrs, ydy: a ydych yn credu y dylai Cyfoeth Naturiol Cymru fod yn asesu materion cymdeithasol ac economegol? Os felly, a oes ganddyn nhw y staff â'r sgiliau angenrheidiol? Mae'n debyg 'na', achos dim ond dau o economegwyr ac un arbenigwr yn y maes cymdeithasol sydd ganddyn nhw ar yr un llaw, ac wedyn mae 1,500, ar y llaw arall, sydd yn arbenigo yn y maes amgylchedd. Felly, y cwestiwn i'w ofyn yw: ai Cyfoeth Naturiol Cymru yw'r sefydliad priodol i wneud y cloriannu hynny rhwng yr amgylchedd ar yr un llaw a materion cymdeithasol economegol ar y llaw arall?

The other thing, of course, is whether or not you believe that Natural Resources Wales should be assessing social and economic issues. If so, do they have the staff with the necessary skills to do so? I suppose that the answer is 'no', because there are only two economists and one expert in social issues on the one hand and then, on the other hand, you have 1,500 staff who are experts in environmental issues. So, the question to ask is: is Natural Resources Wales the appropriate organisation to balance those issues between the environment on the one hand and social and economic issues on the other?

[95] **Alun Ffred Jones:** Sharon.

[96] **Dr Thompson:** There's probably very little that I can add to what my colleagues have been saying. The only thing I would say is that there has recently been another round of redundancies in NRW and people that we would have worked closely with on the ground and on conservation and on biodiversity issues, a lot of those have left the organisation, and it's not clear then how that skillset is being recreated within the organisation.

[97] **Jeff Cuthbert:** Well, your message is consistent and fairly clear. Thank you.

[98] **Alun Ffred Jones:** Are you on this matter, Julie?

[99] **Julie Morgan:** Yes, I just wanted to follow it on, really.

[100] **Alun Ffred Jones:** Okay. Then Llyr.

[101] **Julie Morgan:** Rachel's already referred to it, but I wanted to ask you about the general relationship between NRW and the third sector and how you feel it is developing and what your views are.

[102] **Ms Sharp:** We should always have a natural partnership with NRW because my particular organisation is very aligned with their remit, particularly about nature conservation and around education. At the local level, we still see that sort of engagement. However, at the leadership level, we have real concerns that the direction of travel that it's taking is very much towards a remit around sustainable development. Now, Natural Resources Wales should not be there to deliver sustainability. Instead, it should be focusing on creating healthy ecosystems that contribute to and enable sustainable development. As we have already alluded, it does not necessarily have the expertise in the other areas. That's been put in a remit of natural resource management. So, for us, it's taking away from what is the statutory nature and conservation body and we need it to be that. And we're not finding that. There are lots of examples that we can give you where, actually, we've been in conflict with NRW around planning and their planning decisions and, hopefully, somebody will raise that later so that we can explain it—

[103] **Julie Morgan:** Could you give us one example now quickly?

[104] **Ms Sharp:** I can give you many examples.

[105] **Julie Morgan:** Just one.

[106] **Ms Sharp:** The most poignant example probably is the Circuit of Wales, where we saw that CCW advice for that development was that it had a significant and direct environmental impact and there would be a loss of habitat and species that would be substantial, and the environment assessments showed that you could not mitigate that. What the NRW undertook there was to still uphold the objection, but it started to work with the developers. What's really worrying around that is that we feel that there was political influence for them to actually work with the developers to try and get that planning permission through. We don't want to be in opposition to what NRW are doing. We don't want to spend our valuable members' membership subscriptions trying to stop the loss of biodiversity. We don't want to go to public inquiry or judicial review. We want to be out there on the ground, working and benefiting wildlife. Even at the public inquiry we felt that we were muffled because we weren't allowed to question the NRW witness, and we do feel this political pressure. There was an e-mail that we had to say that we should adopt a positive approach, working with the applicants. What was even more worrying was also that it should reflect the totality of the remit of NRW and the demand in the remit letter from Welsh Government to NRW. Now, that is extremely concerning to us, because we feel that that they should be an independent and transparent organisation, above all things. That's something we asked in the formation, and actually there was reassurance given to this committee that that would be upheld, and we're not seeing that in reality.

[107] **Julie Morgan:** So you're saying that you don't think that NRW can speak out independently?

[108] **Ms Sharp:** Yes. At the moment, we're really concerned that it has lost its independence as an organisation. That's quite critical because it needs to give advice to Welsh Government, and it needs to be that independent, transparent advice that you can rely on that's evidence-based. We're not seeing that, and I can list many other examples of work where we've had concerns.

[109] **Julie Morgan:** Can I ask the other organisations?

[110] **Dr Thompson:** I was going to say, because you specifically mentioned how we work with them and working in partnership, that I would say that our partnership relationship with them is not what it was with the predecessor or legacy bodies and particularly CCW, which is where we would have had the most contact. Previously, with CCW, ourselves and other environmental organisations had what were known as strategic partnerships, where we worked together in partnership on projects that we both felt were important to deliver for biodiversity and conservation and which both sides funded 50 per cent. NRW, last year, opened a round of what was called their joint working partnership, and I think, in the end, we felt that it was less of a partnership and more a tendering process to us as organisations who, because we don't pay our staff the same as people in the public sector, are a cheap form of labour and are also paying 50 per cent into what is basically contract work. So, it definitely doesn't feel like a partnership with this new organisation in the same sort of way.

[111] I think our relationships with those people on the ground, as Rachel has said, are probably still fairly good. We, as RSPB, have had a meeting recently with those higher up in NRW and it definitely felt like starting again and trying to rebuild a relationship with them. But that's a very first step, and hopefully that desire will come through, but it doesn't take away from anything else that Rachel has said. I mean, we would like to see them have a clear remit set out in the remit letter, giving the priority and the direction from Welsh Government that they are the body that's there to deliver for nature conservation and there to champion it.

[112] **Julie Morgan:** Thank you. Gareth.

[113] **Mr G. Clubb:** Nid ydym yn gwneud yr un math o waith â'r cyrff eraill, felly nid wyf yn gallu siarad o ran cydweithio â staff ar lefel cadwraeth, er enghraifft. Ond rwyf wedi cael cyfarfod ag Emyr Roberts flwyddyn a hanner yn ôl. Yn y cyfarfod hwnnw, rhoddais dystiolaeth gerbron bod pethau, yn fy marn i, wedi mynd o'i le gyda'r gylched rasio ym Mlaenau Gwent o safbwynt y penderfyniad i beidio ag argymell galw'r cais i mewn. Nid oedd diddordeb o gwbl gydag Emyr Roberts yn y dystiolaeth. Yr unig beth a wnaeth ei gorddi o gwbl oedd pam oeddwn i wedi gwneud ymholiadau rhyddid gwybodaeth ynghylch arolygon staff. Dyna'r unig beth a wnaeth achosi unrhyw gynnwrf yn Emyr Roberts yn y cyfarfod hwnnw. Nid wyf wedi cwrdd ag ef ers hynny. Felly rwy'n meddwl bod rhywbeth rhyfedd yn mynd ymlaen o safbwynt arweiniad y sefydliad yma, a bod y weledigaeth yn llwyr ar bethau anghywir—hynny yw, nid ydyn nhw'n canolbwyntio ar y pethau sydd yn bwysig iawn, sef amgylchedd, cadwraeth ac yn y blaen. Mae'n canolbwyntio'n llwyr ar ddelwedd a sut mae pobl eraill yn eu gweld nhw.

10:15

[114] **Alun Ffred Jones:** Llyr. Sorry, Julie, did you want to come in?

[115] **Julie Morgan:** No, that's all right.

[116] **Alun Ffred Jones:** Llyr.

[117] **Llyr Gruffydd:** Mi oedd yna—ac rydych yn cyfeirio at hyn yn eich tystiolaeth, Cyfeillion y Ddaear Cymru—ddarpariaeth yn y Gorchymyn a oedd yn creu Cyfoeth Naturiol Cymru i'r Gweinidog i ddarparu canllawiau i Gyfoeth Naturiol Cymru ar gyflawni eu pwrpas fel corff. Nid oes yna ganllawiau yn bodoli. Rydych felly yn dweud bod angen y fath ganllawiau efallai er mwyn i ni gael mwy o eglurder ynglŷn ag union natur y rôl y mae disgwyl i Gyfoeth Naturiol Cymru ei chwarae, nad yw efallai yn cael ei adlewyrchu yn y modd mae'n gweithredu yn eich barn chi.

[118] **Mr G. Clubb:** Byddwn i'n cytuno. Byddwn yn meddwl bod hynny'n gam ymlaen, achos, fel rydym wedi weld, ac rwy'n dyfynnu o baragraff 27, ym mis

Mr G. Clubb: We don't do the same kind of work as the other bodies, so I can't speak in terms of collaborating with staff on a conservation level, for example. But I had a meeting with Emyr Roberts a year and a half ago. In that meeting, I gave evidence that, in my opinion, on the Circuit of Wales issue, things had gone wrong in terms of the decision not to recommend calling the application in. Emyr Roberts had no interest in that evidence at all. The only thing that agitated him at all was why I had made freedom of information requests about staff surveys. That's the only thing that caused any agitation in Emyr Roberts in that meeting at all. I haven't met him since then. So, I do think that there is something strange going on in terms of the leadership of the organisation and that the vision is on the wrong things—namely, they're not focusing on the things that are very important, such as conservation, the environment and so forth. They're focusing entirely on the image and how people perceive them.

Llyr Gruffydd: There was—and you refer to this in your evidence as Friends of the Earth Cymru—provision in the Order establishing NRW for the Minister to provide guidance to NRW on achieving its purpose as a body. There is no guidance in place at present. So, you're therefore saying that we need that sort of guidance perhaps to have greater clarity as to the exact nature of the role that NRW are expected to play, which perhaps isn't reflected in the way it's working in your opinion at the moment.

Mr G. Clubb: I would agree. I would have thought that that would be a step forward, because as we've seen, and I quote from paragraph 27, in December 2013 there was:

Rhagfyr 2013 mi oedd yna:

[119] ‘No shared understanding of what NRW is trying to achieve in its involvement in planning and development cases...staff are unclear whether they should be interpreting NRW purpose’

[120] ac yn y blaen. Mae yna broblemau lu o safbwynt y pwrpas statudol yma, a byddai arweiniad clir o gymorth mawr, nid yn unig i Gyfoeth Naturiol Cymru, ond i ni gyd ar yr ochr elusennol.

[121] **Llyr Gruffydd:** Ond mae cyfnod o newid yn dod ag ansefydlogrwydd ac ansicrwydd a dryswch ac yn y blaen. Rwy'n gwybod ein bod ni ddwy flynedd fewn erbyn hyn, ac efallai y byddai rhai pobl yn tybio bod hynny yn ddigon o amser—efallai y byddai rhai pobl yn dadlau, a dweud y gwir, mae uno cyrff mawr yn mynd i gymryd mwy o amser. Rydych hefyd yn galw am, neu rydych yn awgrymu efallai y dylid ystyried cynnal, adolygiad annibynnol o lywodraethiant amgylcheddol yng Nghymru. Fy nghwestiwn i yw—wel, dau gwestiwn, mewn gwirionedd: onid yw ychydig yn gynnar efallai i wneud hynny, ac, yn ail, petai hynny'n ddigwydd, onid y risg yw eich bod chi, neu bod y Llywodraeth, yn newid pethau ymhellach, sy'n creu hyd yn oed mwy o ddryswch, ac mae'r hyn sydd ei angen ar hyn o bryd yw ychydig o sefydlogrwydd?

[122] **Mr G. Clubb:** Yn gyflym, mae pethau fel maen nhw i'w gweld mor wael ar hyn o bryd, ac yn gwaethygu. Roedd yr arolwg staff yna yn dangos bod hanner y staff yn mynd i adael o fewn tair blynedd. Mae hynny yn rhoi brys mawr ar rhyw fath o adolygiad annibynnol, achos nid yw pethau yn gallu symud ymlaen. Ac rydym wedi gweld gan y tystion eraill bod yna broblemau a diffyg ffydd yn y gallu o safbwynt staff arbenigol, ac os ydych chi'n colli staff arbenigol ar y raddfa honno, nid ydych chi byth yn mynd i lenwi'r bwlch.

[123] **Llyr Gruffydd:** A gaf i ofyn faint—. Hynny yw, rydym yn gwybod bod cyni economaidd ac yn y blaen, a bod yna doriadau yn digwydd. Onid y gwirionedd yw mai dyna, yn ei hanfod, yw'r broblem sylfaenol—bod nifer y staff yn gostwng? Roeddem yn sôn yn gynharach y bydd yna ddisgwyliadau ychwanegol yn dod o

and so forth. There are great problems in terms of the statutory purpose of this body, and clear leadership would be of great help, not only for NRW, but for all of us here on the charitable side.

Llyr Gruffydd: But any period of change will bring instability and uncertainty and confusion and so forth. I know that we're two years in now, and some people may have anticipated that would have been an adequate amount of time—others may argue, in truth, that to merge such large organisations is going to take longer. But you also call for, or perhaps suggest that consideration should be given to, an independent review of environmental governance in Wales. My question is—well, two, questions, in truth: isn't it a little early to do that, and, if that were to happen, isn't there a risk that the Government would change things even more, which creates more confusion, and that what we need is greater stability at present in terms of governance?

Mr G. Clubb: Very briefly, things are apparently so bad at present, and worsening. That staff survey showed that half the staff were going to leave within three years. That makes it very urgent to have an independent review, because things can't move forward. And we have seen from the other witnesses that there are other problems, such as a lack of confidence in the ability in terms of expert staff, and if you lose expert staff on that scale, you're never going to be able to fill that gap.

Llyr Gruffydd: May I ask how many—. That is, we know that we're facing austerity, and so forth, and that cuts are taking place. But isn't that fundamentally the problem—that the number of staff is reducing? We were discussing earlier that there will be additional requirements from the environment Bill, and so on, and capacity is essentially the main

gyfeiriad y Bil amgylcheddol, ac yn y blaen, issue facing this organisation.
ac mai capasiti, yn ei hanfod, yw'r brif
broblem sy'n wynebu'r corff.

[124] **Ms Sharp:** I couldn't agree more. We know we are facing austerity and merger of an organisation in itself uses up resources. Therefore, if I were in leadership in NRW, I'd be looking at how to maximise the resources within the sector as a whole to be working really strongly with the third sector. That can lever in extra funds and it can look at volunteers. We've not had any of those discussions, and I'm not sure if the leadership of NRW fully appreciates and understands the third sector. You also need to look at your priorities and you need to align the organisation. At the moment, it kind of feels that NRW is trying to deliver across the whole full SD agenda. It's not there, and it doesn't have the expertise to deliver across that full agenda. What it needs to do for Wales is to deliver healthy functioning ecosystems that contribute to and enable sustainable development. So, if anything, I'd be looking for the environment Bill to realign the statutory duty of NRW towards the future generations Bill goal of a resilient Wales. That makes joined-up Government, it gives a very clear remit to NRW, and it would address a lot of our concerns.

[125] **Alun Ffred Jones:** Joyce, on this issue?

[126] **Joyce Watson:** Yes, it is on this issue—it's about function and form. We've had views expressed about function and form, and the remit letter obviously plays a major part in that. You've alluded to the fact that they're more focused on the socio-economic rather than the environmental. So, I'm trying to get underneath that—that's what we're trying to do here today. Where do you think that has come from? Has it come from the Government, or has it come from interpretation and how might it be resolved?

[127] **Dr Thompson:** I think we're probably all in agreement that it needs to change. We've probably each put forward a slightly different option where we think the solution might be, but I think it is a bit of a two-pronged attack at why NRW has moved into a more sustainable development sort of niche rather than the environment niche. I think part of that is the statutory purpose it was given originally, and we probably need to bear in mind that that statutory purpose was developed prior to the Well-being of Future Generations (Wales) Bill. I think now that we have the Well-being of Future Generations (Wales) Bill—soon to be 'Act', I assume—that sets our sustainable development context, within which we would like to see NRW working and being the champion of the resilient Wales wellbeing goal, which is the maintenance and enhancement of biodiversity and healthy and functioning ecosystems on land and at sea. In doing that, they're making a significant contribution as a public body to the wellbeing of future generations objectives that Welsh Government has set for itself and all the other public bodies in Wales. The environment Bill is the vehicle or the tool that we could use to do that really swiftly. So, that's something that we have been calling for.

[128] The other element then is the wider direction, drive, guidance and interpretation that they'll be given from Welsh Government, and I think, to some extent, it goes back to how independent we feel this organisation is from Welsh Government. So, I'll park that bit. But, if the remit letter doesn't prioritise biodiversity, but prioritises other things on an annual basis, then those limited resources are going to be used for the things that they've been told to do.

[129] **Alun Ffred Jones:** Gareth.

[130] **Mr G. Clubb:** Gwnaethoch chi ofyn o le daw'r newid cyfeiriad yma. Wel, rwy'n credu bod rhan ohono wedi dod o Lywodraeth Cymru, o Weinidogion Cymru, ond mae'n rhaid ystyried, wrth gwrs, fod **Mr G. Clubb:** You asked where the change of direction will come from. Well, I think part of it has come from the Welsh Government and from Welsh Ministers, but we have to bear in mind, of course, that

Cyfoeth Naturiol Cymru wedi, o'i wirfodd ei hunain, mabwysiadu'r cod rheoleiddio. Nid yw hyn yn rhywbeth mae Llywodraeth Cymru wedi gofyn iddo ei wneud; maen nhw wedi ei wneud o'u pennau eu hunain, ac mae hynny'n dweud bod yn rhaid i reoleiddwyr ystyried,

NRW has voluntarily adopted the regulatory code. This isn't something that the Welsh Government had asked them to do; they have done it off their own backs, and that states that regulators have to consider,

[131] 'how they might support or enable economic growth for...businesses'.

[132] Felly, mae'n glir iawn fod Cyfoeth Naturiol Cymru am fynd i lawr y trywydd o hybu busnes, lle, efallai, nid dyna yw'r rôl flaenllaw i gorff statudol amgylcheddol.

Therefore, it is very clear that NRW wants to go down that route of promoting business, where, perhaps, that isn't the major role of a statutory environmental body.

[133] **Alun Ffred Jones:** Jeff.

[134] **Jeff Cuthbert:** Just quickly on the Well-being of Future Generations (Wales) Bill, of course, any public body has to show how it addresses all seven goals, which include a prosperous Wales.

[135] **Ms Sharp:** Yes, indeed. We're saying that, definitely, the environment of Wales has a real role to play in promoting the economics of Wales and also the social and cultural elements of Welsh society. It needs to play that role. There is a fundamental here and it's something that we talk about all the time. If you have functioning, healthy ecosystems, it supports all of that. So, that's your building block that you then build on, and it will be economic, either through natural resources or through tourism—there are lots of stimuli there—but we're not seeing that. We're almost seeing a remit that, somehow, the environment is blocking economic development and when they're looking at how—. You know, we're seeing this in the planning decisions that are coming forward. It will not block. If you apply, there are things called the convention on biodiversity, and the very first principle is: is the development needed? Then, is it in the right place? That's all we're asking is that the protocols are followed and that correct decisions are made. We're not saying, 'Don't develop'; we're just saying, 'Develop appropriately and on the most appropriate site'. We're seeing elements of, almost, that being the overriding interest, and if they are not the statutory nature conservation body, then who is? It falls back to organisations that you see in front of you and we don't have the resources to do that. We want to be much more proactive organisations where we're actually helping to build those resilient ecosystems. As I said, I don't want to end up in a judicial review, or public inquiry ever again. That's a test to see if the new raft of legislation is working or not.

[136] **Alun Ffred Jones:** Russell George.

[137] **Russell George:** We've talked more about resources and capacity in terms of staffing levels, but in terms of finance, we've obviously got the future generations Bill and the environment and planning Bills, which will be coming forward, that have obligations under those, and they have got obligations under the future generations Bill. But in terms of where you're seeing finance channelled within Natural Resources Wales, do you believe that they've got the capacity to deal with, for example, their obligations under the future generations Bill?

[138] **Ms Sharp:** That's a difficult one to answer because, in the age of austerity, I think that if you were to ask that question to any organisation across the board—you know, from education to the NHS—the answer would come back as, 'No, we could always do with more capacity'. So, it gets back to my earlier point that, therefore, we know you're going to be operating in a world of limited resources, so you look at work and you maximise that. The

third sector is an excellent example of where Wales can really work in partnership; whereas, as we've already heard, we feel that we're coming out of partnerships. When we were in partnership with CCW, we gave a one in four return on investment. You will not see that with the new joint-working partnerships with NRW because of the—. For example, there is a 7 per cent overhead put on that, which was actually making us work at a loss, which is not sustainable. So, there is an undermining of the third sector, if anything else.

[139] **Russell George:** Before, perhaps, others on the panel answer, you're quite right that there are limited resources, but it's where you prioritise those resources. So, are there any views that you have on whether you think NRW is putting perhaps too much resource in one particular area and not enough in another?

[140] **Dr Thompson:** I think, as we've said before, we would like to see more investment and more prioritisation on the nature conservation side and the delivery towards biodiversity recovery. The way to do that is how it's prioritised. Whether that's prioritised through a clear legal duty or prioritised through a clear remit letter or a ring-fencing of funding, I think there's probably a number of ways that we could do it. But it's this competition of a range of obligations within the organisation that's seen the environment come forward as the poor cousin, I think, compared to social and economic things that are delivering on a wider agenda. We too feel that we would like to work in partnership, and we can give benefit, and we would like to focus on what it is that we can do with that small amount of money, rather than it being seen as spread on things that maybe shouldn't be seen as the core purpose for this organisation.

[141] **Russell George:** Okay. You've said, in a way, perhaps what you think the priority should be, but perhaps also the question is: do you feel that the organisation is transparent enough so that, when they're making their decisions on where money should be allocated, you feel that you can see that thinking and that can be challenged by you? Do you feel that the organisation is transparent in how it allocates its funding?

[142] **Ms Sharp:** I would say that, at the moment, that's fairly limited. I was just wondering, actually, if you as an organisation and if I were to put myself in their position, how you'd actually do that because you do—. You know, within leadership, you need to make decisions and you need to drive an organisation forward. So, if you're given the right remit and the right focus—. I think they've been given way too broad a remit, and I would be kicking back against that if I were in that position. You know, you're the statutory nature conservation body; you need to prioritise. You also need to look at how you're going to create more investment into the sector. You're asking about how we do it; there's also a point about how not to do it.

[143] There is a move towards biodiversity offsetting, which is basically where—if you want to undertake a development—you look at mitigation and so, almost, the developer is paying to be able to undertake a development in that one area. Biodiversity offsetting does not work. It will lead to a loss of biodiversity. It's that simple: it does not work. So, I would really look for not trying to raise funds in that sort of manner. Instead, again, it's this working in partnership, trying to drive it up the political agenda, using the new legislative processes to be able to do that. So, I want to see a much stronger leadership that's fighting back, saying, 'Actually, do you know what? We can't take on the full SD remit. We do have a role to play in the economy and in society in Wales, but we can do this by providing healthy, functioning ecosystems and we will defend that'.

10:30

[144] **Russell George:** But I think that what I'm particularly interested in, though, is the transparency aspect. Like you, we've got a role to scrutinise. There are lots of organisations

that want to see funding in different areas and are lobbying, perhaps, for different funding for different areas. But is there transparency? Do you feel that you can ask the questions? Do you feel that you're able to access information that can question where NRW is spending money, and perhaps how they're allocating their funding? It's the transparency issue I'm particularly interested in on that aspect.

[145] **Mr G. Clubb:** Mae'r sefydliad yn sefydliad sydd, i fi, yn edrych fel nad yw e o blaid tryloywder o gwbl, ei fod eisiau cadw bob dim o fewn y sefydliad a dim ond rhyddhau pethau pan fod yn rhaid iddyn nhw ei wneud o dan y gyfraith, neu bod rhai elfennau o'u gwaith sydd o bryd i'w gilydd i'w cyhoeddi. Nid wyf wedi pori yn fanwl yn y maes dosbarthiad ariannol yn fewnol yn y sefydliad, ond byddwn yn tybio, pe byddai yr un math o feddylfryd ynghylch y dosbarthiad ariannol o safbwynt tryloywder, ni fyddai'r sefydliad am i bobl graffu ar y penderfyniadau hynny.

Mr G. Clubb: The organisation is one that, to me, looks as if it is not in favour of transparency at all; that it wants to keep everything within the organisation and only release things when they have to do that under the law, or when there are some elements of their work that, from time to time, are to be published. I haven't looked in detail at the financial allocations within the organisation, but I would suspect that, if there is the same kind of thinking in terms of financial allocations in terms of transparency, the organisation wouldn't want people to scrutinise those decisions.

[146] **Russell George:** But their board meetings are public, and there are other meetings that sit under their board meetings that are public meetings, so—

[147] **Mr G. Clubb:** Ac rwyf wedi codi yn barod, yn y dystiolaeth ysgrifenedig, y ffaith nad yw rhai papurau i'r ford ar gael, a'u bod ddim hyd yn oed yn cael eu crybwyll yn y papurau rydych yn eu canfod. Nid ydynt hyd yn oed yn ymddangos yn y cofnodion; nid ydynt yn ymddangos yn unman. Felly, mae diffygion sylfaenol iawn ynghylch tryloywder y sefydliad.

Mr G. Clubb: And I have raised already, in the written evidence, the fact that some papers for the board are not available, and are not even mentioned in the papers that you do find. They don't even appear in the minutes; they don't appear anywhere. So, there are fundamental weaknesses in terms of the transparency of the organisation.

[148] **Alun Ffred Jones:** Sharon.

[149] **Dr Thompson:** If I could just add, it's quite difficult to answer your question because a lot of it is impression rather than us having direct evidence, but I think the impression is that it can be quite difficult to get to the bottom of some of these questions, and if you do bring them up, robustly you're told it's not the case, but it's quite difficult to get the evidence of that. So, it's difficult for us to give you a very firm answer with that.

[150] **Alun Ffred Jones:** Llyr, ar y mater yma? **Alun Ffred Jones:** Llyr, on this issue?

[151] **Llyr Gruffydd:** Wel, ar fater y diwylliant o fewn y corff. **Llyr Gruffydd:** Well, on the issue of culture within the body.

[152] **Alun Ffred Jones:** Hold on. Jenny Rathbone to begin with.

[153] **Jenny Rathbone:** I just wanted to bring us back a little bit to the clarity of purpose of NRW, because Wildlife Trusts Wales, in its evidence, is talking about NRW being an independent environmental body, but then, on the next page, it talks about a Welsh Government sponsored body. I think it's quite difficult to see how an organisation that's funded by Government can be the independent voice for the environment. But, equally, I

think that if you are reliant too much on NRW funding, it does also compromise your possible role as the independent voice for the environment. So, I'm just wondering if there isn't a sort of confusion between inconsistency in Government policy on the environment; yes, we can have a discussion on that, but focusing today on NRW, it's their job, surely, to implement the law and the policy as devised by Government.

[154] **Ms Sharp:** There are two things there. One is making sure that there's a very statutory duty on NRW, and what I'm saying is, 'No, I think that is wrong'. I think that the duty that they have at the moment is too woolly. You do have to remember that the CCW duty to have an absolute duty to exercise functions to further nature conservation is still there. Those duties, when we had the Orders for the merger of the organisations, still exist. But the new duty is just too woolly and allows too much wriggle room. That's why I'm saying that I think the environment Bill should be used to repurpose NRW to a resilient Wales.

[155] As to the independence of NRW from Welsh Government, the previous organisations had exactly the same dilemma. And it is a dilemma; there's no two ways about it: you're a sponsored body of Welsh Government. But that's down to leadership and what you firmly have to say is, 'We have a duty to undertake here; we need to keep that independence just so that we can give you proper advice'.

[156] As to the point of third sector organisations receiving funding from Welsh Government, my organisation, like all the others that I know, have a very, very clear understanding with all of our partners that we receive funding from that they are not to distract from our charitable purposes. If they did, we would not accept the money. And I think that to show— We are a recipient of the joint working partnership, and I think that's because of the very good working relationships and our ability to deliver on the ground that we have with the local members of staff. I hope that this is seen as being a critical friend and as building on those relationships, because, you know, without that joint delivery, Wales is going to be a poorer country for it. So, yes, I think we can keep our integrity, and I'm sure NRW should be able to as well, but I'm just not seeing that leadership at the moment. I'm seeing there's a real political pull towards the social and economic, and that's what we're seeing borne out in some of their decision making.

[157] **Jenny Rathbone:** Okay. Well, you give some specific examples, which, obviously, we will need to put to NRW when we take evidence from them. There's one specific point I just wanted to pick up on, which surprised me, which is that Wildlife Trust Wales says that NRW is reluctant to fund projects where there's a reliance on volunteers for delivery. I wonder if you could just explain that, because that seems very hard to understand.

[158] **Ms Sharp:** In some ways, we've had this whole discussion with NRW around where we use volunteers in some of our projects, and we heavily rely on that match funding, as it were, that comes through from our volunteers, and, often, it's a case of just having to prove that we've got those volunteers. We're very lucky. We're fortunate to have over 2,000 volunteers that help us undertake our work, so we're pretty confident, but sometimes there's a real issue around evidencing that and providing—you know, they're often wanting things like timesheets, et cetera, and things like that. It's often—

[159] **Jenny Rathbone:** Timesheets for volunteers?

[160] **Ms Sharp:** Yes, which is often impossible. If you imagine yourself in a conservation project at the top of a mountain, it's lashing with the rain, and the last thing we can be doing is getting people to sign pieces of paper and stuff. It sounds like a petty point, but there's also this internal divide, sometimes, about the financial internal audit requirement. Now, we're fully aware this is public money and we need to spend it responsibly and to be showing how we spend it responsibly. We are a charity, and, believe me, charities are very, very regulated,

by the Charity Commission and also by Companies House, and through our funders—we are audited endlessly. We are—

[161] **Alun Ffred Jones:** We're running short of time.

[162] **Jenny Rathbone:** Yes, but, surely, the purpose is to ensure the job was done, rather than how many volunteers were involved.

[163] **Ms Sharp:** And that's exactly the relationship we have with CCW. You know, if we were building a fence, they wanted to see a picture of the fence built, and they were happy, but we're moving away from that to a very audited situation.

[164] **Alun Ffred Jones:** Does anybody else have a comment on the question that was asked? Anybody else?

[165] **Mr G. Clubb:** Dim ond yn glou iawn, iawn. A ydy Cyfoeth Naturiol Cymru yn annibynnol? Ydy. Mae'r Prif Weinidog wedi dweud ei fod yn annibynnol, ac mae cyn-Weinidog yr amgylchedd wedi dweud ei fod yn annibynnol. Felly, mae'n annibynnol a dylai fod ar y prif weithredwr ddigon o ruddin i ddweud hynny yn blwmp ac yn blaen, a gwrthsefyll lle bo angen hynny.

Mr G. Clubb: Just very, very quickly. Is NRW independent? Yes. The First Minister has said that it's independent, and the former environment Minister has said that it's independent. Therefore, it's independent, and the chief executive should have enough strength of character to say that unambiguously, and to actually stand up to the Government, where that is necessary.

[166] **Alun Ffred Jones:** Llyr Gruffydd?

[167] **Llyr Gruffydd:** Yes. Rachel mentioned earlier the 'merger' of the previous bodies. I misheard and thought you'd said the 'murder' of the previous bodies, because I think, in relation to CCW, that's the overriding sentiment. [*Laughter.*] Because I think we have lost that championing-of-the-environment role, and we have lost that challenging-of-Government role. Do you feel, actually, that the culture that exists within Natural Resources Wales, permeating from its leadership, is that of a Government department?

[168] **Ms Sharp:** It's getting dangerously close to that.

[169] **Alun Ffred Jones:** Could we have quick answers? Nice, quick answers.

[170] **Mr G. Clubb:** Ydy. **Mr G. Clubb:** Yes.

[171] **Dr Thompson:** Yes, I think we would support that. In terms of independence of this type of body, it's probably worth being aware that similar pressures are being put on the statutory agencies all across the UK, and, to some extent, does it mean that Governments in a democracy don't like being challenged by their independent statutory advisers?

[172] **Alun Ffred Jones:** Oscar, did you want to—.

[173] **Mohammad Asghar:** Thank you, just very quickly, Chair. How quickly can we overcome the frustration you have just mentioned in the last half an hour in all your departments, to overcome and look to our future, rather than just governmental, or ignoring the advice from internal expertise, from your individual departments? We have to overcome it. How and why? How quickly can we do that?

[174] **Ms Sharp:** There are some very clear recommendations we'd like to see in the Environment Bill—that the statutory duty be changed to 'resilient Wales', and that the

biodiversity targets be both in the Environment Bill and then through to the remit letter of NRW. That would alleviate a lot of the concerns we have. A clear plan to implement the Lawton review, as well. That would go a long way. And it's got to show it's independent. It's got to prove that. I would recommend the scrutiny sessions always be public. Recruit the expertise and develop that relationship with the third sector. They would all be recommendations I'd hope this committee would go forward with.

[175] **Mr G. Clubb:** Hyd y gwelaf i, beth sy'n gwahaniaethu Cymru rhag bod yr un peth, fwy neu lai, ag unrhyw ranbarth o Loegr—heblaw am ein hunaniaeth a'n hiaith a'n diwylliant—ac un o'r 'USPs' clir iawn sydd gyda ni yw ein hamgylchedd. Dyna sy'n denu pobl ar eu gwyliau. Dyna sy'n denu pobl i weithio yma. Dyna sy'n denu pobl i ddechrau busnesau yma. Os nad ydych chi'n canolbwyntio ar hybu a gwella'r amgylchedd, beth sydd ar ôl gyda chi?

Mr G. Clubb: As far as I can see, what differentiates Wales from any other region of England—apart from our identity, our language and our culture—and one of the clear unique selling points we have is our environment. That is what appeals to people who come here on their holidays. That is what draws people to work here and to start businesses here. If you don't focus on promoting and improving the environment, what do you have left?

[176] **Alun Ffred Jones:** Russell, did you have a very quick one?

[177] **Russell George:** A quick one, yes. If you can just give a one-line answer to this question, please, how do you think Natural Resources Wales might improve the transparency in their decision-making process? In one sentence.

[178] **Mr G. Clubb:** Dim ond dilyn y canllawiau sydd gyda nhw o hyd yn barod. Mae'r canllawiau sydd gyda nhw yn dweud y dylem ni fod ar flaen y gad o safbwynt tryloywder. Nid ydyn nhw'n dilyn eu canllawiau eu hunain.

Mr G. Clubb: Just by following the guidance that they already have. The guidance that they have states that we should be at the forefront in terms of transparency. They're not following their own guidance.

[179] **Ms Sharp:** To change their duty to being a resilient Wales and embed biodiversity targets, and then they will have to report against that in their remit letter.

[180] **Dr Thompson:** And making the information public. How was their decision made? Which criteria did they follow? Who was involved? How did they resolve any conflicts? I think, as somebody else said, I sat here a few years ago and heard assurances from the Minister that any conflicts within the organisation would be freely aired, and I don't think that's the case.

[181] **Alun Ffred Davies:** There is a question about consistency of advice. Do you feel that there is consistency of advice from NRW in general, in the dealings you've had with them? A quick 'yes' or 'no'.

[182] **Ms Sharp:** Within planning, I don't think there is consistency of advice. We also see conflicts internally, as well. For example, within the forestry sector, they were told to make independent decisions, so they ignored advice from a grasslands specialist, for example. There's no formal system for internal consultation on forestry letting. There are internal difficulties there, as well, and those need ironing out. That can happen over time, though. We do understand it's still a relatively new organisation.

[183] **Alun Ffred Jones:** Sharon?

[184] **Dr Thompson:** I think just how they treat our statutory designated protected sites.

You'll get different advice from the conservation side of NRW than you will from those managing, say, a forestry estate on the boundary of it as to whose responsibility it is to deal with the reseedling of the non-native conifers onto what is a protected site. If two parts of the same organisation can't agree amongst themselves how you protect the statutory designated site, it's very difficult then for those people who manage those sites to know what to do.

[185] **Alun Ffred Jones:** Chinese walls have been referred to earlier. That might prove that it's actually working then: there's the regulatory side and then there's the more proactive side of the organisation. They're both doing their job.

[186] **Dr Thompson:** But they have to recognise that, for a protected site, there is a requirement under EU legislation to deliver for it. If NRW is continuously seen as the polluter of a protected site, and you can't deliver the objectives of that protected site, does that mean that the EU will pick Wales up on that for not delivering under the birds and habitats directives?

[187] **Alun Ffred Jones:** Rhaid imi ddod â'r sesiwn yma i ben. A gaf i ddiolch yn fawr iawn ichi am ddod â'ch tystiolaeth? Byddwn ni'n anfon trawsgrifiad o'r dystiolaeth atoch chi ichi gael sicrhau cywirdeb. Diolch yn fawr i'r tri ohonoch chi am gyfrannu y bore yma. Fe wnawn ni dorri am 10 munud.

Alun Ffred Jones: I have to bring this session to a close. May I thank you all for bringing your evidence? We will be sending you a transcript of the evidence for you to check its accuracy. Thank you very much to the three of you for contributing this morning. We will break for 10 minutes.

[188] We'll break for 10 minutes and then we'll return.

*Gohiriwyd y cyfarfod rhwng 10:44 a 10:57.
The meeting adjourned between 10:44 and 10:57.*

Cyfoeth Naturiol Cymru: Craffu Blynyddol—Tystiolaeth gan Randeiliaid (Rheoli Tir)

Natural Resources Wales: Annual Scrutiny—Evidence from Stakeholders (Land Management)

[189] **Alun Ffred Jones:** Fe wnawn ni ailddechrau'r pwyllgor. A gaf i groesawu'r Aelodau nôl, a chroesawu ein tystion ni y bore yma? A gaf i groesawu'r pedwar ohonoch atom ni? Fel yr ydych chi'n gwybod, rydym ni'n paratoi ar gyfer sesiwn graffu ar waith Cyfoeth Naturiol Cymru, gyda'r cadeirydd a'r prif weithredwr, ar 6 Mai, ac rydym ni eisiau gwybod am eich profiadau chi, fel rhanddeiliaid, yn eich ymwneud â Chyfoeth Naturiol Cymru. Byddwn i'n pwysu arnoch chi i fod yn gryno yn eich atebion, ond hefyd i fod yn agored ac yn onest yn eich ymateb.

Alun Ffred Jones: We will reconvene the meeting. May I welcome the Members back, and welcome our next set of witnesses here this morning? May I welcome the four of you here with us? As you'll be aware, we are preparing for a scrutiny session on the work of Natural Resources Wales, with the chair and chief executive, on 6 May, and we want to know about your experiences, as stakeholders, in terms of your involvement with Natural Resources Wales. I would press upon you the need to be brief in your answers, but also to be open and honest in your responses.

[190] Felly, a gaf i ofyn i chi eich cyflwyno eich hunain i ddechrau, gan ddechrau efo Tegryn yn fanna, a dweud pwy ydych chi'n ei gynrychioli?

So, could I ask you to introduce yourselves to start off, starting with Tegryn over there, and tell us who you represent?

[191] **Mr Jones:** Tegryn Jones, prif weithredwr Awdurdod Parc Cenedlaethol Arfordir Penfro, ond hefyd, efallai, yn cynrychioli'r tri pharc cenedlaethol. **Mr Jones:** Tegryn Jones, chief executive, Pembrokeshire Coast National Park Authority, but also, perhaps, representing the three national parks.

[192] **Mr Bishop:** Martin Bishop, Confederation of Forest Industries, and national manager for Wales, representing members from the forestry industry.

[193] **Ms Nowell-Phillips:** Rhian Nowell-Phillips, Farmers' Union of Wales.

[194] **Ms Lewis-Davies:** Rachel Lewis-Davies, NFU Cymru.

[195] **Alun Ffred Jones:** Diolch yn fawr iawn. **Alun Ffred Jones:** Thank you very much.

[196] Jeff Cuthbert will kick off.

[197] **Jeff Cuthbert:** Good morning—yes, it still is, good.

[198] Look, can I ask you about the levels of expertise that you think Natural Resources Wales has since its merger and creation? Do you think it's got the right skillset, in terms of its employees? Overall, has it got the right technical expertise to do its job, and, if you feel that there are gaps in that, what actions do you think they should take?

11.00

[199] **Ms Nowell-Phillips:** I'll just start off. I believe, because we're still in a process of transition, I wouldn't say that there aren't the right skillsets, because the people who were working within the three legacy organisations, largely at the higher levels, are still there. The problem is that they're still in a process of changing and adaptation, and I'm not sure, perhaps, that the communication channels we have—. There may be issues with those. But I would say, from our point of view, once you get to the people for the technical information you're looking for, that's fine. The difficulty, perhaps, is actually getting to those people, because they've changed roles and remit within the organisation, and it's not always obvious who those people are and where those people that you might have been dealing with previously are now.

[200] **Ms Lewis-Davies:** I would add to that that, in terms of farmers operating on the ground, in the past, under the old EA, there would have been relationships built up with staff where they would be able to phone in for advice on regulation and best practice. We've seen, through some of the changes within the organisation, some loss of jobs or transferral of roles. So, some of those really useful and beneficial posts seem to have been lost. On agricultural engagement and engaging with farmers and working in partnership to get the best environmental outcomes, we seem to have taken a step back, I would say, in that regard. Certainly, we haven't really got that fully developed at the moment within NRW.

[201] **Alun Ffred Jones:** Martin.

[202] **Mr Bishop:** I believe that, in the forestry sector, we have seen others coming in who have a lack of expertise at ground level. That's what my members tell me—that a lot of the people haven't got the forestry expertise. This has been brought up within NRW, and to try and get over that problem, we've actually got them to produce an organogram of all the different people and responsibilities and where they operate. I understand that will be on the website shortly. So, there is still this issue of, yes, maybe the staff are there, but you can't get at them. So, we've tried to get over it that way.

[203] **Alun Ffred Jones:** Tegwyn.

[204] **Mr Jones:** Yes, it's probably a similar picture. I suppose we have to reflect that there's been the change to create NRW but also that, as with other public organisations, there's been a significant reduction in funding that's gone with that element. Certainly, we reflect the fact that there's been a loss of expertise there, but it's possible that that might have happened whatever happened as a result of some of the funding changes. I think the picture we find is that, in Pembrokeshire, we've retained a lot of the existing staff, and therefore the local relationships have managed to hold there. I think my colleagues in the Brecon Beacons, who have about five teams covering them, perhaps have a slightly different view and perhaps a more challenging picture as a result of these changes. So, it's not a one-size-fits-all picture.

[205] **Jeff Cuthbert:** I think you're right to draw attention to the fact that this is against a background of cuts and austerity for public bodies, but the impression I'm getting from you is that you don't feel that there's a fundamental problem but that there are certainly a number of practical problems to be addressed. Would that be a fair summary?

[206] **Ms Lewis-Davies:** I think there are huge opportunities for improvement, particularly in engagement with the agricultural sector.

[207] **Jeff Cuthbert:** Opportunities or needs for improvement, or both?

[208] **Ms Lewis-Davies:** Yes, both.

[209] **Alun Ffred Jones:** What do you mean by 'engagement'?

[210] **Ms Lewis-Davies:** Regulation in itself is not a static thing. Guidance and best practice are not static things. So, even if you've got a well-informed farmer now, because it's an ever-changing thing, we do need to consider the communication strategy by which NRW would engage with the farming industry, bearing in mind it's made up of a lot of small businesses. So, we can say that, whilst the businesses themselves have got a responsibility to keep up to date where they can, there's a role for NRW to make it as easy as possible to be informed. An example in terms of communication would be the website, which we can all agree, I think, can be described as only still under development. If that's your first port of call for information and this is important information, then we need to make sure that that is as functional as possible as quickly as possible.

[211] **Ms Nowell-Phillips:** I think, just add to that, the Environment Agency model of working with farmers on the ground to undertake voluntary measures and to identify potential problems before they became big problems was extremely important, and it was something that we felt all along, as we have said to committee before in scrutiny, was an element that should be carried over, because, when you introduce regulation, that is fine, you get the bear minimum, but when you engage with people and work in partnership with them, you get over and above what it costs to do so, because the benefits—you know, people embrace things. I think, perhaps, we've got a bit of a disconnect there at the moment.

[212] **Alun Ffred Jones:** Martin.

[213] **Mr Bishop:** In my submission, I've highlighted communications as still being one of my members' concerns and that phone calls still go unanswered and that sort of stuff, which is concerning. But that's more at, if you like, grass-roots level. Replies have been, 'Well, I didn't get your phone message' and that sort of stuff. It's fairly simple: get everyone to record an answerphone message, then at least you know you're leaving the message on the right person's phone. In contrast to that, the communications that we get with the upper levels and

the director levels is far better than I would ever expect. I can fire an e-mail to senior staff on a Sunday morning and I get a reply by Sunday lunchtime. So, they're very good.

[214] **Alun Ffred Jones:** You shouldn't be working on a Sunday. [*Laughter.*]

[215] **Mr Bishop:** Well, as I said, they are far better than expected.

[216] **Alun Ffred Jones:** Llyr Gruffydd.

[217] **Llyr Gruffydd:** The reality is that, in terms of capacity and staffing capacity within Natural Resources Wales, things are likely to get worse before they get better. So, how close are we to a point where a lot of these key services that you're talking about become quite dysfunctional in a sense?

[218] **Ms Lewis-Davies:** I think that we would acknowledge that that is the case, but we've got to look more broadly at wider opportunities then. I think that, at NRW, there is a need for a far more effective communications strategy for engagement with farmers, but there are also other mechanisms in the box. So, for example, let's look at the Welsh Government's Farming Connect programme, which has got a significant resource or will have a significant resource allocated to it. Natural Resources Wales needs to be thinking, 'Well, how can I engage with that programme and use that programme in a targeted way to raise awareness and deliver some of these key messages and work in those priority areas to deliver the best outcome?'. So, there are other mechanisms, I would say, that are available.

[219] **Llyr Gruffydd:** And that chimes very strongly with the evidence that we've had previously around making better use of some of the voluntary organisations within the environmental sector as well.

[220] **Ms Lewis-Davies:** But Farming Connect decides Welsh Government funding, doesn't it? And £45 million is allocated in the next programme. Under the last programme, environment was a cross-cutting theme. I would suspect that that could be the case going forward. It's there and it's got the network of facilitators pan-Wales, so it's a model that NRW needs to engage with more, I would suggest.

[221] **Ms Nowell-Phillips:** I think we've also got an issue with internal communication because they don't know—. We work with people on a local basis—the local NRW staff, who are looking to put voluntary measures in place. They have no internal communication and there seems to be a very hierarchical process within NRW and I'm not sure that that facilitates communication up and down. I think that's something that they need to sort out, and I'm not sure whether that's just because they haven't finalised their internal mechanisms yet, but it certainly seems to be the case that people hit ceilings. Even with reduced finance and funding, if you improve your communications up and down, then I think at least it goes further—that bit of resource.

[222] **Alun Ffred Jones:** Rhywun arall— **Alun Ffred Jones:** Anyone else—Tegryn? Tegryn?

[223] **Mr Jones:** Byddem yn disgwyl gweld y sefyllfa'n gwella i ryw raddau yn sgil y ffaith bod y broses o newid, efallai, wedi cymryd tua dwy flynedd. Rwy'n credu ein bod ni'n dal i fod yn y sefyllfa lle mae'r haenau is o fewn y strwythur ddim ond yn cyrraedd eu lle yn nawr. Rwy'n credu unwaith y bydd y rheini yn ei lle, efallai y **Mr Jones:** I would expect to see the situation improving to a certain extent in light of the fact that the change process has perhaps taken around two years. I think we are still in a situation where the lower strata within the structure are just coming into place now. I think that, once those are in place, many of the communications problems that have

bydd nifer o'r problemau cyfathrebu sydd wedi bod yn lleihau. O bosibl, rydym mewn sefyllfa eithaf cynnar i roi barn gynhwysfawr ar y newidiadau hynny. existed may be alleviated. We may be at an early stage to express a comprehensive view on those changes.

[224] **Jenny Rathbone:** Can I come back on something that Martin Bishop said in terms of capacity? UPM TilHill talk about vacancies being filled with inexperienced staff, so what are the skills that are lacking in the appointments?

[225] **Mr Bishop:** Forestry skills in general.

[226] **Jenny Rathbone:** Can you describe what you mean by 'forestry skills'?

[227] **Mr Bishop:** It was interesting to hear earlier that the environmental side—EA staff—seemed to be losing that skill. We are seeing that skill come across to the forestry side and they haven't actually got the forestry skills necessary to interpret the regulations and interpret the licences.

[228] **Jenny Rathbone:** Okay. So, the forestry skills—is this about understanding how you cull—

[229] **Mr Bishop:** Forest management.

[230] **Jenny Rathbone:** Okay. So, you think that they're more focused on the environmental side than the forestry management.

[231] **Alun Ffred Jones:** Julie Morgan.

[232] **Julie Morgan:** Listening to the previous exchanges, the issues about the website and no answerphones, I think, seem to be very basic management issues. Could you explain why you think that that isn't actually happening?

[233] **Mr Bishop:** I don't know; I mean, many of these people from our sector are out in the forest and out in the woods all day. So, one has to say that, often, they're away from phone receptions, but it doesn't take a fortnight to get back into phone reception. So, why they're not responding, we don't know. We just don't know. I certainly have examples—

[234] **Julie Morgan:** You've raised this.

[235] **Mr Bishop:** We have raised it. I do have examples, which I can't share in the public domain because they are of commercial interest. NRW have already been in touch to say, 'We will discuss those', and we can put those forward directly to them—whether it is individuals, or whether it's across the sector.

[236] **Julie Morgan:** Do others have a similar problem in getting a response from NRW?

[237] **Ms Nowell-Phillips:** From the website point of view, I don't know whether you've tried navigating the current website, but it's not the easiest in the world. There are things that you used to be able to do on the EA, for example, or CCW websites that you can't do in Wales now. Waste management exemptions, for example, you can do on the English site but you can't do in Wales. As to the staff, I think it's the same with any small business—you try once and if you can't get an answer and nobody comes back, you forget and then the next thing is that they'll try to ring us as their union reps. The level of how many times they've tried—. I do think that if you're in a situation where someone phones, you either need to have an answerphone message or you need to make sure that someone gets back to them because it

is the case that they may not persevere because they're busy people as well. So, that's the information that we're getting because we'll be the next person that they ring and complain to.

[238] **Mr Bishop:** It may also be that the response from NRW is not quite the response that perhaps our members want. So, perhaps an easier response is not to be confrontational but, you know, to just leave it slide along and not actually respond at all.

[239] **Julie Morgan:** Some of the witnesses that we've had have said that they think that NRW is too centralised. Do you have any views on that?

[240] **Mr Bishop:** Inevitably, there's going to be a lot of conflict within an organisation with those three departments coming together. Are they too centralised? To be fair, I only deal with the forestry sector, so, as far as I'm concerned, we can get to the forestry sector. We've put a lot of time and effort into making sector relationships with NRW. We have regular meetings, and we can bring much of this up in those meetings. So, I don't see the other roles.

[241] **Julie Morgan:** What about you, Tegryn?

[242] **Mr Jones:** I'd say that it's less of an issue of centralisation, although, inevitably, if you create a much bigger organisation, I think processes bring that. I suppose that some of our concerns relate to the question of how embedded the new organisation has been and not still functioning with the three distinctive aspects. The examples that I'd use there relates to their role as statutory consultees in the planning process, where we occasionally have a distinct impression that you get two sets of advice reflecting the old Environment Agency and CCW views. Certainly, in one case, we had a sort of change of advice where we were told, 'Oh, that was CCW advice. This is now NRW advice'. I think that's one of the consequences. The other aspect where, perhaps, centralisation comes in are some of the functions that they've taken over from the other bodies, like the statutory advisers on landscape, and we think that this has not fed through and not become a priority for NRW to take forward even though there is a review of designated landscapes. I think that's an area that is potentially being lost in the new structure. You could interpret that as a consequence of centralisation.

[243] **Julie Morgan:** Right.

11:15

[244] **Alun Ffred Jones:** A gaf i ofyn i chi, Tegryn? Mae Bil Cynllunio (Cymru) sydd yn mynd i gael ei gytuno, mae'n debyg, yn o fuan, yn awgrymu y bydd gan Gyfoeth Naturiol Cymru rôl eithaf manwl fel ymatebwr a hefyd, wrth gwrs, mae Bil Llesiant Cenedlaethau'r Dyfodol (Cymru) hefyd yn awgrymu y bydd yn rhaid i staff Cyfoeth Naturiol Cymru fod i mewn ar y byrddau lleol. A ydych yn credu bod gan y corff y capasiti i ddelio â'r galwadau hynny?

Alun Ffred Jones: Can I ask you, Tegryn? The Planning (Wales) Bill, which is going to be agreed, apparently, quite soon, suggests that Natural Resources Wales will have quite a detailed role as a respondent and also, of course, the Well-being of Future Generations (Wales) Bill also suggests that NRW staff will have to be in on those local boards. Do you think that the body has the capacity to deal with those demands?

[245] **Mr Jones:** Rwy'n credu ei fod yn bwysig bod y ddwy rôl yna gan Gyfoeth Naturiol Cymru. Rwy'n credu, efallai, nad yw'r newidiadau strwythurol sydd yn digwydd wedi llwyr gyrraedd y man

Mr Jones: I think that it's important that NRW does take on those two roles. I think, perhaps, that the structural changes that are happening haven't actually reached their optimums. Therefore, what we have at

delfrydol. Felly, mae'r hyn sydd gyda ni ar hyn o bryd efallai yn adlewyrchu'r ffaith nad yw'r newid diwylliannol yna, o bosibl, wedi digwydd eto. Yn sgil hynny, mae'n anoddach i ddweud a yw'r capasiti yna. Yn sicr, rydym yn cael ymatebion; mae'n bosibl nad yw'r ymatebion, efallai, mor gynhwysfawr ac y byddem yn dymuno ac, o bosibl, nid yw'r ymatebion hynny yn cyrraedd ar amser, ychwaith. Felly, ar hyn o bryd, efallai y byddem yn cwestiynu'r elfen yna. I fynd yn ôl at y sylw a wnes i yn gynharach, mae Cyfoeth Naturiol Cymru yn mynd drwy broses o newid, a'r gobaith yw y byddan nhw mewn sefyllfa i ddarparu gwasanaeth da yng nghyd-destun cynllunio a'i hystyriaethau mwy eang.

[246] **Alun Ffred Jones:** Nid yw sylwadau nad ydynt yn cyrraedd ar amser o ddim gwerth o gwbl i chi.

[247] **Mr Jones:** Dim gwerth o gwbl. Buodd enghraifft yr wythnos diwethaf, a dweud y gwir, lle bu'n rhaid i ni fel pwyllgor cynllunio dynnu penderfyniad yn ôl yn sgil y ffaith bod cwestiwn wedi cael ei godi gan Gyfoeth Naturiol Cymru ar y funud olaf, a'r cwestiwn oedd, 'A ddylech siarad â'ch ecolegydd?' Nid yw hynny'n gyngor defnyddiol o gwbl. Mae'n atal y penderfyniad ond nid yw'n fawr o werth. Mae fy nghydweithwyr yn cwrdd â nhw ar hyn o bryd, a dweud y gwir, i drafod hynny. Felly, dyna un enghraifft.

[248] **Alun Ffred Jones:** Diolch yn fawr. Joyce Watson.

[249] **Joyce Watson:** Thank you, Chair. A lot of what underpins this is the clarity of purpose of NRW. Are you all satisfied that they're clear about their purpose? Are you also satisfied that the remit letter that they have, and which they will operate to, is clear and that the balance is right?

[250] **Mr Jones:** I think the other context that, perhaps, we need to consider here is the policy change towards natural resource management. So, I think, perhaps, you have to consider the purposes of NRW in the context of a change in the policy framework there. So, it's entirely possible, once again, in the same way as funding changes might have happened without the new body coming to being, there would have been a change in priorities as a result of that change. I think we can all, perhaps, fall into an interpretation of thinking, 'Well, they haven't met that view', when that is actually a reflection of the change of the policy landscape and the way it would have been anyway, really. So, I certainly wouldn't say that there is a lack of purpose. I think you will also be aware that the environment Bill is, in part, there to provide NRW with the necessary tools for it to function there. So, I wouldn't particularly say that there's a lack of focus, but, once again, it is still a work in progress.

present is perhaps a reflection of the fact that that culture change has not, perhaps, happened as of yet. In light of that, it is more difficult to say whether the capacity is in place. Certainly, we receive responses; possibly, those responses are not as comprehensive as we would wish and those responses do not necessarily always arrive on time, either. Therefore, at present, I would question that element of capacity. I made a comment earlier that Natural Resources Wales is going through a process of change, and the hope is that they will be in a position to provide a good level of service in the context of planning and the broader considerations.

Alun Ffred Jones: Comments that do not arrive on time are worthless to you.

Mr Jones: Yes. There was an example last week, to tell the truth, where we as a planning committee had to withdraw a decision in light of the fact that a question had been raised by NRW at the very last minute, and the question was, 'Should you speak to your ecologist?' That is not useful advice in any way. It prevents a decision being taken, but it is of little value. My colleagues are meeting them at present, to tell you the truth, to discuss that issue. That is just one example.

Alun Ffred Jones: Thank you very much. Joyce Watson.

[251] **Mr Bishop:** I think you wouldn't be surprised to hear from me, from a commercial trade organisation, that I would like to see a stronger remit on the economics side of it and, indeed, the sustainability side of stuff. The future generations Bill is going to have a very big impact on NRW, not least because they haven't actually got extra land where they can protect resources. So, somebody somewhere will have to pick up the remit that NRW can't, and that will be the private sector.

[252] **Llyr Gruffydd:** On this particular point, there is provision, of course, in the establishment Order creating Natural Resources Wales for the Minister to issue guidance on the statutory purpose of the organisation; the Government has chosen not to do so, so far. Is there, therefore, a suggestion that maybe there'd be greater clarity in terms of priorities and balancing the various considerations that they have to take into account if that guidance was provided?

[253] **Mr Bishop:** I think it would be helpful.

[254] **Ms Nowell-Phillips:** I think, you know, from our point of view, again, coming from the private sector, the three tenets of sustainability, which are environmental, social and economic are extremely important. It is difficult, because we know they're still in a process of change, but as Llyr said, it might be a help to have some clearer guidance, which might help them with their internal sort of changes and communication channels, as well.

[255] **Alun Ffred Jones:** Okay. Russell next; no, sorry—Joyce.

[256] **Joyce Watson:** It's interesting, Mr Bishop, that you said the emphasis was the wrong way around, because we've just heard exactly the opposite.

[257] **Mr Bishop:** The opposite; yes, I know.

[258] **Joyce Watson:** Previously, they've given examples of where they thought it was the wrong way around. Do you want to give a further example of where you think the emphasis is not on the socioeconomic, but is on the environmental, in terms of balance, for our thinking on this?

[259] **Mr Bishop:** Many of my members would be citing examples on harvesting sites and that sort of stuff, where the requirement to conform to the environment regulations has taken precedence. The 20% restriction on catchment areas in acid-sensitive catchment areas is one example. Again, perhaps it's not being interpreted quite as it should be, but that requirement is guidance in UK forestry standards, which gives us the requirement to form an assessment. It is not an automatic blanket, 'You cannot do this'. You can do it; you can fell more than 20% if you put mitigating measures in place to cover the problems, whereas we have examples where it's just said, 'No, you can't do it, because of this'.

[260] **Joyce Watson:** Sorry, Chair. Is that, again, coming back to expertise and understanding?

[261] **Mr Bishop:** Expertise and interpretation. Another thing that came out of a customer liaison meeting a couple of weeks ago was interpretation across the board of various health and safety and environmental standards. As a practical example, I've heard of NRW staff turning up on a site and seeing that a safety warning sign has blown down and they run back to the office and write a letter because of that. Other staff will turn up and nail the sign up and get on with the job. There are differences in the way these are interpreted on the ground.

[262] **Alun Ffred Jones:** Okay, Joyce?

[263] **Joyce Watson:** Yes.

[264] **Alun Ffred Jones:** Russell.

[265] **Russell George:** Thank you, Chair. Do you believe that Natural Resources Wales is a transparent organisation? I'm particularly thinking about its decision-making processes.

[266] **Mr Bishop:** Yes, I think it is. It's certainly getting better, but I'm coming from a position where we have sectoral engagement with NRW where we can question them directly on issues, and we are party to why those decisions are made. Maybe this is something that the committee ought to take on board. We've done a lot of work to get that sectoral view across to NRW—we have regular meetings with them—and maybe other sectors need to do more of that sort of work themselves and get sector representation to NRW. These sectors here do.

[267] **Ms Nowell-Phillips:** The land management sector has an engagement process that we find extremely important. I would ask whether, internally, they are transparent, because I still believe that there is a difference between the guys on the ground and those who are at director and senior staff level. If you talk to people on the ground, sometimes you'll have a better idea of what's happening within NRW or their policies than they do, and I think, perhaps, their communication channels could be more—

[268] **Russell George:** Is that more about communication channels than transparency?

[269] **Ms Nowell-Phillips:** Yes, but if you're working for an organisation and you're reliant on an external organisation to tell you the policies of your organisation, there is an element, then, of opaqueness within their channels.

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

[271] **Ms Lewis-Davies:** And, I do think there have been examples where certain areas of work have progressed that are clearly going to affect or impact on landowners, but they've progressed within NRW without the necessary engagement with stakeholders. So, perhaps, it's not a question of transparency, but a question of them asking, 'Who does this affect and who do we need to reach out to?', so that it looks like a transparent process and not a fait accompli and something that you find out quite late on in the day. In the written evidence I've submitted I talk about the national habitat creation programme, which is a work stream that has taken place and progressed. Letters went out to farmers and those who were in receipt of letters were concerned—highly concerned—and as stakeholders it was an area of work that we knew nothing about. So, I think we've got the land management forum, which is a really useful platform, but we need to make sure that all those aspects come to the land management forum so that, at the very minimum, we have an awareness, and we can raise awareness to our members then. Perhaps 'transparency' is the wrong word, sorry.

[272] **Russell George:** Just one question on what Rhian said: is it the case, perhaps, that staff are disagreeing with other parts of the organisation or management, for whatever reason? It could be for legitimate reasons or organisational change, which is difficult. Is it because of that, or is it a blatant lack of communication, or is it staff challenging what's happening in another part of the organisation?

[273] **Ms Nowell-Phillips:** I think when you bring any three organisations together, you're going to get those sorts of disparities. You will have people coming from one organisation, and I think there are definite cultural differences. Tegryn raised one issue with planning: who do you get? Do you get the ex-CCW adviser or do you get the ex-Environment Agency? Even though they are trying to break those barriers down, from our point of view it will be

dependent on who you get, so there could be an element of, 'We don't agree further up', depending on who 'we' were originally. I think, again, that's more to do with how everyone beds in. There are still internal process going on, and hopefully that will, over time, improve, but, yes, there probably still are glass ceilings.

[274] **Alun Ffred Jones:** I've got two other questions to come in. Martin, do you want to comment on this?

[275] **Mr Bishop:** Just to expand a little bit, I would say that transparency is reasonable at a policy and a strategy level. We've actually called for more transparency in the commercial aspects of it, because the NRW's forestry sector is in a different place to the rest of NRW in as much as it's a commercial competitor to the private sector. We think that, in order for the private sector to compete, we need to know that NRW is getting good value for money for the resource, and that can only come from better transparency.

[276] **Alun Ffred Jones:** Two other questions: Mohammad Asghar and Jenny Rathbone.

[277] **Mohammad Asghar:** Thank you, Chair. My question is direct to Martin, anyway. Martin, what is your interpretation as to whether the financial aspects have been maintained by NRW? What do you think about it, especially the forestry commission?

[278] **Mr Bishop:** The 'Woodlands for Wales' indicators, which are published annually, have come out with a loss of 16,000 hectares of the commercial forest since 2001.

[279] **Mohammad Asghar:** How many?

[280] **Mr Bishop:** Sixteen thousand hectares of commercial forest. The area of forest has increased, but that's largely due to either mapping or increases in the broadleaf resource. It's going to have issues under the future generations Bill, because that's a resource that should be protected for future generations.

[281] **Alun Ffred Jones:** Diolch yn fawr. Jenny Rathbone.

[282] **Jenny Rathbone:** I just want to pursue this issue of conflicts of interest, particularly in relation to forestry rather than NRW. In your evidence, you mention one owner being told that they were unlikely to get permission to fell because the 20 per cent figure had been exceeded. It would appear, or it seems, that NRW is the owner that had taken this quota. Are you prepared to or able to substantiate that? Is it the case that NRW had taken the quota?

[283] **Mr Bishop:** We believe so. We're investigating that at the moment. I am taking that up with NRW themselves. It can be got over by, again, transparency. NRW could perform the role of doing the critical tests in those areas, making that information available to the private sector, and then anybody would know what's coming up in the future.

11:30

[284] **Jenny Rathbone:** So how, practically, do you think that conflict of interest could be resolved? It is a fact that they are a large forestry owner. UPM TilHill talks about the need to see clarity on how much money is being earned by NRW through their sales of wood as opposed to their land management role. So, is it just about transparency in the accounts, or, in relation to who gets the quota to fell, how do you think that can be better managed?

[285] **Mr Bishop:** I think we have to have transparency in the accounts. It may not be able to be put in the accounts because of accounting systems, but we need to have some other methods of knowing that NRW are getting the best value from the resource and not

undercutting or overcharging—either could be the same.

[286] With regard to the 20 per cent rule, well, as I said, the guidance on that is that it is just guidance. If you can put mitigating measures in place, you will be able to continue with your felling operation. So, that was a slight, as we understand it, misinterpretation of the rules.

[287] **Jenny Rathbone:** So, are you in a position to give us chapter and verse before we see NRW?

[288] **Mr Bishop:** I haven't got that with me.

[289] **Alun Ffred Jones:** Well, if you've got any information that you'd like to send to us, please do so.

[290] **Mr Bishop:** Yes.

[291] **Alun Ffred Jones:** Mae'r cloc wedi'n curo ni, felly a gaf i jest ddiolch yn fawr i'r pedwar ohonoch chi am ddod atom ni y bore yma? Mi fydd trawsgriafiad o'r dystiolaeth yn cael ei gyflwyno ichi er sicrhau cywirdeb. Felly, diolch yn fawr iawn unwaith eto i'r pedwar ohonoch chi am ddod atom ni y bore yma.

Alun Ffred Jones: We've been beaten by the clock, so may I just thank all four of you very much for joining us this morning? You will be provided with a transcript of the evidence for you to check for accuracy. So, thank you very much once again to the four of you for coming to us this morning.

[292] Thank you.

[293] Fe symudwn ni ymlaen at y criw nesaf sydd yn dod gerbron y bore yma—y criw olaf, sef y cymdeithasau pysgota. Mi alwn ni'r tystion i mewn, os gwelwch yn dda.

We'll move on to the next set of witnesses who are joining us this morning—the final set of witnesses, namely the fishing organisations. Let's call them in, please.

[294] May I just take the opportunity to thank the staff who accompanied us on the visit to Baden-Württemberg in Germany, and to Cath, who did much of the organising? It was a busy and a successful visit, I'm sure you would all agree, and our thanks go to the staff who arranged it.

[295] **Julie Morgan:** [*Inaudible.*]—exhausting.

[296] **Alun Ffred Jones:** Well, I was exhausted. [*Laughter.*]

[297] **Julie Morgan:** It was very successful visit. Very interesting.

[298] **Alun Ffred Jones:** So, that's on the record. Diolch yn fawr.

11:33

**Cyfoeth Naturiol Cymru: Craffu Blynyddol—Tystiolaeth gan Randdeiliaid
(Cymdeithasau Pysgota)
Natural Resources Wales: Annual Scrutiny—Evidence from Stakeholders
(Fishing Organisations)**

[299] **Alun Ffred Jones:** May I welcome you here this morning as part of our preparation for the scrutiny of Natural Resources Wales on 6 May? Can I ask you to introduce yourselves

and the organisations you represent, please?

[300] **Dr Marsh-Smith:** Stephen Marsh-Smith. I'm chief executive of the Wye and Usk Foundation, which is a rivers trust, but I'm also a director of Afonydd Cymru, which is the umbrella body for the river trusts of Wales.

[301] **Alun Ffred Jones:** Diolch yn fawr. Thank you.

[302] **Mr Knight:** Paul Knight. I'm the UK chief executive of the Salmon and Trout Association. Richard will introduce himself in just a moment—S&TA Cymru. We are a fisheries charity and our primary objective is the protection and conservation of salmonid species and the habitats necessary for them to thrive.

[303] **Mr Garner-Williams:** Richard Garner-Williams. Cadeirydd yr S&TA yng Nghymru, a hefyd rwy'n ymddiriedolwr o'r elusen dros Brydain gyfan. **Mr Garner-Williams:** Richard Garner-Williams. Chair of the S&TA in Wales, and also I'm a trustee of the charity across the UK.

[304] **Alun Ffred Jones:** Diolch yn fawr iawn ichi a chroeso mawr iawn atom ni. Mae gennym ryw hanner awr, neu ychydig yn llai. Felly, a gaf i ofyn i Jeff Cuthbert ddechrau? **Alun Ffred Jones:** Thank you very much and a very warm welcome to you. We have about half an hour, or perhaps a little less. So, may I ask Jeff Cuthbert to kick off?

[305] **Jeff Cuthbert:** Thank you very much, Chair. Good morning. A general question to begin with. Natural Resources Wales is a relatively recently merged body. Do you feel, as it is currently constituted, that it has the necessary skillsets amongst its staff—the overall technical expertise—to do its job? If you feel that there are gaps in terms of resources and skills, what do you think they are and how might they be addressed? On a specific point, do you think there is sufficient transparency about how rod licence fees are invested and spent?

[306] **Alun Ffred Jones:** That's a nice simple question for you. [*Laughter.*]

[307] **Dr Marsh-Smith:** Shall I go first?

[308] **Mr Knight:** Please do.

[309] **Dr Marsh-Smith:** We've said goodbye to more fisheries staff than I can remember in the last couple of years—early retirement. A lot of the experienced fisheries staff have been promoted into non-fisheries positions, and people with no fisheries experience have been promoted into senior fisheries positions. So, that's a 'no', then.

[310] The licence you asked about is also a great concern. We have more people coming to Wales than from Wales going to fish elsewhere, but the assessment of where the rod licence money goes is made by the address of the person who takes it out. So, for all the Londoners, that money is sent to that part of the Environment Agency. We only get the money from those in Wales who take a licence here. We used to have a kind of Barnett formula for it, but that went in 2010, when the political boundary was drawn for fisheries.

[311] **Jeff Cuthbert:** Whose decision was that?

[312] **Dr Marsh-Smith:** As far as we know, the powers that be, because—

[313] **Jeff Cuthbert:** Which ones? [*Laughter.*]

[314] **Alun Ffred Jones:** It might've been you, Jeff. [*Laughter.*]

[315] **Dr Marsh-Smith:** I think it was a trick we missed in Wales, and the English were not going to point it out to us.

[316] **Jeff Cuthbert:** Right, interesting.

[317] **Dr Marsh-Smith:** My theory.

[318] **Jeff Cuthbert:** Okay.

[319] **Mr Knight:** I would support what Stephen says and just reiterate that we feel there is a real dearth, and getting 'dearther', of real fisheries expertise. I'm sure we'll talk about the economics a bit later, but the economics of fisheries are very important in Wales, we believe. The best way to get that up, to increase it, is to have more fish. Don't teach more people to fish and don't sell more licences until you get more fish in the river. So, I think, to have that expertise, and to have that focus is extremely important, and with the best will in the world, we don't see that fisheries focus within NRW at the moment.

[320] **Mr Garner-Williams:** Byddai'n dda gweld Cyfoeth Naturiol Cymru yn medru cael gafael well ar yr arian sy'n dod i mewn i'r coffrau. Yn amlwg, fel y mae Paul a Stephen wedi dweud, rydym ni'n teimlo ein bod ni ar ein colled erbyn hyn, ond mi fyddai hefyd yn dda petai yna, os nad trwydded hollol ar wahân, fersiwn Gymreig o drwydded yr Environment Agency sydd ar hyn o bryd yn cael ei chyflwyno. Mi fyddai fo o leiaf yn atgoffa pobl sy'n ei phrynu bod gyda ni gorff gwahanol yng Nghymru a bod hunaniaeth Cyfoeth Naturiol Cymru yn cael ei sefydlu yn gryfach nag y mae, efallai, ar hyn o bryd.

Mr Garner-Williams: It would be good to see Natural Resources Wales having a better handle on the funding that comes into its coffers. Clearly, as Paul and Stephen have said, we feel that we are now losing out, but it would also be good if there were, if not an entirely separate licence, a Welsh version of the licence provided currently by the Environment Agency. It would at least remind people who buy that licence that we have a different organisation in Wales and that the identity of Natural Resources Wales would be more firmly established than it is perhaps at present.

[321] **Alun Ffred Jones:** Diolch yn fawr iawn. Jeff?

Alun Ffred Jones: Thank you very much. Jeff?

[322] **Jeff Cuthbert:** Unlike others, we don't appear to be talking here about a practical problem; this seems to be a fundamental issue in terms of a lack of expertise on the fisheries side. Is that a fair thing to say?

[323] **Dr Marsh-Smith:** Well, I'd make the point that we employ full-time fisheries officers. We've taken on people from the Environment Agency. They need not necessarily be in NRW, and the point I'll come on to make is that fisheries is governed by a whole raft of legislation. We've got eight special areas of conservation rivers in Wales, the habitats directive there, and they're all governed by the water framework directive, quite strictly so as well, with targets and points to achieve. We feel that that is quite enough to occupy a national body like NRW. They have just about enough people to deliver the monitoring of that, but they don't have anything to deliver the improvements necessary, and we feel that's where the rivers trusts of Wales could make a difference.

[324] **Jeff Cuthbert:** So, it's more of a partnership.

[325] **Dr Marsh-Smith:** It's very much a partnership. My organisation has been in partnership with a whole raft of pre-decedents of NRW, right back to NRA and even the

water companies before that. So, we're quite experienced in the frequent changes that environmental bodies go through, and, as each one has happened, we've developed more and more skills of our own.

[326] **Alun Ffred Jones:** We've had some guests in this morning who said that NRW aren't very good at working with voluntary bodies. Is that your experience? Or third sector bodies.

[327] **Dr Marsh-Smith:** What we find is the local officers are very good, and you form a very good relationship with them. For example, there is a very good fisheries officer on the Tywi, and there's a trust there that he works with. We have some excellent people in the south-east. The trouble is, they get shifted, and someone comes along who may not have—. You see, you've not got to just have the scientific information; you have to have the local experience of your river as well, and it takes a while to build that up.

[328] **Mr Knight:** Stephen's absolutely right. Can I be slightly controversial for a second?

[329] **Alun Ffred Jones:** You can be as controversial as you like. [*Laughter.*]

[330] **Mr Knight:** We really feel there is sort of a problem with priorities. Let's go to the three pillars of sustainability, for instance, where we talk about the environment, the economy and community. All too often, we feel that, you know, with fisheries—. We look at fisheries and the whole resource as the same thing. You cannot have rivers teeming with salmon if you don't have the environment right for them. All too often, we see that, even within NRW, there seems to be a dictum from on high: 'Don't get in the way of sustainable development', whatever that means. That comes down, again, to this lack of expertise. I'm also a council member of the Institute of Fisheries Management, and I know that they are really worried that the statutory bodies throughout the UK, not just NRW, are really beginning to lose that career path, and we're not having the professional fisheries people being trained—academically, yes we are, but not on the ground. As Stephen says, unless you have people who are really well versed in what's happening within their particular patch, you don't have that local knowledge. It's all right putting all the science together, but it's that local knowledge that is so important. So, we feel that the decision-making right from the top is a problem, and we feel that, on the ground, it's just not getting that focus that it needs.

[331] **Alun Ffred Jones:** Okay. Llyr?

[332] **Llyr Gruffydd:** I'm just wondering, generally, given your comments so far, do you believe that, in terms of fisheries, the provisions and set-ups through Natural Resources Wales are an improvement on what we had previously or not?

[333] **Dr Marsh-Smith:** Actually, the previous lot weren't that great, so—

[334] **Llyr Gruffydd:** So, these are even worse, you're saying. Is that what you're saying?

[335] **Dr Marsh-Smith:** No, I don't think they're appreciably worse. I mean, I'm going to come to a solution in a minute, but—

[336] **Alun Ffred Jones:** Come to it very quickly. [*Laughter.*]

[337] **Dr Marsh-Smith:** It strikes me that, what a national body like that should be doing is dealing with the regulations and dealing with the enforcement of particularly pollution problems. As agriculture and forestry intensify, it's impacting more and more, coupled with climate change, on our rivers themselves. We've got boats with nets out in the estuaries taking fish that shouldn't be taken, and it impacts then on the rod licence sales and the whole

economics. I mean, Wales was built for migratory fish. It's got beautiful rivers on three sides of its coast. We take about £75 million from this. We should do more than double that, if you compare it with the success of other parts, and, dare I say, even Scotland. We're not making the most of that. Clearly, we've got to have more fish, and that means biting the bullet with some of the regulatory functions. That's where they're lacking, I think, at the moment. It could all come right.

[338] **Mr Knight:** I would agree with that. There is a classic example on Stephen's river, or one of them, the Wye with the proliferation of chicken farms. They keep getting permission given, but it seems a blind eye is being turned to the fact that chicken farms are a huge source of phosphate, and if you want to get the kilter of a river out quickly, put more and more phosphate in. We're dealing with rivers throughout the UK, and this is just one very small example. If NRW in their, as we see it, role to protect the environment, if they protect that environment, they are also protecting the community and the economy because, as Stephen said, we feel that fisheries should be producing about £200 million for the Welsh economy, and they're producing £75 million at the moment. You won't get that £200 million from artificial fisheries. That's not what we're about. We're about the natural environment as a natural resource. You have an absolutely iconic species in sea trout, in sewin—salmon, yes, but sewin. People think about Wales for the sewin, but you won't get more people coming over, fishing here and increasing your economy unless you get the conditions right for those fish. Unless NRW have that absolute-type brief, it's not going to happen.

11:45

[339] **Llyr Gruffydd:** So, what is the prospect for improvement, then, because we have a diminishing headcount, we have tightening budgets?

[340] **Dr Marsh-Smith:** Well, we would say, naturally, that divesting some of the delivery aspect of it to the rivers trusts is a far cheaper way of doing things. We can access funds, landfill tax, European funds that Government can't actually get—you hand it out in part, I know. And it's so much cheaper for us; we don't have the burden of the salary costs and all that sort of stuff that institutions have. So, in that way, we can achieve some of the improvements that are necessary—the fish passes, the fencing off and all that stuff that delivers a much more healthy local river. But, at the same time, we need the governmental body to deal with illegal and legal fishing. It has to be such that enough fish are left to fill the rivers each year with the required spawning number, and they're good at assessing that; there's no problem about how. But it's unpopular, going in and saying, 'Right, we need you to catch less fish or stop fishing for a month' or whatever it is. That's a difficult thing for anyone to do. And we think that's where NRW could win.

[341] Now, they've done one thing and that is to ban hatcheries. That took extreme courage, and, as you'll see in the myriad of responses you've got, it was unpopular. But yet no-one has actually shown that a hatchery works. The National Rivers Authority spent 10 years micro-tagging these fish, and, just to give you an example, they let 0.25 million go with tags on the River Usk, and they tagged 8,000 wild fish on the Wye. Not a single one of those 250,000 came back, not one, and, of the wild fish they tagged, who were caught up half way down the river, something like 66 did, which is about the expected number, given the marine survival rate of the time. Yet, in the past, our previous agencies have extolled the virtues of hatcheries and said, 'You must have one or the rivers will die' and now we're paying the price. Our current body has been forced into this very, very poor PR situation.

[342] **Alun Ffred Jones:** You seem to be out of kilter with the rest of fishing fraternity on this one.

[343] **Dr Marsh-Smith:** Not the scientific side of it, though. I have run a hatchery, so I

know that they are not very good.

[344] **Alun Ffred Jones:** I'm sure you know more than me.

[345] **Dr Marsh-Smith:** And so has he.

[346] **Mr Knight:** There was a conference in Glasgow in November 2013. It was a three-day conference, based on hatcheries, on stocking, and whether to stock salmon and sea trout or not. The overwhelming scientific evidence is that hatcheries, not only do they not work, but they will damage your residual stock of wild fish. Without going too into it, if you take two fish from the river into a hatchery, and you strip them, those fish almost certainly would not have paired up in the wild. Where are the precocious parr? We know from other work that fish that have never gone to sea, male parr salmon, are responsible for up to 60 per cent of spawning. Where are they in a hatchery? They're not. So, in other words, the fish that the hatchery man produces, however good he or she is, they are not producing a fish for the wild, and evidence we had particularly from—

[347] **Alun Ffred Jones:** I'm going to stop you there. You're getting too technical for us, but I take the drift of your argument. Right, Jenny Rathbone and then Joyce Watson.

[348] **Jenny Rathbone:** It's very useful information you've been giving us. I just want to touch on the potential conflictive role of NRW in relation to its management of its forestries, and the potential of those forestries to pollute the rivers. I just wondered if you could talk a little bit more about that.

[349] **Mr Knight:** You start, by all means.

[350] **Dr Marsh-Smith:** Yes. We've done a project with NRW, where, with forests that have been felled on deep peat, we have persuaded them to re-block the drains and leave them in the wetlands, undrained, so that we have then a reserve of water and we don't get these terrific run-offs. Unfortunately, the controls that they have in place do not seem to apply to private forestry. We have an example of a forest with half NRW control and half a private organisation, and they've just replanted on deep peat, much to our horror. And that, of course, is something that will probably destroy that peat in another 40 years and it won't be there as our sort of reserve of carbon and what have you. So, yes, we have real concerns about that and I suspect, per acre, forestry contributes more to pollution than farming does, to give you some idea of how bad they are.

[351] **Jenny Rathbone:** Some of this is quite technical. Have you submitted this concern to NRW and what has their response been?

[352] **Dr Marsh-Smith:** Many, many times.

[353] **Jenny Rathbone:** And their response?

[354] **Dr Marsh-Smith:** Well, in this particular case, they said, 'We've already signed the piece of paper, and historically this is what was going to be done, and the grant's been given, so we can't go back on it.'

[355] **Mr Knight:** From our point of view, I'm afraid we've again been quite spiky on this as an organisation. In the last couple of years, there was a plantation planned for Bryn Brawd at the head of an SAC river. We had, actually, in the end, to put in a pre-action there to say, 'Look, under the habitats directive, you have responsibilities here'. We were concerned about acidification at that point. The Forestry Commission, just in the last year, went through a consultation on a derogation for using cypermethrin against the pine weevil in the first two

years of plantation. Cypermethrin, as you know, we got it banned from sheep dips because it is highly toxic to peat invertebrates, but also directly to fish. We got the derogation pulled back from five to three years, which was half a result. But we now hear that NRW are about to start spraying again. And it would just be—. Okay, it's legal, but it would just send a really great message if it said, 'Actually, we're going to use other methods to control pine weevil', which will not impact these hugely important head waters, particularly for the sewin, which we were talking about before. So, we do have deep concerns, yes.

[356] **Jenny Rathbone:** Okay.

[357] **Alun Ffred Jones:** Joyce Watson.

[358] **Joyce Watson:** Good morning, and thanks for your paper. And yes, I've seen some conflicting evidence on hatcheries in your paper and the one by Carmarthen Amateur Angling Association. So, if you can't agree on some evidence, you can imagine it's very difficult for us to get underneath what it is your organisations require. So, I suppose what I'm asking here is about your engagement with NRW, and probably with each other, on taking function and form forward. What is it, and how do you contact and integrate with those organisations who are overseeing it, and, if possible, try to meet each other on those things that you want taken forward?

[359] **Dr Marsh-Smith:** In our case, we have a steering group comprising wildlife trusts, NRW staff—several of them—and various fisheries interests and we meet to discuss what we're going to do. We do raise quite a lot of money. We have quite a big budget, probably bigger than the local NRW budget for the area. So, it's quite a successful way of doing things, because we have time to do that rather tedious work of bidding and getting the money, NRW chip in their bit, and we've done, I don't know, 40 or 50 projects with them over the years, and their predecessors of course. So, I do see that as a way forward.

[360] **Mr Knight:** We made the point in our paper that the one thing that hatcheries do that I agree that they do—. And, as charities, we have to follow the science, and, as I said, going back to before, it's unequivocal. What hatcheries did do was really focus anglers' attention on the river, because they perceived that something was being done. Logic tells you, if you pour in 0.25 million fish, you've got to get them coming back. The science will tell you differently. So, what we said in the paper is, if we can get NRW really on board with spending the money they spent on hatcheries—closing that down and spending that on the environment and more preferably, particularly with partners like Wye and Usk, but getting local angling clubs involved. We've tried to take some leadership on this, following the science. The angling clubs are saying—. You know, we're the pariahs now, because we're the national body and we're saying the wrong things. But if NRW can embrace the enthusiasm that was out there for hatcheries, and turn that into environmental—you know, getting out there, volunteers getting in the river actually doing the stuff that these guys do so well, then I think you've got a pathway to real success. Let's get away from the negatives; let's try and show—. If they don't want to understand the science, that's great, that's fine, but let's turn it around to the positives, get them on the river, and use that enthusiasm they had for hatcheries in other environmental issues.

[361] **Joyce Watson:** And are you happy that communications that you have with—and maybe Richard might want a chance to answer—NRW are effective, or do you see any room for improvement?

[362] **Mr Garner-Williams:** Yn sicr, mae gennym ni gyfathrach efo NRW ar hyn o bryd. Rwyf yn bersonol yn mynychu rhan fwyaf o gyfarfodydd agored y bwrdd. Mae'n **Mr Garner-Williams:** Certainly, we do have a relationship with NRW at present. I personally attend most of the public board meetings. I have to say that we do praise the

rhaid imi ddweud ein bod yn canmol y bwrdd am wneud hynny, ac mae'n rhoi cyfle inni siarad â'r aelodau wyneb yn wyneb.

[363] Efallai, islaw'r gadwyn, fel petai, er stalwm mi oedd yna grwpiau a oedd yn cynrychioli rhanddeiliaid o bob ochr i'r ddadl neu o bob ochr i'r achos. Yn anffodus, rydym yn tueddu i golli'r ffocws fu er stalwm mewn cnewyllyn ac er ein bod dal efo'r unigolion yn eu llefydd, nid ydym yn gweld eu bod fel buon nhw gynt yn medru cydweithio cymaint ag oedden nhw, nac ychwaith yn medru cydweithredu cymaint efo'r ochr wirfoddol ag y buon nhw. Y gobaith mwyaf sydd gennym ni ydy y byddwn ni'n medru ffurfio rhyw fath o—fel sydd efo pysgodfeydd y glannau—*inland fisheries group* i gynrychioli, eto, diddordebau'r ddwy ochr. Ond, ar hyn o bryd, nid oes y fath gorff ar gael ac, yn anffodus, beth sy'n digwydd ydy bod ninnau ar y tu allan, fel petai, yn cydweithio, ond yn ffeindio ein bod yn tueddu cydweithio ag unigolion neu un neu ddau o unigolion mewn llefydd gwahanol yn NRW, yn hytrach na bod ganddyn nhw grŵp eu hunain hefyd.

[364] **Alun Ffred Jones:** Felly, tra bod Stephen Marsh-Smith yn canmol y cydweithio sydd rhyngddyn nhw â Chyfoeth Naturiol Cymru, nid dyna brofiad cymdeithasau pysgota ledled Cymru. Ai dyna'r hyn rydych chi'n ei awgrymu?

[365] **Mr Garner-Williams:** Nid wyf yn anghytuno â Stephen. Beth rwyf yn ei ddweud yw nad oes, o'r hyn yr ŷm ni ei weld, gymaint o ganolbwyntio o allu NRW ag a fu er stalwm efo'r cyrff blaenorol.

[366] **Alun Ffred Jones:** Iawn. Diolch yn fawr iawn.

[367] Does anybody else want to respond on this issue? Sorry, is that—? Okay. Right. Mohammad Asghar.

[368] **Mohammad Asghar:** It's only a very quick question—

[369] **Alun Ffred Jones:** Sorry, Mohammad. I'll come back to you, Oscar. Joyce.

[370] **Joyce Watson:** Thank you for your answers. I really wanted also to look at how satisfied you are with conflict resolution. We've talked about conflicts this morning and how NRW resolved them. We're not talking about within your different views; I'm talking about within their remit letter. How satisfied are you that, if you raise issues according to their remit

board for doing that, and it gives us an opportunity to engage with members on a face-to-face level.

Perhaps, lower down the chain, as it were, in the past there were groups representing stakeholders from all sides of the debate. Unfortunately, we're tending to lose that focus that previously existed and although we still have those individuals in place, we don't see that they are able to collaborate as much as they used to, or work as much with the voluntary sector either. The hope that we have is that we will be able to form some kind of—as exists with the coastal fisheries—inland fisheries group to represent, again, the interests of both sides. But, at the moment, no such body exists, and what happens is that we are on the outside, as it were, collaborating, but we find that we tend to be working with individuals or one or two individuals in different parts of NRW, rather than them having their own group as well.

Alun Ffred Jones: So, while Stephen Marsh-Smith applauds the collaboration between them and NRW, that's not the experience of fishing associations across Wales. Is that what you're suggesting?

Mr Garner-Williams: I don't disagree with Stephen. What I'm saying is that, as far as we can see, there isn't as much focusing of the capabilities of NRW as was the case with the predecessor organisations.

Alun Ffred Jones: Okay. Thank you very much.

letter and their function accordingly, those conflicts are at least discussed, if not resolved, shall I say?

[371] **Mr Knight:** Well, we've had a couple of issues recently and whether it's because we're a national body, I don't know, but we do tend to get the pat answer back, to be honest with you, and you don't feel, at that sort of national level, that you're getting the real, you know, somebody with a bit of passion saying, 'Actually, we got this wrong' or 'No, actually, we didn't get it wrong, and these are the reasons why we didn't.' You just get the pat answer, which, really, doesn't do us any good at all. But, to be honest with you, that's always been the case. You would have had that from the Environment Agency as well.

[372] **Joyce Watson:** What about Richard?

[373] **Mr Garner-Williams:** Rydym wedi, fel mae Paul wedi ei ddweud, rhoi sialens i'r corff newydd ar gwpwl o achosion. Ar yr un mwyaf diweddar, mae'n rhaid imi gyfaddef, i ddechrau i ffwrdd, do, mi gawsom yr ateb roeddem yn ei ddisgwyl. Ond, yn bellach i lawr y gadwyn, ar ôl i'r broses o ddadansoddi a gwerthuso'r hyn a oedd wedi digwydd, fe fu inni wedyn ffeindio eu bod, efallai achos ein bod ni ein hunain wedi mynd allan i'r grwpiau lleol a chael eu cefnogaeth nhw, wedi dod nôl a dweud, 'Wel, rydym am wneud yn siŵr na ddigwyddith hyn eto.' Yr wyf i, yn bersonol, yn cymryd bod yna gyfaddefiad cudd yn hwnnw, ond byddai'n well petai'r cyfaddefiad wedi bod reit ar y cychwyn cyntaf.

[374] **Mr Garner-Williams:** As Paul has said, we have challenged the new body on a couple of occasions. On the most recent, I must admit, initially, yes, we got the response that we had expected. But, further down the chain, after the analytical and evaluation process had taken place, we then found that, perhaps because we ourselves had gone out to speak to local groups and garnered their support, they came back to say, 'Well, we are going to ensure that this doesn't happen again.' I personally assume that there was a hidden admission in that response, but it would have been better if that admission had taken place at the very outset.

12:00

[375] **Joyce Watson:** Okay. Thank you.

[376] **Alun Ffred Jones:** Stephen, do you have any response to the question?

[377] **Dr Marsh-Smith:** I think that one of the things missing from NRW and previous things is some kind of engagement on an educational basis with their fisheries stakeholders. I think that what you're describing is that the very dire sort of responses that you've had to read is because, 20 years ago, we told them that hatcheries worked and now, science has shown that they don't. Somehow, that change hasn't really been explained in any significant way at all.

[378] **Alun Ffred Jones:** Lastly, Oscar.

[379] **Mohammad Asghar:** Thank you very much, Chair. I'll be very quick. I think that what you mentioned, Stephen, is that there is only £75 million for fisheries, and the music to the ears of every politician is that there is a potential for £200 million. So, what exactly are the hurdles or the hindrance that are there to overcome and get that full potential in Wales?

[380] **Dr Marsh-Smith:** Well, firstly, we need to get more fish in the rivers—that is an obvious one. But we also need to promote Wales as a fishery. It's partly been done by Visit Wales in the past. I'm going to leave you all with our brochure on that subject, which is an all-Wales passport scheme, as we've called it. This enables people to get fishing very rapidly

across—. We started with the Wye and the Usk, and are now going across the whole of Wales and all the rivers there. We are encouraging the Rivers Trust to bring in more and more fisheries, and manage them as well. That's the other thing. People like to come and not trip over a piece of barbed wire, see litter strewn all over the place. They like some kind of order, signposting, information and all that sort of stuff. All of that we can do. That's quite a big job for NRW to do. We think that it's very much a job for NGOs. It is delivering for us. We get more and more people each year.

[381] **Alun Ffred Jones:** Well, time has beaten us. Thank you very much for your evidence this morning and for being so positive. It's been an eye-opener for me, anyway.

[382] Felly, diolch yn fawr iawn i chi. Therefore, thank you very much.

[383] You'll be sent a copy of the transcript to check for accuracy, and we'll no doubt meet up again at some future date. Diolch yn fawr iawn. Thank you very much.

[384] **Dr Marsh-Smith:** Thank you.

12:02

Papurau i'w Nodi Papers to Note

[385] **Alun Ffred Jones:** Lastly, there are papers to note. Noted. Any issues with the suggested timetable?

[386] Pawb yn hapus? Everybody happy?

[387] Yes. Okay, it's accepted. Diolch yn fawr iawn.

[388] Dyna ddiwedd y cyfarfod. Cynhelir y That brings this morning's meeting to a close.
cyfarfod nesaf ddydd Iau, 30 Ebrill. Dyna The next meeting will be held on Thursday,
ddiwedd y pwyllgor. 30 April. That concludes the committee.

*Daeth y cyfarfod i ben am 12:02.
The meeting ended at 12:02.*