

Carl Sargeant AM
Minister for Natural Resources
Welsh Government

6 October 2015

Dear Carl

We held a follow-up session on 26 February 2015 to consider progress made by the Welsh Government to implement its marine commitments. You will be aware that this is the second such session we have held since we first published our report into marine policy in Wales in January 2013. We welcome your recent Update on the Marine and Fisheries Strategic Action Plan and note that it addresses some of the concerns raised by stakeholders in their evidence to the Committee.

Further to this evidence, we set out below our assessment of progress. We also seek further information from you in a number of areas.

1. Prioritisation of marine policy

We were pleased to note that stakeholders feel that progress has been made by the Welsh Government over the last two years to deliver its marine commitments. Given the scale of challenge ahead and the importance of the marine environment to Wales we particularly welcome the establishment of the Welsh Government's Marine Transition Programme. We note the large volume of work this Programme has to complete over the coming 12 months and are concerned to hear reports from stakeholders that funding for this programme may be cut. We would therefore welcome clarification on the budget for the Marine Transition Programme for 2015-16 and confirmation as to whether funding for the programme is likely to be reduced.

As noted in our first follow-up letter, we are pleased that the Welsh Government has taken our recommendations on better coordination of marine and fisheries policy on board through the publication of the Marine and Fisheries Strategic



Action Plan. Given the plethora of targets, plans and commitments in place for the marine environment this Action Plan is an essential communication tool for anyone interested in the delivery of the marine programme. We were concerned therefore to hear from stakeholders that the expected update to this plan had been delayed. As fishing organisations highlighted to us, transparent work programmes with clear delivery timelines are important not only to gain the trust of stakeholders but also to enable external organisations to organise their own work programmes.

We therefore welcome the update you provided on 1 April and the information it provides on your strategic priorities for the remainder of this Assembly. Now that you have identified the most important strategic priorities for delivery we recommend that the Welsh Government works with its key partners to identify the ways in which they can help to support the delivery of these important objectives. This should include a clear statement of the timelines for delivery as this will enable those outside government to maximise their contribution.

We look forward to hearing how this work has progressed in future scrutiny sessions.

We note that since we last considered marine policy a Marine Strategic Governance Board has been established within Welsh Government to assist with the mainstreaming of marine policy across departments. We strongly welcome this development and were pleased to hear that stakeholders felt that progress had been made in this area. However, we also note that stakeholders remain unclear as to how marine spatial planning will align with the proposals for natural resources areas and policies contained in the Environment Bill. We agree with NRW that the proper integration of the marine environment into the Environment Bill is a 'key challenge' for the Welsh Government and look forward to considering this issue as part of our scrutiny of the Environment Bill. We were disappointed to hear from fishing organisations that they did not feel that the Biodiversity Strategy Board has taken sufficient account of the marine environment and hope this is addressed in the development of the Nature Recovery Plan. We would welcome further information on how the marine environment and marine biodiversity will be incorporated into the Nature Recovery Plan.



2. Marine Spatial Planning

After many delays to the development of the marine spatial plan we had welcomed the renewed commitment by the Welsh Government to adopt an initial iteration of the Marine Plan by the end of 2015. The importance of this Plan was once again emphasised in our follow-up session. In their evidence, stakeholders cited the adoption of the Marine Plan as perhaps the single most important priority for marine policy in Wales. Whilst stakeholders told us the December 2015 deadline would be ambitious given the volume of work required they emphasised the importance of ensuring this deadline was not missed. Proper resourcing of the Marine Plan and the process for its adoption was universally seen as being vitally important.

We are therefore concerned that there now appears to be a lack of clarity from the Welsh Government as to when the first iteration of the plan will be adopted. We note that in your update you state that 'you will be in a position to publish the first Welsh National Marine plan by the end of this year'. We ask you to urgently clarify if the first iteration of the plan will be formally adopted before the end of this Assembly.

We note that the Statement of Public Participation which contains a timeline for the adoption of the Marine Plan which states the Plan will be adopted by 2015. Given the importance of this document for those wishing to engage in the planning process we ask for clarification as to whether the Welsh Government intends to amend the Statement if timelines for adoption of the Plan have changed.

3. Evidence Base

The continued importance of developing an effective evidence base to underpin the development of the Marine Plan and management of Marine Protected Areas (MPAs) was emphasised in the evidence we received. We are pleased that the Welsh Government has carried out a Strategic Scoping Exercise on data as part of the marine planning process and has begun work on its marine portal.

We believe that work is still needed to ensure that we have an effective evidence base to underpin marine policy in Wales. We note stakeholders' concerns that the Welsh Government has yet to publish a Marine Evidence Strategy for Wales or establish a Marine Evidence Strategy Group as promised in the Marine and



Fisheries Strategic Action Plan. We note concerns that any reduction to marine budgets could lead to reductions in the money available for the Effective Evidence Base element of the Marine Transitions Programme. Given the importance of an effective evidence base for the delivery of the Welsh Government's marine work we ask for clarification on whether you intend to reduce funding for this element of the Marine Transitions Programme and details of any reduction and its implications. We would also welcome an update on when the Welsh Government intends to publish a Marine Evidence Strategy and when it intends to establish a Marine Evidence Strategy Group.

Whilst we welcome the initial launch of the marine data portal by Welsh Government we agree with stakeholders that much work will be needed to it if it is to become a useful tool to aid decision-makers. We note the view of some stakeholders that the publication of a Forward Work Programme for the portal would provide reassurance to users about future development and also allow external organisations to consider how their own data sets might contribute to the portal's contents in future. We recommend that the Welsh Government develops a forward work programme for the portal and, in the interim, we would welcome an update on the timeline for its future development.

We note, as we have done in previous reports, fishing organisations' enthusiasm and support for the inclusion of their members within data gathering projects. We recognise that any such projects will need to ensure that data is gathered in a consistent and suitable format but support the view that it could make a useful contribution. We welcome the recognition that your update makes of the important role that fishermen should play in evidence gathering. We hope to see the development of some of this work supported by the European Maritime and Fisheries Fund once the UK Operational Programme has been approved by the European Commission.

4. Marine Protected Areas

We welcome your recent announcement that Part 5 of the Marine and Coastal Access Act 2009 has now been enacted in Wales and that Skomer has officially become Wales' first Marine Conservation Zone. We look forward to seeing the development of new management measures for this important site. We also welcome the extensions to existing Special Protection Areas that have taken place since we last considered this issue and the early engagement work NRW has



begun to undertake on the designation of further sites for seabirds and harbour porpoise.

We remain concerned about the progress made on the review of the existing network of MPAs. This was an issue we raised with your predecessor in our first follow-up letter in May 2014. Responding to our concerns about the lack of clarity on the timetable for the review the then Minister for Natural Resources told us in May 2014 that the work was due to be completed in late summer 2015 and that a timetable for the work would be published in autumn 2014.

We note from NRW's evidence that whilst some findings from the review will be available from summer 2015 the work is not expected to be completed until 2016. This will mean that the conclusion of the review will take place in the same year that Wales will be expected to have met its contribution to the 2016 target of having a representative and coherent UK network of MPAs.

Environment stakeholders told us that whilst they accept that the review work was to be completed in tranches they have yet to see any results from the work. They expressed concern about the lack of clarity as to who has lead responsibility for this work in relation to Wales and called for a clear timeline for the completion of the work to be published.

We note NRW's reasons for these delays as being due to the work being more complex than originally anticipated and that they had faced resource and work pressures. Further slippage should be avoided as it will be important to ensure that the work is completed in time to enable proper consideration ahead of the 2016 deadline of any further sites needed to fill the gap in the MPA network.

We recognise that your update states that this work has been re-scoped to take account of additional tasks but that you intend to use the MPA network stocktake and gap analysis to identify if anything further needs to be done to complete the MPA network.

Therefore, we recommend that the Welsh Government publishes a timetable for the completion of the review of the MPA network and actions thereafter to designate any additional sites. This timetable should be published by the end of July 2015.

We note that as you described, in your general scrutiny evidence, the work on offshore Marine Conservation Zones (MCZs) has been 'paused' due to proposals



within the St David's Day Agreement to devolve these powers to Wales. Stakeholders have expressed some concern that this pause in Wales whilst other parts of the UK move forward with designations could lead to displacement of fishing activities into Welsh waters. We also note the comments made by NRW that any devolution of responsibilities for designating offshore Marine Conservation Zones will require further resources. Whilst fully accepting that the timeline for the devolution of these powers does not reside with you we ask that you keep this issue of displacement under review to prevent any unnecessary pressures on fisheries within the Welsh zone. Once powers are devolved we would expect any Welsh Government to act quickly to make decisions on future designations for the offshore zone.

5. Fisheries

We know that the Welsh Government is still in the process of completing its review and proposed changes to inshore fisheries legislation in Wales. Stakeholders in their evidence have expressed some concern at the pace at which this work has progressed and frustration over the lack of clarity as to when the work is likely to be completed. Simplification of the legislation, we were told, would also help to contribute towards better fisheries enforcement. We welcome the information provided in the Update on your priorities for the simplification of fisheries legislation for the rest of this Assembly term. We look forward to scrutinising this work further as it progresses.

Environment stakeholders expressed continued concern about fisheries enforcement in Welsh waters. They stated that the continuing problems of illegal landings are undermining efforts made by others to sustainably manage fish stocks. They accepted that a lack of resources will mean that a risk-based approach to compliance is needed but also called for greater coordination between fisheries enforcement officers and trading standards officers to tackle problems of illegal catches being sold and used in restaurants.

The limited resources available for fisheries enforcement in Wales makes it even more important that progress on simplifying fisheries legislation is made. Partnership working between enforcement agencies is also important in ensuring that effective action is taken to address illegal fishing. We therefore welcome the commitment in your Update to provide clearer information to restaurants and pubs about their responsibilities to buy legally caught fish. In addition, we recommend that the Welsh Government explore the opportunities for more



coordinated action between enforcement agencies in Wales to tackle the problems caused by illegal fishing.

We note that you have stated that the UK expects to receive approval for its proposals for the European Maritime and Fisheries Fund by the end of this year and that you believe that an 8.5 per cent share of this Fund for Wales represents a fair outcome. We would welcome further information on how the Welsh Government intends to work with Welsh stakeholders between now and December to develop more detailed plans and programmes for the Fund.

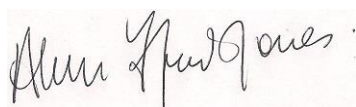
6. The Marine Strategy Framework Directive

We note that 2015 marks five years to go until the UK and Wales are required to ensure that our seas achieve Good Ecological Status by 2020 under the Marine Strategy Framework Directive. We are pleased that the Welsh Government has worked with governments across the UK to develop its proposals for monitoring progress and is in the process of consulting on a joint Programme of Measures outlining the actions that will be taken to achieve the target.

Some stakeholders noted a lack of ambition in the measures put forward in the consultation and outlined their view that additional measures may be needed if the UK is to meet the 2020 target. Particular concern was expressed about the lack of additional measures proposed to address the issue of marine litter which is a key descriptive of the Directive. We would not wish to pre-empt the outcomes of any consultation and expect that the Welsh Government along with its counterpart's take seriously any issues raised during that consultation process. Given the increasing concerns about the impacts of marine litter we would welcome an update on Welsh Government action to address this problem.

Ensuring that sufficient measures are put in place now to deliver the targets of the Marine Strategy Framework Directive is important and we intend to keep Welsh Government progress in this area under review.

Yours sincerely



Alun Ffred Jones AM

Chair of the Environment and Sustainability Committee

