



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

Cofnod y Trafodion The Record of Proceedings

[Y Pwyllgor Newid Hinsawdd, Amgylchedd a
Materion Gwledig](#)

[The Climate Change, Environment and Rural
Affairs Committee](#)

05/04/2017

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Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Remainder of the Meeting

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd. Lle y mae cyfranwyr wedi darparu cywiriadau i'w tystiolaeth, nodir y rheini yn y trawsgrifiad.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included. Where contributors have supplied corrections to their evidence, these are noted in the transcript.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Jayne Bryant	Llafur
Bywgraffiad Biography	Labour
Sian Gwenllian	Plaid Cymru
Bywgraffiad Biography	The Party of Wales
Vikki Howells	Llafur
Bywgraffiad Biography	Labour
Huw Irranca-Davies	Llafur
Bywgraffiad Biography	Labour
David Melding	Ceidwadwyr Cymreig
Bywgraffiad Biography	Welsh Conservatives
Jenny Rathbone	Llafur
Bywgraffiad Biography	Labour
Mark Reckless	UKIP Cymru (Cadeirydd y Pwyllgor)
Bywgraffiad Biography	UKIP Wales (Committee Chair)
Simon Thomas	Plaid Cymru
Bywgraffiad Biography	The Party of Wales

Eraill yn bresennol
Others in attendance

Blaise Bullimore	Gwyddonydd Morol Marine Scientist
Mike Evans	Arweinydd y Tîm Cynghori ar Gynllunio Strategol Morol, Cyfoeth Naturiol Cymru Head of Evidence, Knowledge and Advice, Natural Resources Wales
Dr Mary Lewis	Pennaeth Tystiolaeth, Gwybodaeth a Chyngor, Cyfoeth Naturiol Cymru Marine Advice Team Leader, Natural Resources Wales

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

Louise Andrewartha	Dirprwy Clerc Deputy Clerk
Wendy Dodds	Y Gwasanaeth Ymchwil Research Service

Marc Wyn Jones

Clerc
Clerc

Dechreuodd y cyfarfod am 09:32.

The meeting began at 09:32.

**Ymchwiliad i Ardaloedd Morol Gwarchoddedig yng Nghymru—
Tystiolaeth Lafar
Inquiry into Marine Protected Areas in Wales—Oral Evidence**

[1] **Mark Reckless:** Thank you very, very much for joining us, Mr Bullimore. We have in our pack about five or six lines about some of what you've done over the years, but I've been told repeatedly that doesn't do full justice to your contribution in the area. I wonder, perhaps, could I just ask you just to state your name for the record and perhaps explain to us a little about your background in the area? And then we very much look forward to asking you questions.

[2] **Mr Bullimore:** Certainly, thank you very much. Yes, good morning, everybody. My name's Blaise Bullimore. I've been working in marine protected areas in Wales my entire career, over 35 years, and specifically in management of MPAs in one way or another for over 30. I started off in 1982, kicking off the sub-tidal monitoring around the Skomer—then voluntary—marine reserve, and that's mutated into being the longest continuous monitoring programme underwater in the UK, not just Wales. In 1984, I carried out scallop surveys around Skomer and the rest of Pembrokeshire, partly as a result of which I ended up in 1995 being invited to, and leading on, an impact assessment of scallop dredging in the reserve which led then, eventually, to a bylaw that's still in place today that prohibits scallop dredging and collection of scallops by any means in the marine reserve.

[3] Following on from that, I wrote the consultation document for the Skomer statutory marine nature reserve and was liaison officer during the consultation and liaison period for the next four years, up until designation of the MNR in 1990, when I was appointed as its first manager, and I remained in that role until 1998, drifting gradually into special areas of conservation work as the European habitats directive was bedding in. Then I stayed in that role until 2006, primarily working on the development of conservation objectives and supporting relevant authority groups,

participating in relevant authority groups and developing management schemes. I took early retirement from the Countryside Council for Wales in 2006, and, through fortuitous timing, ended up then as European marine sites officer for Carmarthen bay and estuaries. So, I was a GEMS officer with Sue and Alison, who were here last week, for a decade, with a year part-time covering Sue in Pembrokeshire marine, which is moving back to where I'd done an awful lot of my work when I was in CCW. I retired from that role last year, almost to the day. Since that time, I have continued a part-time role that I also carried on since 2006, which is as project management officer for the Milford Haven waterway environmental surveillance group, which is a snappy little title, and I'm quite happy to expand on that, if you're interested, later. Now, I'm, apart from that, just an active, but now voluntary, diving marine scientist and obviously I continue a very deep and personal interest in the fortunes of the Skomer marine nature reserve, or marine conservation zone as it is now. I apologise for the length of that.

[4] **Mark Reckless:** Thank you for that summary of a long and distinguished career. The committee, I'm sure, is very grateful to have you here this morning. We've held a consultation and asked stakeholders and others for their views as to the current management of our marine science and one theme that we've perceived to have come through from that is a lack, perhaps, of strategic direction and leadership or joined-up thinking about what we're trying to achieve and knitting that together. Do you think that's a fair criticism of where we are?

[5] **Mr Bullimore:** Absolutely—sadly, but absolutely. The strategic direction has been—I think 'minimal' is the most generous word, particularly in terms of what the purposes of MPAs are. From the legislation, be it the Wildlife and Countryside Act way back when, the conservation regulations for habitats directives sites or the Marine and Coastal Access Act 2009, the purposes are clearly stated as being protection and enforcement of MPAs, albeit recognising the socioeconomic benefits down the line. But the MPA purposes don't seem to be paid much regard. Marine protected areas seem to be viewed very much as a socioeconomic cost and with no regard paid to their potential benefits. There's a crucial need, I think, for Welsh Government particularly to resolve that and to realise that MPAs have got a massive role to deliver across a very wide spectrum of benefits.

[6] We hear stock phrases all of the time about clean and healthy biodiverse seas and ecologically coherent networks of MPAs. They're fine words, but they don't actually deliver management—they don't do anything

by themselves. Sadly, I've sat in meetings on several occasions with Welsh Government officials and had them say, without any shame, possibly, that the main driver for them is to avoid infraction. That is not very proactive. It's not following the spirit of what we should be doing. Having been very negative, there is a glimmer of light, I think, with the MPA steering group, but the irony to that is that the good steerage is very much bottom-up—it's not actually coming from the members of Welsh Government and Natural Resources Wales; it's coming from the other members, who are all, with one exception—and I think that one exception hasn't actually made a meeting yet—members of relevant authority groups. So, they are coming to the party with the experience, in some cases, of a decade or more of working together, and they're bringing their experience and, hopefully, turning it around to feed back in. So, it is ironic, but that's the best glimmer of hope that I see at the moment.

[7] **Mark Reckless:** Thank you. Can I bring in Vikki Howells?

[8] **Vikki Howells:** Thank you, Chair. We're all keen to improve the management of MPAs, but just how big a task is it and how and where should resources be prioritised in your opinion?

[9] **Mr Bullimore:** It's a huge task and the first task is the mindset. Resources obviously are an issue. Nothing happens without resources. But I suspect they've become a bit of a distraction. In an ideal world, maybe, if the priorities are set right, if the mindsets are right, the resources will hopefully follow, maybe not perfectly, but they will follow. So, I think focusing on resources rather than what the job is is putting the cart before the horse, certainly.

[10] **Vikki Howells:** And what should those priorities be, in your opinion, then?

[11] **Mr Bullimore:** For what—management or resources?

[12] **Vikki Howells:** For management.

[13] **Mr Bullimore:** For management—bluntly, doing something. Designating sites, giving them a label, drawing lines on maps, is not protecting them. We refer to marine protected areas all the time, and we talk about, we describe—. Welsh Government particularly, NRW particularly, are very guilty of talking about the large areas of Welsh seas that are protected.

They are not. They are designated. And if we look at two things: one is the current condition, and I accept that we don't have enough information on that, but if we look at the current condition, and the 2014 report on the condition of marine SACs, all five of the major habitat-based features are unfavourable, and three of those are still declining, with the emphasis on 'still'. So, that's one thing.

[14] The other side of it is what management measures to actually address the pressures and threats are in place, and have been introduced since designation? And the answer is: vanishingly few. I was invited to write an article for this august journal in December, and I was determined to find some examples to put in here. I spoke to all my former colleagues, and I came up with less than that, less than five examples, most of which, I'm proud to say, were in the Pembrokeshire marine SAC. But there's vanishingly little new management come in since designation, and if there's no management, there can be no improvement, and there can be no benefit. So, you can't look for benefits if you're not actually doing anything to make some improvements.

[15] The 2012 Countryside Council for Wales review, which I'm sure you're all aware of, talked about the insufficiency and inadequacy of management. European marine site relevant authority groups have expended efforts for well over a decade, objectively and systematically assessing what the pressures and threats are, looking at the evidence, looking at those pressures and threats in an ecosystem focus, and developing broad management needs—not exact solutions, but this is the sort of thing that needs doing. Unfortunately, those management needs hit two barriers. One is inertia, lack of resources, often a lack of will within the management authorities that comprise the relevant authority groups, but more importantly, there is a refusal to engage with that process by Welsh Government, marine and fisheries particularly. Twice—once with the Carmarthen bay site, once with the Pembrokeshire marine site—I've sat in meetings with Welsh Government marine and fisheries officials, and essentially they are saying, 'We refuse to engage in this process. We don't accept the working of the outputs and the management schemes of the relevant authority groups.'

[16] As time has gone by, as legislation's come and gone—the Marine and Coastal Access Act, and the taking of fisheries management in-house by Welsh Government—more and more responsibility ends up on the shoulders of Welsh Ministers. And particularly with NRW—and CCW before it—less and

less with NRW. So, the idea of giving the responsibility, or delegating the responsibility for management planning, and trying to secure management to relevant authority groups—. Relevant authority groups have, of course, no statutory jurisdiction whatsoever—they cannot manage, they can enable. But one of the key players in the exercise is Welsh Government, particularly for management of fisheries. They are the employers of marine enforcement officers, across the piece. Welsh Government on the one hand is delegating and saying, ‘Relevant authorities, get on with it’, but on the other hand they’re saying, ‘Even though we are responsible for a very large proportion of management jurisdiction, we’re not going to play’. So, that is a huge encumbrance and hurdle for the relevant authority groups.

09:45

[17] On the other hand, you have got examples where there are good lessons to learn, and I’ll unashamedly plug the Skomer marine nature reserve or MCZ, and the lesson that comes from that is: if you put management in place, things will change, but they will not change instantly—it will take time. I saw Simon on Saturday, when he came down to a small marine symposium at Dale fort, and I showed him a picture from a presentation that I was going to give, that he had to run away and not be there for, which is this one—and I’ve brought enough to go around—which is the recovery of the scallop population in the Skomer MCZ. The bye-law’s there, there’s a 10-year lag, and I know it looks like you couldn’t come up with a graph like that. It looks fixed. I know it looks fixed. It’s not. It’s legitimate. But the lesson is: it takes time. There is inertia in the system.

[18] **Vikki Howells:** Thank you.

[19] **Mark Reckless:** Thank you. So, Jenny, did you have a quick point on that?

[20] **Jenny Rathbone:** What do you think about the proposal to allow scallop dredging again? Do you think that’s in line with the precautionary principle?

[21] **Mr Bullimore:** No. No, not at all. I’m not going to challenge the science—the before–after control–impact design. We used exactly—well, we tried to use the same BACI design in the exercise we did off Skomer. The issue I have with the Bangor work—and I think David Melding, particularly, picked up on it—is that the control site isn’t a control site; it simply is not. The history of dredging and fishing in that area is such that the area that was

used as a control site is thoroughly degraded. It has never had a chance to recover. It's like deciding to investigate the effects of ploughing, and doing your experiment on an area that's been ploughed for multiple decades up until a couple of years ago. It's that critical.

[22] What I find very distressing is, even though that that 'control' site that was used in that experimental work is flawed, it's not a genuine control, there is still nowhere in Wales—we still do not have anywhere in Wales that is closed to all activities, that can be used as a scientific control, and this is a problem that the MCZ was talking about just yesterday in its advisory committee meeting. But the proposal for opening further areas in Cardigan bay—the first area on the list for opening is the area that was used as the scientific control in that experiment, which means, flawed as it was, it's the best we've got. But if it's opened up to dredging, any value, any scientific value, of that area is instantly out of the window.

[23] **Jenny Rathbone:** Thank you.

[24] **Mark Reckless:** Jayne.

[25] **Jayne Bryant:** Thank you, Chair. You mentioned management groups being enablers. With the establishment of the Welsh MPA management steering group in 2014, how effective do you think that that group is, and do you think there has been enough progress, with tangible outcomes?

[26] **Mr Bullimore:** Potentially, yes. In practice, no. As I said earlier, it's been ironic in that the members of the relevant authority groups have brought their experience, and that has produced the most tangible output so far. Having said that, the group is, to all intents and purposes, invisible. Alison and Sue, who were here last week—Alison sits on the group, Sue has got three members of her relevant authorities group, I had three of mine when I was a European marine site officer, plus one further one, who briefs his senior officer, who is a member. So, we know about what's going on in there. Outside that very small circle, very few people actually know anything about what's going on within the group. I found it interesting, reading the Wales Environment Link submission to the committee, even though they are clued in and they've got a good network, they made several errors, because they simply did not know what was happening within that group.

[27] **Jayne Bryant:** Do you think it's communication, then, that's the—?

[28] **Mr Bullimore:** It's a total lack of transparency. The only thing that's on the Welsh Government website is the group's terms of reference. I mean, they've had, what, six or seven meetings now? There's not one agenda and not one set of minutes. I mean, that's common across the piece with the Wales marine strategy advisory group, the fisheries advisory group and all the rest of it. None of those minutes or agendas ever appear—or virtually none appear—on the website. So, there's a lack of transparency.

[29] But one of the other big problems—because it's picking on something that's not there, it's nebulous, it's hard to nail down—is the records of these meetings. Again, it's not just limited to that group, it's common to other groups as well. Regularly, while speaking to members—and I was speaking to one yesterday, and a previous one on Friday afternoon, at meetings—they say that the record of the meeting bears no resemblance to the meeting itself. So, the advice that is provided by these experienced relevant authority group members just does not get well recorded. When proposals are brought forward by NRW or by Welsh Government and are talked out—not agreed by the experienced members—somehow, those don't get recorded either. So, it's not just lack of transparency, but it's very poor recording of decisions that go the wrong way, that don't stick to the agenda.

[30] **Jayne Bryant:** Well, they're quite significant problems then, aren't they?

[31] **Mr Bullimore:** Ish, yes.

[32] **Mark Reckless:** We had one suggestion that, at least in some cases, with the non-availability of the minutes—it was suggested that a lack of capacity to ensure translation so it was available in Welsh as well as English was the reason. Does that ring a bell with you?

[33] **Mr Bullimore:** I've not heard that myself, no. Generally, the excuse I've heard is, 'But, you have your networks, you're supposed to disseminate it'. Now, that's fine up to a point. So, the relevant authority group members that are sitting in the room disseminate it to the rest of their relevant authority groups and to their EMS officer, but that's where that particular network stops.

[34] **Mark Reckless:** Well, I'm glad to hear that you haven't had experience of that particular suggestion. Could I just say at this point that translation from Welsh, if you need it, is on channel 1 of your headset? Can I at this point bring in Sian Gwenllian?

[35] **Sian Gwenllian:** Diolch. Rwy'n troi, rŵan, at y mater o ddynodi ardaloedd newydd—ardaloedd morol gwarchoddedig yng Nghymru. Beth ydy eich barn chi am hynny? A ydym ni angen rhai newydd?

Sian Gwenllian: Thank you. We're turning, now, to the matter of the designation of new MPA sites in Wales. What's your opinion on that? Do we need new sites?

[36] **Mr Bullimore:** We need to complete the designation set to meet various objectives and obligations. How much we actually need to designate those sites for environmental gain is, in my view, debatable. I'd rather see focus on managing what we've got, because—this is brutal—otherwise, it's stamp collecting. You know, we're just hanging labels on things and just adding to the ability to talk up what we've designated.

[37] One of the arguments that I had—I forget how many, I can't begin to calculate how many times I had them when I was still in the CCW and then as a European marine site officer—was the false view that just simply trotting out the number, 'We've got 128 MPAs'—it's meaningless. My sites, Carmarthen bay and estuaries, alone accounted for over 20 of those because they're nested one within the other. In the Burry inlet, it's got four designations stacked on top of each other. The Skomer MCZ has got four designations stacked on top of each other—all within a greater whole. So, it's part of the stamp collecting—it's meaningless without qualification and without management.

[38] And there's a sub-group of the Wales marine strategic advisory group, I think it is, looking at restoration projects at the moment. Now, if you're looking at restoration projects, that's a tacit acceptance that there's a problem that you need to address and you need to restore something. Fine—step one—but, arguably, what is the point of doing that if the pressures and threats that cause that degradation that you need to restore from are not managed? So, I'm not saying we shouldn't be putting the effort in, but I think we should be looking at the effort and the resources that are going into further designation more carefully and seeing: do we actually need to rebalance and should some of that resource and effort be going into management?

[39] **Sian Gwenllian:** Even in an ideal world, if there was full management and the resource was there, do you still think that it would just be sort of adding to the stamp collection, as you explained?

[40] **Mr Bullimore:** If you're addressing the management requirements, no. Absolutely not.

[41] **Sian Gwenllian:** Right. But what you're saying is, concentrate on what we've got now, really, and get that right.

[42] **Mr Bullimore:** Certainly refocus on it. As I say: no management, no improvement, no benefit. We need to be putting the resources into managing what we've got—and taking it on the chin. When there's an objective assessment of pressures and threats that comes up with the conclusion, 'Activity A is not good for the environment', rather than hands on ears, 'La, la, la', we need to take it on the chin and actually address it. It doesn't necessarily mean that there's going to be a massive economic disbenefit, it might be a massive economic benefit. It's hard to generalise. But we need to do the best we can to put that management into place to address the problems. At the moment, it's not just not doing it, a lot of the time it's active avoidance of doing so.

[43] **Sian Gwenllian:** Thank you.

[44] **Mark Reckless:** Jenny Rathbone has some questions to put around the transition from the EU regime.

[45] **Jenny Rathbone:** From your written evidence, you seem underwhelmed by the way in which both Wales and the UK have managed MPAs under the EU regime. What do you think are the opportunities and risks, now that we appear to be leaving the EU?

[46] **Mr Bullimore:** Well, it's very, very difficult to form a really informed judgement because the landscape is unknown. We have to assume, from the great repeal Bill, that there will be, more or less, a complete rollover—but I don't think we can take that as read. The whole issue of fisheries management is a massive unknown, I think. I'm afraid I don't subscribe to the idea that leaving the EU is some sort of massive opportunity that we've missed. The opportunities to have done more and better have always been there, we haven't been curtailed in any way. I very much share the concerns and worries that Lynda Warren and Sue Gubbay expressed, for several reasons. The accountability to the European court, I think, the ability to hold member states—the UK or whatever member state—accountable at that level is very important. It's without doubt that that threat and European Court case

law has very much driven how and what management measures have been put into place and the attitude. The standard of European marine site management has to be the minimum, rolling forward.

10:00

[47] There are big differences between MCZ and European marine site management legislation. There's one potential benefit of MCZ legislation over European marine site, in that MCZ legislation does not define a limited list of features. It very simply and very much reflects the old Wildlife and Countryside Act 1981, in that it talks about all marine flora and fauna. So, the opportunity is there for holistic ecosystem focus. Interestingly, Natural England—or DEFRA, should I say—is going in the opposite direction and it's very much cherry-picking individual features. I think that's a lesson to learn from—not to copy. We do, of course, have the safety nets of OSPAR and the convention on biological—

[48] **Jenny Rathbone:** OSPAR—I'm sorry, you'll have to explain that to me.

[49] **Mr Bullimore:** Sorry?

[50] **Jenny Rathbone:** OSPAR—I'm afraid you'll have to explain that.

[51] **Mr Bullimore:** OSPAR is a north Atlantic agreement between marine states. There's a whole suite of objectives for the marine environment being well managed, and that's where the 'ecologically coherent, well-managed network' target comes from. But also, the Convention on Biological Diversity, which again the UK is signed up to and Wales is signed up to—the targets there for marine conservation. Though they're not framed for delivering marine or any other nature conservation, the broad concepts, particularly of the Well-being of Future Generations (Wales) Act 2015, lend a reassuring backstop context, I think, to what we're doing. But, in a nutshell, I don't think there are great opportunities. We've got to minimise the losses and ensure that we don't step backwards—that we step forwards.

[52] **Jenny Rathbone:** Okay. So, obviously, the MCZs have a holistic approach to conservation.

[53] **Mr Bullimore:** Potentially.

[54] **Jenny Rathbone:** Potentially. Obviously, what it does in practice is

another discussion, but apart from the risk that we may no longer be able to refer infractions to the European Court, are there other aspects of the European marine sites that we might want to adopt?

[55] **Mr Bullimore:** Yes, the European context—the sea is fundamentally an interconnected environment and none of the political boundaries between ourselves and any other country have got any meaning whatsoever in the sea. There's a lot of agonising about drawing the lines—I'm sorry, but cod don't respect those lines. Larvae that are washing backwards and forwards do not respect those lines. 'Our' fish, 'our' marine invertebrates, are as likely to have been recruited from Scotland, Ireland and England as they are from Welsh waters. So, we have to look at the whole conservation and protection of the marine environment in a much broader picture, as part of a much wider canvas. So, that European dimension, from the habitats directive, is invaluable.

[56] **Jenny Rathbone:** Just looking outside Wales for a moment, the contamination of the salmon stocks by lice, obviously, is a massive problem in Scotland, but also seems to be the subject of huge international collaboration to try and resolve the problem without poisoning the waters. Is there a similar example for Wales where international collaboration is essential?

[57] **Mr Bullimore:** Sorry, just on the lice thing, just as an aside, I read, just a week or two ago, that there are problem issues now being discovered with overfishing of small wrasse, which are being caught to try and replace the chemical treatment of lice, because the wrasse eat the lice. So, we've moved the problem further down the line.

[58] On international collaboration, there is cross-Irish sea work, particularly with cetaceans—well, not just cross-Irish sea, but from the Wales perspective, cross-Irish sea. Obviously, in the North sea, it's cross-North sea as well for cetaceans. But, in terms of looking at the more benthic, the sea bed, that tends to be much more focused locally, but with looking at the wider picture. That's not to say that there aren't and there haven't been examples of international collaboration. Particularly good work has been led by the Seafish industry authority in the past. I've had experience of two big projects with them, which involved Ireland, Portugal and Spain, looking at the impact of ghost fishing—ghost fishing of lost fishing gear. So, fishing gear gets lost, gets stuck on the sea bed or wherever, and continues fishing. Seafish led a project there on ghost lobster potting and ghost netting—

interesting in both cases that, in the other states that were involved, there was huge collaboration with the fishing industry. In the UK, there was none. Seafish simply could not get the fishing industry to collaborate in the experiments, which made things difficult, because, between Seafish and ourselves, we had to do the fishing and we're not fishermen. It was a very good opportunity for the fishing industry to come back later and say, 'Well, that wasn't representative of what we do because you didn't do it right'. But the point is, yes, there has been international collaboration.

[59] **Jenny Rathbone:** Okay, so do you think that OSPAR will continue to be a good framework for this international collaboration? Obviously, we have close ties with Ireland.

[60] **Mr Bullimore:** Yes. I would sincerely hope so.

[61] **Jenny Rathbone:** Okay. Thank you.

[62] **Mark Reckless:** Good. Can I just ask you—? You said earlier that one of the big problems about existing management was it was focused above all on avoiding enforcement proceedings—infraction proceedings, sorry. Is there any way in which a move away from the EU-based regime could assist with that issue?

[63] **Mr Bullimore:** It's a mixed bag. That response was in reply to the way Welsh Government seems to treat the scenario. From the bottom up, we've got the legislation, we've got the very old, now, 1998 guidance that was produced by the then Department of the Environment, Transport and the Regions and the Welsh Office, as it was way back then, which gave reasonably good guidance—not perfect but reasonably good. And there's been a lot of work, a lot of collaborative projects across the UK since then. The response is, as I say, bottom-up. So, you've got a lot of very willing partners in the shape of most relevant authorities and relevant authority groups, who are doing their best, but they're doing their best with one hand tied behind their back. They are coming at it almost exclusively from the point of view of actually wanting to genuinely deliver. I find it very interesting that two of the most positive and proactive of the relevant authorities that I've worked with, in my experience, are two of those who are also the most regulated—Welsh Water and Milford Haven Port Authority. They are both regulated and regulators. They are amongst the most positive and proactive. Now, presumably, they see benefits for them as well as cost and effort for them.

[64] **Mark Reckless:** Thank you. Can I bring in Simon Thomas?

[65] **Simon Thomas:** Bore da. Nice to see you again from last Saturday. I'm just picking up on the international point. One of the presentations that I could see—I'm afraid I missed yours—showed that we have very international grey seals in Wales and they're regular visitors to Brittany and Ireland. You can see that and it brings home to you exactly that interconnectivity. But I just wanted to ask you: you've already talked about the management, and I think in reply to Sian Gwenllian you said about stamp collecting if there wasn't any purpose to this. But what about the evidence for what we're trying to achieve here? If I was to look for the evidence of the current state of the marine environment, where would I find that and how up to date is it?

[66] **Mr Bullimore:** How long have we got? We hear a lot about huge gaps. We don't know enough. Yes, there are huge gaps. We'll never know enough. That's life. But we have got a lot. Sadly, a lot of it is still data. It hasn't been worked up. If you are sad enough to spend hours fossicking on the JNCC website, you can dig into spreadsheets and you can find all sorts of numerical information—very useful. It summarises the current condition but on a Wales/England/Scotland scale. It's not site specific. That is a massive problem when it comes to management authorities because you're asking them to work blind.

[67] So, there is a lot of data, but there's less information and whether it's fit for purpose or not is something else. How accessible is it? Often, it's not. How available is it? Again, accessibility and availability are two slightly different things. Often, it's not. There are large swathes of commercially collected data for environmental impact assessments and so on. The majority of that is not available. We can't get that. There's no genuine commercial confidentiality defence for that. Frequently, it's because the regulator simply didn't require it to be in the public domain as part of a consent, which is unfortunate. One of the biggest gaps is activity data—what is happening where. Some businesses, industries and so forth are very well regulated. We know what they're doing and where they collect the information but they may or may not make it available in the common pot.

[68] Again, a good example is the Skomer marine nature reserve—sorry, MCZ. I get stuck in MNR because I was in MNR for so long. It's a marine conservation zone, sorry. I showed this graph—just yesterday, I sat in the annual advisory committee for the MNR and I've got a copy of their report,

which I'm happy to leave behind. The majority of this report is talking about the monitoring projects that they were doing last year and have been doing for over two decades now. There will be a further report coming out, which is just about the monitoring reports, and there's a whole suite of specific reports, all in the public domain, all easily accessible and very readability-accessible. So, it's possible.

[69] Another example is the Milford Haven waterway environmental surveillance group that I introduced earlier, which is a partnership of industry regulators, local authority, national park and so on. It has been operating for 25 years now as a scientific, technical, non-political information and knowledge working group. The agreement was made 25 years ago: politics will stay at the door, and 25 years later it still hasn't come in, which I find astonishing. It has led to very collaborative working amongst the membership. Over the last 25 years, it's spent in the order of £800,000 on research, surveillance and collation of information. I've also brought a couple of the recent annual reports, which I'm happy to leave with you—though I do point out that they are sitting in your library and get sent to your library every year, so I trust you've all read them from end to end.

[70] **David Melding:** I suspect our researchers will have read them.

[71] **Simon Thomas:** We certainly have people who can read them for us. [*Laughter.*] If I can just hold you there, because you've given two examples there of long-term work in specific areas—Milford Haven waterway and Skomer—where, for different reasons, there's been that evidence gathering. Earlier, you showed, as you say, that graph of the scallop numbers in the Skomer MCZ. We have very little evidence, it seems to me, of other areas in Wales like that

10:15

[72] **Mr Bullimore:** It's very patchy.

[73] **Simon Thomas:** Not to reopen the scallop issue, but that was over a couple of years, wasn't it? It's not that sort of two-decade approach. Do you know if the marine protected areas steering group that you referred to earlier review evidence at all? Is that a regular kind of evidence reviewing—?

[74] **Mr Bullimore:** I don't think they've come anywhere close to that stage yet; no.

[75] **Simon Thomas:** And the other development that we'll be aware of, of course, is the environment Act and the need to produce area statements. We still don't know whether there's going to be one marine statement or several, or how they'll interact between the terrestrial and the marine. Do you see the marine statements as a way of establishing some sort of baselines for this? It seems to me that's what's missing, as well as the very complex management arrangements. What's missing is no shared understanding, apart from a couple of areas—and Skomer's an obvious one—no shared understanding of the baseline, and therefore no shared understanding of where we want to take that environment in the future.

[76] **Mr Bullimore:** Yes, area statements should—very, very much should, underlined three times—be taking into account the evidence that we've got. Part of the problem I'd say is that it's a mixed bag, from very good examples, through patchy examples, through data not being worked up. Increasingly over the last decade or so, there has been more and more good data collection, but if it's accessible, if it's available, how well is it being used? I think the answer is either 'Not well' or just 'Not used at all'. Now, whether that's through ignorance of its existence or what, I really don't know. Certainly, in terms of what the pressures and threats are, which we were talking about, we don't have unlimited resources. We know that. But when it comes to trying to work out where problems are, what needs to be done, there's a huge academic literature. Most of the pressures and threats on our marine environment have been investigated to a greater or lesser extent, and there is something somewhere in the published literature to help us. How much of that are we using? I think the answer is 'Vanishingly little'. There are no two ways about it that the academic sector is an open door. It really is an open door. You saw that yourself with the first presentation that you saw on Saturday. The academics are sitting there, wanting to be engaged. I think they came down from their ivory towers a long, long time ago, and they realised that what they do has to be relevant to the big bad world.

[77] **Simon Thomas:** They're also judged on that these days.

[78] **Mr Bullimore:** And they're judged on it. Absolutely. So, it's an open door. Not only what you saw on Saturday but, at the moment, I'm waiting on three reports for the surveillance group, two of which are coming from the academic sector because they are dead keen to be involved.

[79] **Mark Reckless:** Can I bring in Huw and then Vikki?

[80] **Huw Irranca-Davies:** I came in really happy this morning. You've depressed me entirely.

[81] **Mr Bullimore:** I'm sorry. [*Laughter.*] Sorry.

[82] **Huw Irranca-Davies:** So, I just want to throw a little bit of a challenge back to you, based on your experience. This committee in its previous incarnation, in the previous session, took evidence and written evidence from Natural Resources Wales. They flagged up resource issues; they flagged up data issues; they flagged up management issues. And they were quite blunt in saying, 'We recognise all of these'. Now then, one thing they did point out was possible solutions, looking elsewhere, with effective marine management and enforcement as well. I just want to take your views on this. They pointed to other countries, such as France—although I don't know how true this is—and the effectiveness of a central co-ordination approach—a focused commitment from a single organisation/body. What are your thoughts on that? Because it seems to me that that body cannot be the Welsh Government. The Welsh Government can set the parameters, but the Welsh Government cannot do the enforcement, day-to-day management and so on.

[83] **Mr Bullimore:** Are we talking about resources for evidence gathering or for managing it?

[84] **Huw Irranca-Davies:** No, no, the management. Have we got the right structure? Will we have the right structure to actually do the effective management of our marine protected areas?

[85] **Mr Bullimore:** There is a massive amount to be said for a single lead organisation, and there are multiple examples worldwide, starting just across the water in Ireland, where we have the department of the marine. Okay, that's a Government department, but it has got that focus. The Marine Management Organisation in England—. And I'm very cautious about blowing the trumpet of what happens in England, but just on principle I need to treat it with a touch of salt. But as it's panning out so far, it seems that the MMO is working effectively. I'm not quite so sure about the relationship with the Inshore Fisheries and Conservation Authorities, but we'll leave that to one side. That seems to work. In Australia, for example, with the Great Barrier Reef Marine Park Authority, that works extremely well and it has got an overarching—. There are issues with all of them. There are problems at the boundaries. So, for example, in Australia, the GBRMPA doesn't have the

authority and the control over land drainage, and the run-off of sediment and nutrients from the land is one of the biggest problems there. And there's a huge analogy with south Wales in that situation, in that one of the biggest impacts within Milford Haven at the moment is nutrient enrichment, and one of the biggest at the Bristol channel in terms of Carmarthen bay, and so forth, is sediment run-off. So, those central-focused organisations are not necessarily a total magic bullet, but, certainly, I suggest the evidence is that they can be very, very effective.

[86] **Mark Reckless:** Can I bring in Vikki?

[87] **Vikki Howells:** Thank you. I'd like to go back to the evidence base. You've already given quite a lot of information about how you think we can improve there, but I'd just like to press you on one issue, and it's this: to what extent do we just need to use the existing information that we have better, versus the need for Welsh Government to invest more in marine monitoring?

[88] **Mr Bullimore:** We do need to do both, I'm afraid—very much so. Again, it's not just what you do, it's how you do it, and it's being smart about it—collecting information, targeting the collection of information and using the information much more intelligently, and perhaps realigning where the effort is. I'm sorry, I'm going to go back to Cardigan bay and scallop dredging. If NRW or anyone in the marine monitoring sector had had the comparable budget that was made available—okay, not by Welsh Government, but Welsh Government facilitated the movement of European maritime and fisheries fund money to Bangor to work on opening up fisheries—if that money had been available somewhere else for monitoring, it would have gone an awfully long way. Whereas what we have—and I'm going to be deeply unpopular with Mike Kaiser for saying it, and the fishing industry—is a perverse subsidy of a fishing method that I heard Mike Kaiser say is—. He agreed that it is the most damaging fishing method, but there's a perverse subsidy to find information to actually justify applying more of it in an SAC. If that sort of money could be redeployed elsewhere, I'm not going to say it would do everything we need, but it would go a long way.

[89] **Vikki Howells:** Thank you.

[90] **Mark Reckless:** Could I bring in David Melding?

[91] **David Melding:** Thanks, Chair. There have been quite a few references

to the fishing industry, and I'd like to ask about stakeholder engagement in general, but I think that's a very important point. How consistent is it, and is it more effective at the site level and is it much weaker at the strategic level? How is it working at the moment? But, in particular, what sort of buy-in do we have from the fishing industry, would you say?

[92] **Mr Bullimore:** I think, like all the answers I've given so far, the answer is 'It's mixed.' Obviously, engagement is absolutely critical, but it doesn't replace doing things; it doesn't replace management. At the one end, we have extremely good examples—I'm sorry, but it's back to the Skomer marine nature reserve again. I was at the advisory committee meeting yesterday and that committee has been in existence in one shape or another since 1974, and around that table sit all of the relevant interests. I think it was 35 organisations at the last count, including fishing interests. They are there and have been there throughout. So, it can work and it does work better at the local end. However, to come back, at the strategic Government end of the scale, clearly, there is representation and good broad representation, but we're back to the business about transparency and record-keeping. I noticed that Jim Evans, the other day—I think it was in answer to a question that you asked, about how onerous going to these meetings was—said, 'But it's okay for me because I'm there.' I think that's the message: if you're involved, you're empowered; if you're not, you're disenfranchised. So, it's okay for the membership, but how well does it go beyond that?

[93] Unfortunately, I think that engagement has developed to an almost industrial scale and there's a massive risk of it becoming an end in itself and a displacement activity, because the more we talk, the more we can put off actually doing something. It doesn't seem that the engagement—. It seems to be mired in process rather than focused on what I said at the beginning: what are the purposes of the MPAs? It's a lot of engagement, but do we actually get anywhere with it? Do we actually get any output from it? I think it's very difficult. Yes, we need the engagement and, yes, we need to talk, but we need the output.

[94] Again, my personal experience is that the level of engagement—and, I'm afraid, particularly by the fishing industry—seems to be directly proportional to the threat of management activity. As soon as a potential management measure appears on the horizon, the fishing representatives are there. When we went through both the MNR liaison and consultation back in the 1980s and the SAC back in the late 1990s, and I've seen it happening

again with the harbour porpoise ones now: 'We want to designate these sites; don't worry, it won't interfere with what you do.' And that's despite the fact that there may be, somewhere down the line, a need to interfere with what you do. So, the engagement goes up and down. After that, the engagement drops off and then management measures appear on the horizon, then it pops up again, they disappear and it drops off again. So, things are very, very mixed.

[95] **David Melding:** If we looked at the—let's take the fishing industry and let's define engagement, not as attending a potentially endless string of meetings, but as turning them into part of the solution rather than being part of the problem. Are we in this binary conflict or can they become part of the conservation and scientific effort? I understand the need to aim at the more high-quality end and the consumers are likely to follow there, so there's an impact on certain fishing methods in that. Through a general involvement in the broadest interpretation of public policy in this area, is that going to bring benefits, because, otherwise, we're going to be frustrated quite a lot, aren't we?

[96] **Mr Bullimore:** Again, the potential is there, and certainly when you end up in a one-to-one situation with many fishermen, they do realise that things aren't as rosy as they used to be, when he was a lad or when his grandad was fishing, or whatever. So, in many cases, there is an open door there. Potentially, there is an opportunity for using the fishing industry to help gather information. I'm not convinced about that being a magic bullet at all for many reasons.

10:30

[97] Citizen science has got enormous value—huge value. And the work done in this document—this is all citizen science, under the auspices of the MCZ. Seasearch, which is a UK volunteer marine surveying operation, now provides a third of all of the data that go into Marine Recorder, which is the UK marine database.¹ But those citizen scientists are very carefully trained, they're supervised, and everything they produce is very carefully quality controlled. And I think it would be extremely naïve to think that fishermen could suddenly leap into that sort of ability and that sort of capacity for delivering that sort of quality of information. Certainly providing vessels as

¹ Cywriad/Correction: 'I should have said that it is the third largest data source to the database.'

platforms, certainly using new technology, like CCTV, for collecting information on fishing and fisheries catches, absolutely; but I think it's very naïve to think that they could make a contribution any time soon to genuine sea-bed, in-the-water biology. And I, again, regretfully have to say that, during the highly protected MCZ project that went so badly wrong, it was the fishing industry who were scathing in their criticisms of the data collected by Seasearch. So, it would be a bit ironic if, all of a sudden, they said, 'But no, it's okay for us.'

[98] **David Melding:** Thank you.

[99] **Mark Reckless:** Mr Bullimore, thank you very much indeed for your evidence; we're very grateful for you coming in this morning. Thank you.

[100] **Mr Bullimore:** I'm happy to leave these graphs, the MCZ report, these reports, and I also spoke to the editors and I've got eight complimentary copies of *Natur Cymru* for you.

[101] **Mark Reckless:** Wonderful. Thank you very much. If you were just to leave those on the table.

[102] **Mr Bullimore:** You don't just have to read my article. There's a very good one by Jane Davidson in there as well.

[103] **Mark Reckless:** Good.

[104] **Simon Thomas:** You don't have Easter eggs as well, do you?
[*Laughter.*]

[105] **Mark Reckless:** We're very grateful. Thank you.

[106] **Mr Bullimore:** Thank you very much.

[107] **Mark Reckless:** Thank you very much.

[108] Members, we have Natural Resources Wales coming in next. They're scheduled to come in at 10:30. I suggest we do still take a short break, and come back at 10:40. Can I just raise an issue with Members? I'd asked to see the Presiding Officer in advance of the meeting of Chairs that we're having at lunch time, and she's just offered me a slot at 10:45. So, rather than delay proceedings, or NRW's appearance, I wonder if I can ask the committee,

under Standing Order 17.22, to appoint an acting Chair while I'm away. I briefed David on the issue earlier, so he would be willing to do so, but it's a Members' decision. So, if anyone else would like to put themselves forward, they're very welcome to. Are you happy with David? Excellent. So, we pass a motion for David to act as acting Chair in my absence. And, at 10:45, we will have the NRW panel. Thank you.

*Penodwyd David Melding yn Gadeirydd dros dro.
David Melding was appointed temporary Chair.*

*Gohiriwyd y cyfarfod rhwng 10:33 a 10:43.
The meeting adjourned between 10:33 and 10:43.*

Ymchwiliad i Ardaloedd Morol Gwarchoddedig yng Nghymru—Cyfoeth Naturiol Cymru

Inquiry into Marine Protected Areas in Wales—Natural Resources Wales

[109] **David Melding:** Okay, can I welcome everyone back? We are again in public session continuing our oral evidence to marine protected areas. I'm delighted to welcome our witnesses from Natural Resources Wales. I wonder if, for the record, you could state your name and your job at NRW.

[110] **Mr Evans:** Ocê. Fi yw Michael Evans. **Mr Evans:** Okay. I'm Michael Evans. Evans. Fi yw'r pennaeth tystiolaeth a I'm head of evidence, knowledge and gwybodaeth dros Cyfoeth Naturiol advice for Natural Resources Wales. Cymru.

[111] **Dr Lewis:** Mary Lewis, and I'm marine advice team leader in NRW.

[112] **David Melding:** Welcome to you both. I think it's redundant for one of you, but obviously these proceedings are conducted in Welsh and English, and when Welsh is spoken there is a translation on channel 1. I wonder if I can just start by asking whether NRW takes a very different approach in terms of MPA management to that of the Countryside Council for Wales in your focus, really, on the management of natural resources. We have heard from some witnesses that there's a shift in emphasis. Is that fair?

[113] **Mr Evans:** Yes.

[114] **David Melding:** I don't know how you're going to divide the—whether you both want to answer, or the most relevant witness.

[115] **Mr Evans:** What we'll do is probably deal with different parts of the same question. So, yes, I think that is true. Natural Resources Wales is a new body, it has new duties under the Environment (Wales) Act, and the primary duty is around sustainable development and implementing sustainable management of natural resources. The other Act, of course, which sets out the way we operate is the Well-being of Future Generations (Wales) Act, so we have to make sure that we have well-being objectives and that all of our activities contribute to well-being in the round. So, in a way, it's a bit of a reworking of sustainable development, but it gives us a slightly different emphasis in our work.

10:45

[116] **Dr Lewis:** Yes, and just to add to that as well, I think one of the differences, if you were sort of comparing where we're at now with NRW, is, in the last few years, the size and the scale of the network of marine protected areas has changed substantially. So, our approach probably has changed as well to be more of a strategic one looking across the whole network, which is substantial, and viewing the management of that through the lens of sustainable management of natural resources. So, I think it's fair to say there's been a shift, partly because of the legislative framework and our purpose and partly because of the scale of the network.

[117] **David Melding:** We've heard from witnesses that the NRW decision to withdraw core funding from the relevant authority groups, for instance, is perhaps the biggest consequence, really, of this shift of emphasis. At a time when we may again be looking at a more area-based approach, is this going to be problematic, and are you going to revisit the issue of core funding, which, in totality, amounts to very little, really, as far as this committee could work out, for your gains in having those core staff in place with a level of security?

[118] **Mr Evans:** Okay. Well, if I just make a start on that, the decision on core funding was, of course, made by Welsh Government, and they've directed us not to give core funding to bodies in Wales. But what we've done is try to look at how we can use the funding we have available to ensure that we're getting better management of our MPAs, so it's a more targeted approach. In the first year of the implementation of that approach, we actually spent more money on managing MPAs than we would have done previously.

[119] **Dr Lewis:** I think, to add to that as well, it's important to understand, from our perspective, what MPA management is. So, there are a number of different areas of activity that amount to the management of MPAs, and the predominant focus, or one of the major vehicles, for managing MPAs is actually the strategic planning regime, it's assessment processes, the habitats regulations assessment process, strategic and environmental assessment, environmental impact assessments, it's the regulatory process of determining marine licences. All those planning and regulatory processes are actually what help achieve or secure the conservation objectives of sites. We have a lot of capacity and expertise in that in NRW, and are very involved in those processes. So, that is a big and important part of management.

[120] Local site management is also a part of management but I think it's important to understand it's a part of it, not the totality of management. Mike has explained the shift in our focus, then, in terms of additional action to improve the management of sites, is now to try and focus our resources, whether that's staff or funding, on priority actions that can make the biggest difference. If the delivery mechanism for that priority action that can make the biggest difference to the condition of our network requires local capacity and local staff, then the funding would follow that. But it's the actions and the priority actions that we're trying to target rather than management structures. So, that's the approach we're taking. And, again, with such a large network now, which covers 69 per cent of Welsh territorial waters, we need to take that step back and look at the whole network and the priorities across the whole network sites.

[121] **David Melding:** Okay. We've heard a lot about priorities and the need for action and not assuming designation equals action, so, a series of questions now that my colleagues will take us through and look at these issues in more depth. We'll start with Vikki.

[122] **Vikki Howells:** Thank you, Chair. In terms of setting the strategic direction and also in prioritising resources and actions, would you say that you've been given a strong enough steer from Welsh Government and from the Wales MPA management steering group?

[123] **Dr Lewis:** Okay. There are two sides to the strategic steer. So, the MPA management steering group—so, obviously, the direct point of the question—is one part of it, but, taking a step back from that, there's also the strategic framework provided by the legislation. So, there are the

requirements in the marine strategy framework directive, the Marine and Coastal Access Act 2009 commitments under OSPAR, et cetera, around securing a coherent and well-managed network of MPAs, and they provide the overall framework for what we're trying to achieve, and I think that's important in terms of setting the overall direction in a network-led approach, which is very important for us now.

[124] In terms of the MPA management steering group, obviously the development of that comes out of some recommendations in the review of the management of MPAs. We were clear in NRW that we needed that strategic national focus. That steering group has developed network objectives, which is really important. We never had objectives at a network scale before. More recently, that steering group has come to the shared conclusion that what we need to do is to begin to prioritise action across the network rather than the focus previously, which had been looking at structures and area structures. So, I think, in terms of an overall approach, we're getting there. That steering group is still new in the big scheme of governance arrangements and there's still some way to go, but I think we're getting there. We have a marine programme in NRW, and Welsh Government have their marine programme as well, and we share and collaborate together in setting our priorities. And we're clear, collectively, that our priority is action to improve management of MPAs. I think we're getting there and we have a clear project focus in NRW on putting our resource into projects and seeking funding for actions and activity that have the greatest chance of impacting on the condition of sites.

[125] **Vikki Howells:** So, would you say, then, in a nutshell, that things have improved since 2012, where NRW said that they did seek greater steering leadership from Welsh Government?

[126] **Dr Lewis:** Things have definitely improved and we're definitely heading in the right direction in that sense.

[127] **David Melding:** Jenny.

[128] **Jenny Rathbone:** Have they improved sufficiently though? You say yourself that you seek greater leadership and steer from Welsh Government and other witnesses tell us that marine conservation is seen as a threat and impediment to economic development, rather than being seen for its intrinsic value. So, where do you sit in that uncomfortable situation?

[129] **Mr Evans:** I think we're still making sense of the well-being Act, because the well-being Act talks about our natural resources giving benefits right across the board. So, we can't preserve our natural resources in isolation of human benefit, because, clearly, we get lots and lots of benefit from the very valuable natural resources we have in the marine—. So, I think, as we start working through well-being, and we've only just started on the well-being assessments with the public services boards, we're still waiting for the NNRP—I can't remember the acronym; the national resource policy—and, as these things start working out, we'll get a clearer idea of where the consensus is on some of these issues.

[130] **Jenny Rathbone:** Where do you sit in that tension between what the Welsh Government may or may not deliver in terms of a revised policy and your obligation to ensure that natural resources are sustainably managed?

[131] **Dr Lewis:** I think, in relation to that, there are clear objectives for each type of marine protected area and there are clear legislative frameworks and regulatory frameworks to manage them. Those will remain in place as we go through this process of trying to understand what applying the sustainable management of natural resources principle means. So, we will always have to go back to habitats regulation assessments, et cetera, et cetera. So, the tools there to deliver the conservation objectives aren't changing and they're still robust tools as well. I think it's just the wider framework of understanding the conservation and protection of sites is shifting to enabling, trying to enable sustainable use of the marine environment alongside securing those conservation objectives for networks of marine protected areas as well. That's something that we're trying to work out. I think the Wales national marine plan, which is in its final drafting stages at the moment, will be a key mechanism for setting a series of policies that will help us all understand that better. But I think the tools to protect sites aren't changing, just the broader framework within which we're doing that.

[132] **Jenny Rathbone:** In order to inform that plan, how robust is the information about the current state of nature in the marine field?

[133] **Mr Evans:** That's a very big question.

[134] **Jenny Rathbone:** It is. I think there were very specific concerns about honest and accurate reporting of marine environmental conditions. Clearly, it's a difficult area, dealing with what's under the water, but what do you think is the role of NRW in pulling together all the information that's

available?

[135] **Mr Evans:** Well, we're largely driven by the legislative framework we operate under. Mary's mentioned some of the OSPAR reporting, the habitats directive reporting, water framework, the marine strategy framework directive. So, we have to focus our efforts in understanding marine protected areas and the marine environment, in terms of our obligations under those laws and Acts. So, that is where the focus of our activity is, but we gather information from a huge range of sources, not just the work that we do ourselves. So, we can talk at some length about that, if you like.

[136] **Jenny Rathbone:** Well, Mr Bullimore, who we heard from earlier, said that

[137] 'Environmental condition reports from statutory agencies tend to give rosy, yet ambiguous, misleading quasi-positive impressions, which selectively cherry-pick from and poorly reflect the source material they draw on'

[138] and that

[139] 'Reporting of marine feature and sites condition...must be...unbiased rather than tailored as a public relations exercises'.

[140] How would you respond to that?

[141] **Mr Evans:** Well, it's an opinion, and I remember when we—

[142] **Jenny Rathbone:** Indeed.

[143] **Mr Evans:** —produced the last article 17 report, which was in 2013, we were criticised by the Welsh Fishermen's Association for being biased the other way. What we have to do is follow the guidelines that are given to us in the legislation and the co-ordination to make sure that we give an accurate picture of what is in the marine environment, and then we can set the right policy and management around that. So, if we don't get that reporting and assessment right, we don't have a good starting point. So, I would say that we do the best job we can.

[144] We clearly have, within NRW—one of our greatest assets is the resource in terms of staff. We have some world experts in some of these

fields, and we're spending probably up to around £2 million a year on monitoring and surveying the marine. We make the best and efficient use of that material and it's all transparent and open. If it's requested, we post a lot of this in the public domain. So, the article 17 report and the Welsh feature reports were all available from the Joint Nature Conservation Committee website. So, we try and make it as transparent and open as we can. We have nothing to hide, really, because the worst thing you can do is—. Well, why would we lie about the evidence? That is our bread-and-butter starting point, and that's how we start all the debates on management, policies and interventions, and who gets the benefits and whether nature is more important to preserve or to utilise, so without that robust evidence base, we really have nowhere to start from.

[145] **Jenny Rathbone:** And what's your role in pulling together evidence from a variety of sources, for example from academia, from the fishermen themselves and from other stakeholders? Because, clearly, given that it is very resource intensive to identify what's going on in the marine environment, how are you able to pool the knowledge that we have?

[146] **Mr Evans:** I'm sure you've probably heard that we have some of our own bespoke programmes. We have a habitats directive and a monitoring team, we have the Skomer team and we have an evidence analysis team that does a lot of the surveillance and strategic work, and we link up strategically with Universities Wales. They're just setting up a platform where we can engage with them more formally, but we have lots and lots of interrelationships with universities. We teach at universities, we host students and, in fact, many of my team up in Bangor or in Aberystwyth come from those universities and they place the students and carry on. So, we have very close working relationships.

[147] Similarly, with the non-governmental organisations. When they're doing bird surveillance, for example, they can do surveillance of seals and do some of the photography, so we've got a big database of things like that. So, we're trying to get as much information as we can, but as resources are decreasing, you know, lots of information is difficult to handle, so we can't handle all of the data that are potentially available and we're targeting it at where the pressures are, so we're looking at where we think we can make the biggest contribution to better management of the sites. And that's not regarding what I said earlier about the obligations to report on a UK and European level against many of these frameworks.

[148] So, it's a big and complex picture. One of the examples that I was looking at is something we get from the UK Hydrographic Office, which is mapping the whole of the Welsh coast. You can see that the only bit where we have fully utilised multitheme data analysis is this little corner of St Bride's bay down here, but the data on this map are worth in excess of £600 million. That's shared with us willingly by the hydrographic office. We're going through a process now of transferring these point data into building up a more composite picture of the seabed, because without that, we don't know where the reefs are, we don't know where the sandbanks are and we can't actually look at installing monitoring programmes or doing any of the designations or management activities.

11:00

[149] So, I think you acknowledged earlier on how big and difficult the marine is—it's 40 per cent of Welsh territory. It would be foolish to say that it's difficult to survey, but it's not like terrestrial where you can walk and gain access. So, there are big capital costs involved, and there are big running costs involved. So, in the current framework of austerity, we're going more into the prioritisation around pressures and looking at the risks to the marine environment and where we can make the biggest difference.

[150] **Jenny Rathbone:** So, in terms of managing limited resources, is there a role for legislation to adopt, for example, the practice in Norway, where boats have to carry both personnel from the monitoring organisations and also cameras to survey the bottom of the ocean and capture information based on wherever it is they're going?

[151] **Mr Evans:** There have been several schemes where we have taken data from fishing vessels, and, of course, the Welsh Government captures data off commercial vessels. We might not need legislation to do it. Depending on what objective we have for those particular areas, whether that is the information we want, whether we can collect it to a standard protocol and utilise it, but, yes, and I'm sure that we have a very good relationship with the fishermen and the federation. We might be able to install those without legislation on a voluntary basis. I know they're very keen to work with us, and we're keen to work with them. What we have to do is make sure that we're not just getting more and more data, but that we're getting data that we need and that we utilise

[152] **Jenny Rathbone:** Sure. Obviously, when we went on board one of your

boats—well, actually, the Welsh Government boat; I don't think it belongs to NRW—you could see how they're capturing quite a lot of data, based on images picked up about boat movements. But nevertheless, with only two boats it's rather difficult to see how they can really police what's going on.

[153] **Mr Evans:** Well, policing is a different issue, of course, but, yes, it is not only a difficult and expensive environment to work in, but many of the features are highly mobile. So, a lot of the species—the birds and the mammals—move. Chasing them around in the ocean to try and track and monitor them is very, very difficult.

[154] **Jenny Rathbone:** Are there any other ways that you think we might be able to collaborate with other stakeholders to achieve the goals, the obligations, that NRW has under the various—the environment and the well-being of future generations Acts, and the EU directive et cetera? There's quite a lot of legislation that you're obliged to deliver on.

[155] **Mr Evans:** In terms of monitoring, first of all, I think you'd be surprised at how much—when I was reviewing all of this for this inquiry—collaboration there already is with universities, with NGOs, and even with pressure groups. We do work and share very openly because, as I say, without a good shared, solid evidence base, we'll just wrangle and we won't agree on what the priorities are. So, certainly, there's a lot more potential now. As we're feeling the pressure, we're going to have to change the way we monitor and gather evidence. So, we're going to have to engage more with some of these groups to ensure that they understand what we're doing, and that we can make the best of all of our shared data.

[156] **Jenny Rathbone:** Is there a specific example you could give to illustrate that—how you're doing things differently?

[157] **Mr Evans:** Well, you've probably heard of the monitoring we do around Skomer. We have a big volunteer support team there. We have limited resources. We wouldn't be able to carry out the seabed monitoring or any of the bird monitoring without letting contracts, getting volunteers in and doing things as efficiently as we can.

[158] **Jenny Rathbone:** So, that sort of practice could be applied to other sites as well.

[159] **Mr Evans:** It could. I think we need to be targeted, and Skomer works

very well, where we have specific needs around the MCZ. It's not free. Citizen science is great because of the wider benefits it brings in terms of engagement, co-production and management, but it's not free. It does cost us to co-ordinate and set the protocols and manage. So, yes, it's a tool in the bag, if you like, across the whole monitoring sphere.

[160] **Jenny Rathbone:** Okay, thank you.

[161] **David Melding:** Okay. We've sort of, by natural flow, ended up with surveillance, enforcement and monitoring, which Vikki was going to introduce, but I think it's already been introduced, Vikki. But I'll give you first refusal on any follow-up that you want to make, if you have one.

[162] **Vikki Howells:** No, that's fine. Everything that I wanted to ask has been addressed.

[163] **David Melding:** I think Simon, however, wants to follow up.

[164] **Simon Thomas:** Ie, diolch am hynny. Roeddwn i jest eisiau gofyn am yr hyn yr ydych chi newydd ei grybwyll, a dweud y gwir, sef rôl gwyddoniaeth y dinesydd, neu *citizen science*, yn hyn i gyd. Mae cynlluniau Capturing Our Coast, ac mae yna gynlluniau wedi eu hariannu gan gronfeydd Loteri, nid jest gan Lywodraeth Cymru neu gynlluniau Ewropeaidd. A fedrwch chi jest esbonio ychydig mwy ar beth rŷch chi newydd ddweud, achos a ydy'r dulliau yma o ddefnydd i chi yng Nghyfoeth Naturiol Cymru, neu a ydyn nhw, efallai, weithiau'n torri ar draws yr hyn rŷch chi'n trio'i wneud o ran casglu data? Ym mha ffordd ydych chi'n gallu penderfynu defnyddio'r cynlluniau yma ai peidio? Mae achos Skomer efallai ychydig yn wahanol, achos mae hanes mor hir wedi bod yno.

Simon Thomas: Yes, thank you for that. I just wanted to ask about what you've just mentioned about the citizen science issue in all of this. There are the Capturing Our Coast plans, and there are plans that are funded by Lottery funding, not just by the Government or European funds. Could you perhaps just explain a little more to me about what you've just said, because are these methods useful to you in NRW, or are they maybe interfering with what you're doing with regard to data collection? How can you decide whether you're going to use them or not? Maybe the case of Skomer is a little different, of course, because there's been a long history there.

[165] **Mr Evans:** Ocê. Fe wnaif i **Mr Evans:** Okay. I'll respond in ymateb yn Saesneg, oherwydd rwyf English, because I've prepared for wedi paratoi yn Saesneg. this meeting in English.

[166] As I was saying, I think we need to choose carefully the citizen science work that we engage with. There's been a big Welsh Government-led programme called COBWEB up on the Dyfi estuary—you may well have heard of it—which is exploring new ways of capturing data: more automation, more natural, more automated data flow—

[167] **Simon Thomas:** It's being done in my home village, outside Aberystwyth—Penparcau.

[168] **Mr Evans:** Okay, so you're fine on that. And I think that the challenge is how to handle the data and how to handle the engagement, and I think there are lots of ways with remote sensing and automated data handling that we can really explore. Citizen science is essential, and a lot of people who work for natural resources come from that background of volunteering and being passionate about the environment. So, it's a resource that is out there; we just need to make sure that we can handle it and not leave it in too open a way. Similarly, as society changes, it's absolutely essential that citizens understand what we're doing on their behalf, because if that starts to become disconnected, then we'll lose the plot and we'll start going in directions that people don't want.

[169] I think the well-being of future generations Act really gives us a strong steer on how we need to that, and the environment Act, as well. So, we've released SoNaRR, which sets the evidence base and the benefits it can bring to people, and the next stage on that, after the natural resource policy, is, of course, area statements, when we'll have a much bigger chance to engage with people about the things that matter in their local area. So, keeping that engagement is essential, and I think citizen science is just one end of it. It's always been seen as citizens giving stuff to us, but, actually, we need to complete that circle and make sure that we're engaging citizens in how their resources are managed for them. So, I think it's pretty critical we get that right.

[170] **Dr Lewis:** I think it's probably worth adding as well—we've mentioned before we've got this project in NRW called the MPA condition improvement project, where we've taken the outputs from a previously European LIFE-

funded project where we identified the key precious threats on our marine SACs in particular, and the actions needed to bring those sites into favourable condition. And we've then been through a process of prioritising those, the ones that we think we could potentially have the greater tangible benefits from, and a number of those actions are actually investigation actions. So, in terms of the citizen science we're working, it would actually be very helpful if we could then explore that more through where we know we've got priority investigative actions, and then that's producing information that's of direct benefit for the management of the network of sites, rather than producing information that takes resource to engage with, but that we're not 100 per cent sure how we're going to use.

[171] **Simon Thomas:** That's what I was asking about, really.

[172] **David Melding:** I'll ask Huw to take us on to our next area of questioning.

[173] **Huw Irranca-Davies:** Thank you, Chair. It brings is on neatly to those condition improvement plans. You've previously given evidence in written form, and perhaps verbal form as well, to the committee on these when you were trying to identify those priorities and so on. The overall purpose of the programme was, and I quote from your written evidence:

[174] 'to enable Wales to make significant progress towards bringing Natura 2000 species and habitats into favourable condition and help meet its commitments under the European Habitats and Birds Directives.'

[175] So, overall, how is it going in terms of significant progress in meeting those objectives?

[176] **Dr Lewis:** Okay, so I think—

[177] **Huw Irranca-Davies:** And be honest.

[178] **Dr Lewis:** Fine. Absolutely. I think the honest answer is—

[179] **Huw Irranca-Davies:** I know you would be anyway, but be frank.

[180] **Dr Lewis:** We're in that process, so the aim is to make a significant difference. Where we've got to at the moment is we've been through this prioritisation process—you have in the evidence that we've submitted that

there are five priority areas or themes across the network, including access and recreation; invasive and non-native species; marine fisheries; water quality pollution; and water management issues such as coastal realignment. So, we've identified the big themes. Within that, there are 200 or so priority actions; that's a lot of actions. But, actually, we've done some assessment and around 70—so, over a third—of those actions are under way. So, we're making progress towards the aim of having made a significant difference—

[181] **Huw Irranca-Davies:** You're making progress towards making significant progress.

[182] **Dr Lewis:** Exactly, yes, but the point is—

[183] **Huw Irranca-Davies:** If the ones you've now prioritised are carried through and adequately resourced, are you confident that you will make significant progress to bring in those habitats and species into favourable condition?

[184] **Dr Lewis:** I think, if those actions that we've identified are achieved, then we definitely will be making significant progress, because they are the actions that are addressing activities that we know are having known pressures on features in our sites. But I think it goes back, as well, to one of the points we were making earlier that that has to sit alongside the planning and regulatory regime where the biggest changes are really made. It's all part of one picture of MPA management, and if we continue to resource the planning and regulatory regimes effectively and make progress with those 200 priority actions, 70 of which are under way, then I think we will make a significant difference. The timescales against that, I'm not 100 per cent sure of, but we could probably do some assessment of timescales for the ones that we've got in progress at the moment. We have a number of funding bids that we're looking to put in place; projects that will then deliver a suite of actions. For example, we're looking to put a project together around invasive non-native species and potentially unregulated activities, and that will actually make a difference across the network on a number of those actions and activities.

[185] **Huw Irranca-Davies:** It may be helpful, Chair, if you were able to sketch out, in the areas that are most developed now, some idea of those timescales when you'll see those significant milestones or progress.

[186] **Dr Lewis:** Yes, that's fine.

[187] **Huw Irranca-Davies:** But I think it might be a thing that we keep coming back to, as a committee, this significant progress—by when and in what areas that you've prioritised, and so on. Do you want to add anything, either of you, in terms of either the individual site—the prioritised improvement plans—or the thematic areas? Where are you on target? Where are you behind the target?

[188] **Dr Lewis:** I suppose that is the point. What we've done is taken out of that the priorities and done some assessment of how many of those actions are under way. So, it's sort of mid flow, but definitely on target in terms of making progress and taking actions forward.

[189] **Huw Irranca-Davies:** Okay. How would you respond to those—some witnesses we've heard from—who would say, 'It doesn't go far enough. They're not ambitious enough'? One of our witnesses has said that the site-level PIPs

[190] 'poorly reflect the magnitude and severity of many marine pressures and threats, and they consequently fail to prioritise or identify adequate necessary management action.'

[191] Do you dismiss that and say, 'Well, that's wrong'? You've said to me, if we deliver all of these, if we get this right, we will see significant progress.

[192] **Dr Lewis:** If we deliver them all, we will see significant progress. I think the key point about it is that there are site-level action plans, but there are the thematic action plans as well, and those are essential, really, to actually making a difference across the network. As we've talked about already, the network is so large and so significant in scale that, actually, those thematic actions are really of critical importance. I think also, in time, once we have the Wales national marine plan, and a clear policy steer about where development should take place and what considerations need to be taken into account, and once we have an area statement and have these other structures that we're expecting to come into place, those will all make a difference as well. But they will take time to see the impact. We have started to draft a note that explains how we manage MPAs with some figures around that particular project, and, perhaps if we work that up, we could submit that to the committee in due course.

[193] **Huw Irranca-Davies:** That would be helpful. In those actions that you

have identified now as priorities, have you done full costings of them?

[194] **Dr Lewis:** That's exactly what we've been doing.

[195] **Huw Irranca-Davies:** So, you haven't quite done them yet; you're doing it.

[196] **Dr Lewis:** No, we have. So, what we've done is prioritise them, and one of the ways we've then looked at which ones we take forward now is to look at the ones that we think have the most potential to have tangible benefit and also that we feel we can resource either with current staff, or collaboratively with partners, or with current staff putting resource into applying for appropriate funding, whether it's European maritime and fisheries funding or LIFE funding, et cetera. So, we have looked at the costings implications and if we think that those are things that can be resourced or funding can be sought for. And those are why we're looking at those particular projects around invasive non-native species and unregulated activities, having gone through exactly that process.

[197] **Huw Irranca-Davies:** Very good. So, the actions you've identified, you're confident, as well, that the resource is in place to deliver those.

[198] **Dr Lewis:** Yes. The resource is there to either apply for the funding to deliver them or to deliver them.

11:15

[199] **Huw Irranca-Davies:** That's fine. Can I then ask about the question of how you're going to monitor the impact of those individual actions, and particularly in terms of delivering real outcomes, tangible benefits? That's all in place as well, or it will be in place.

[200] **Dr Lewis:** Any project that we're going to put in place, the monitoring and review of that project will be essential components, but also the monitoring of the network is something that is then built into our overall monitoring programme. As we move towards a more prioritised monitoring programme, we'll need to be targeting efforts towards where we think there are pressures, and we need to be checking whether the site is responding to those pressures. So, it's just about how we tweak and prioritise our wider monitoring programme going forward, as well as how we review and monitor those individual projects.

[201] **Huw Irranca-Davies:** Okay. I've only got one other question, and I can see that this is a work in progress, but from what you're saying it is progressing and it's progressing well, and you can supply us with some more detail to show us where those milestones are. I simply want to ask your view at the moment of—when, back in 2016, the European marine sites, the EMSs, were assessed for their management effectiveness across the OSPAR network, they were all assessed as partial, and I think that was—. You're nodding; you're saying that's probably accurate, as well. They were partial in terms of their management effectiveness. You've said previously—NRW have said previously:

[202] 'With diminishing resources across the public sector,' —

[203] and I appreciate the frankness with which this has been put to this committee before—

[204] 'a difficult lesson has been that it is not possible to pursue all management...that could improve site condition.'

[205] Hence we come to the prioritisation. So, I just want to conclude with my last question, with that admirable frankness to the committee that you've expressed before, I just want to get on record that, if you pursue these actions that you've now prioritised—with diminished resources, you've had to prioritise one—you can't pursue every management action possible to improve the status of these sites, but we will see significant progress, albeit with the proviso that you've said once or twice that it also depends on the marine action plans being put in place, et cetera, et cetera, et cetera. We're going to see significant progress.

[206] **Dr Lewis:** The whole programme is designed for that to be—

[207] **Huw Irranca-Davies:** No, no, we are going to—. I know it's designed, but levels of confidence—

[208] **Dr Lewis:** Yes, that's exactly what we are aiming to achieve. One of the key issues around that is that the response in the marine environment can be long term. What we also need to do then is to monitor our sites, et cetera, and have our effective monitoring programme targeted as best we can, because, sometimes, the response in the marine environment is very long term. So, we can be confident we've put in place, potentially, some of the

right actions, but it will take a while before we necessarily see all the responses.

[209] But it might be worth mentioning as well, because I think it's relevant to some of the discussion we've also had, that we have now got a programme in place, or a plan in place, for a regular programme of site condition reporting, which has been a big challenge and a big difficulty for us to resource. It's not a statutory requirement, but it's an important tool to understand the condition of individual sites and features in sites, and therefore help us to manage individual sites and features, as well as across the network. We have now put a plan in place to produce a full suite of indicative site condition reports this year, and also to investigate how we can effectively resource an ongoing process of site condition reporting into the future. So, in a sense, it's unfortunate timing that we don't have it now for this inquiry, but it'll be an important resource and information for you in the future, I think.

[210] **Huw Irranca-Davies:** Good. Thank you.

[211] **Mark Reckless:** Thank you. Can I apologise to our witnesses for my absence from the earlier part of the session? I look forward to seeing your evidence in the transcript and I'm grateful to David for his acting as Chair. I'm not sure whether it's Sian or Simon—Sian.

[212] **Sian Gwenllian:** Pa agweddau o'ch gwaith yn y maes yma sy'n debygol o gael eu heffeithio fwyaf wrth i'r Deyrnas Unedig adael yr Undeb Ewropeaidd? **Sian Gwenllian:** What aspects of your work in this particular area are likely to be affected most as the United Kingdom exits the European Union?

[213] **Mr Evans:** That's a big question, filled with a lot of uncertainty at the moment. If I pick up the generic statements and then Mary can come on to some of the specifics around the fisheries programme and things of the European Union, I think that the important thing for us to know in Wales is that these sites have been recognised as important largely in a European context. The majority of our sites are European sites, which means that the features in them are seen as special in a European context. Now, whether we come out of the European Union or not, that will not change.

[214] So, the obligations we have will not be to Europe, but they'll be to the people of Wales and the people of the United Kingdom. Those sites will still

need proper management and proper protection and proper monitoring, and it would be very unlikely that we would suddenly rip up all of the information and knowledge that we have around that and any protection we have and create some sort of free for all. So, we're going to have to have some sort of programmes around these sites. We're going to have to make sure we monitor them for the well-being of the people of Wales. So, it's just finding different means of doing that in terms of legislation. I don't know what will happen when we withdraw from the European Union, but presumably there will be some regimes put in place by Government to carry us through so that we can continue with the monitoring work, and continue with the management work and the engagement. And then some provisions are going to have to be put in place for things that are difficult. A lot of the site designations under European legislation we're going to have to do something within this period, whether it's a great repeal Bill, to make sure that the site protection is maintained.

[215] **Sian Gwenllian:** Beth sydd yn **Sian Gwenllian:** What's the most vital hollbwysig i ni ei gadw, wrth symud thing for us to maintain moving ymlaen? Beth ydych chi ddim eisiau forward? What don't you want to see weld yn cael ei golli? being lost?

[216] **Mr Evans:** I think it's important that we maintain, as I said, the protection of the most important sites. Now, in Wales, they're very big and they're very broad, so it largely covers features, so we need to make sure that we're protecting the special species we have—the bottlenose dolphin, the harbour porpoise, the bird populations we have; the iconic features that bring tens of thousands of tourists to Wales and make a big contribution to our economy. We need to make sure that we protect local communities and their ability to utilise the sea, either for those visitor trips or for the fishing industry. Aggregates, energy—all of those things will still need to take place, but within a new context. So, they're all essential. What we've built up over our decades within the European Union is a framework that works, by and large. We have a very high test of proof before any project can go ahead under the habitat regulations. So, the bar is very high. It's a negative test, if you like. We have to prove no detriment to the site condition, which is a very high bar that isn't replicated in any domestic legislation. So, to make sure that we can continue to put our development programme through really tight scrutiny to make sure that one sector isn't benefitting at the cost of everyone else—. That's one of the features of the two Acts—that we look for these multiple gains, for the win-wins, so we're not doing one thing at a cost to another sector.

[217] **Dr Lewis:** I think specifically, then, in relation to our marine protected areas, obviously at the moment those are in the marine environment; they are predominantly European sites. So, one key thing that we'll need to be careful about in exiting the EU and putting other arrangements in place is that, terrestrially, our network of protected sites, European sites, is underpinned by the sites of special scientific interest designation. At sea, we just have special areas of conservation and special protection areas; they're not underpinned by a domestic designation. So, we just will need to watch, as Mike says, that that general picture of the same framework and level of protection, and tools for management, is retained, and it might be, therefore, that we need to look more to the domestic legislation in terms of the Marine and Coastal Access Act 2009 to support that if there is any weakening in terms of taking through into domestic legislation the current European legislation. So, there's a specific issue around marine protected sites that doesn't exist for terrestrial ones that will need to be looked at. Obviously, we will have worked with advising Government on what the options around that might be.

[218] **Sian Gwenllian:** What are the implications as far as enforcement is concerned?

[219] **Dr Lewis:** The main implication there is that you've lost the big enforcement from Europe, but that's a bigger question for Government at a UK level as to how that's dealt with across all European directives, I imagine. But the actual day-to-day enforcement activities we would expect to remain the same.

[220] **Mark Reckless:** One criticism we had from the previous witness about the current system was that those charged with overseeing it and protecting the site—including, presumably, yourselves—had a particular focus on avoiding infraction proceedings. Do you think the move away from the EU system to a domestic focus might lead to changes in that degree of emphasis for you?

[221] **Mr Evans:** It may do. Infraction is a very big stick. The fines are high. So, it might bring some opportunity. The article 17 report I referred to earlier—the last one we did in 2013 took 660 person days just to complete the report, which didn't give an assessment of the sites in Wales; it was done at a UK and European level. So, to actually make sure that we can spend our resource reporting more Wales-relevant information on condition, status and

management options I think is an opportunity.

[222] **Dr Lewis:** I think where we're at in Wales at the moment, and we've talked about it already, is that we have a substantial network of marine protected areas already. The Joint Marine Claims Committee have carried out an assessment for Welsh Government, and we've contributed technical support to that on how coherent the contribution of the network of MPAs is from Welsh waters. It identified that there were very few gaps. So, in terms of the drive from the European legislation to designate, and therefore potentially the threat of infraction that might come with it for not designating, that is significantly diminishing for Wales anyway. Shifting more there is the focus of exactly what this inquiry is about, which is about how you manage what you've got. The drive to do that, whether it be through the environment Act, the marine plan, OSPAR or the MPA management requirement—that will all still remain.

[223] **Mark Reckless:** Thank you. David, did you have a final question, or is that it? Simon.

[224] **Simon Thomas:** Thank you. Just to ask a little bit more about this, and to also link back to your earlier point about site condition reports. I understand that these are being done this summer. Where does this all link together with the potential for area statements under the environment Act? What sort of area statement can we expect for the marine environment, in particular? Is there now clarity from NRW about how all that will link together so that we'll be able to put it in a more coherent sense of site condition and the purpose of the management for the different sites?

[225] **Mr Evans:** We're still waiting for the NRP before we make a decision. That will inform how we do area statements for marine. I think there is an argument for doing one area statement for marine, but we might lose some of that local engagement then, which I think is so important. So, it may be that some of the maritime area statements, because of the interaction between what happens on land and in the sea, take more notice of that within area statements.

[226] I think the evidence is common. We've already described how we use it for our European and local reporting, such as for SoNaRR, and as we're already starting on SoNaRR 2, we'll make sure that we're capturing data in a way that we're able to cut it to local areas to be more relevant to local interests. But I think it comes down to the thematic and the local, so the

things that we need to do across Wales under one area statement, given the size of our sites and the fact that we have highly mobile species and we have common issues around climate change, marine litter and invasives, and then what actually is local, and what could be done through any sort of local framework of partnership, whether it be through an area statement or through a site management plan.

[227] **Simon Thomas:** Just to follow up on site management plans, therefore, your predecessor organisation—well, one of them; not the only one—the Countryside Council for Wales produced two reports, which the committee has been looking at, which is the evaluation of current MPA management in Wales and the overview. They were done in 2012, I think. Do you regard these as, sort of—? Are they still ongoing working documents within NRW, or have things changed in that sense? Or are the conclusions of these reports and their recommendations still active ones that you're trying to implement now?

[228] **Dr Evans:** I would say that those reports—. As you say, they started off life in CCW but concluded life in NRW, really. Those recommendations are still valid, but I think we've moved on significantly insofar as we're already working on implementing a number of those recommendations. For example, there was a recommendation there about having a clearer Wales-wide steer from Government, having greater consistency in how we approach the management of our network of MPAs, and greater awareness across management authorities of their responsibilities. Those were some of the key recommendations, all of which, whether through the Wales MPA management steering group, the MPA condition improvement project that we have, the planning process et cetera—all of those are in the process of being taken forward. So, it's still valid but we've moved on in terms of the fact that we're actually implementing now.

[229] **Simon Thomas:** In terms of that ongoing management, you mentioned the steering group there.

11:30

[230] Do you feel that that steering group is sufficiently outward facing for members of the public—well, shall we say interested members of the public, or at least members of the committee perhaps—to understand what the steering group is discussing, the agenda, the conclusions, and to be able to see whether decisions are being taken and then followed through? How can

we trace that?

[231] **Dr Lewis:** The steering group is co-ordinated by Welsh Government, and, so, all the papers et cetera would be publicly available. I guess the mechanisms around that would need to be discussed with them. I think that particular steering group has dealt with some difficult issues in terms of the shifting way in which we're approaching MPA management, in terms of resourcing, priority action and looking to the planning and regulatory framework, and is only, I think, now beginning to get to the stage to look ahead at what is the role of the steering group, and potentially review whether the membership is right and the process of the communication is right. So, I think that very much is work in progress, but definitely heading in the right direction.

[232] Also, there is the Wales marine strategic advisory group that Welsh Government runs, which is a broader forum of stakeholders across Wales, and a number of key MPA management issues, and MPA-related issues, are taken to that broader forum, and that's a very useful way of making sure decisions and information and discussions are communicated more broadly as well. It's certainly true then, within networks and sectors, that there's a reliance on that feeding out more widely, which can always be improved, but that Wales marine strategic advisory group, I think, has an important role alongside that steering group as well.

[233] **Simon Thomas:** What's the interaction between the two then? Are they shared membership?

[234] **Dr Lewis:** There's overlapping membership, and both are run by Welsh Government. So, decisions made by the steering group can be communicated and discussed with that wider group of stakeholders. And, so, for example, Welsh Government is setting up a smaller task and finish group from the Wales marine strategic advisory group, which is the bigger group of stakeholders, to involve people directly in how we address the few gaps that we have remaining in the network of MPAs. So, I think there are plenty of opportunities for engagement, but we probably still have some way to go to make sure that that cross-communication is working as effectively as it could.

[235] **Simon Thomas:** There was one recommendation, when I was looking at the report, that really stands out. It's very clear, but I'm not sure whether we've got it yet:

[236] 'A properly resourced favourable condition assessment framework covering all MPAs.'

[237] 'Properly resourced' is the wording there that stands out, of course, with Huw Irranca-Davies's earlier points. It doesn't seem we have that. To what degree do we have it, and are there steps in place to achieve that?

[238] **Dr Lewis:** That's what we've just discussed in one of the previous questions, which is that we recognise the critical importance of site condition information to support management. The difficulty for us has been that it's not a statutory requirement, and it's fitting it around the real sort of push—

[239] **Simon Thomas:** Because you can't do management without the evidence, can you?

[240] **Dr Lewis:** No. So, that's why we have, as I was explaining, put in place this programme to produce a suite of indicative site condition reports. It's a huge task to do in a huge amount of detail, but we've come up with a consistent methodology where we can score the confidence with which we're making our judgments on condition. So, it allows us to have an approach that we can repeat, but that is not as resource intensive as what we might have tried to do in the past. So, we are looking to put that in place, and once we have the first suite of reports, and an ongoing process, we will write to the committee and give you that information.

[241] **Simon Thomas:** So, just to understand—and finally—how does this all line up? We've got what you've just described, which is different, I think, to the site condition reports.

[242] **Dr Lewis:** No, that's what I was—

[243] **Simon Thomas:** That is what you were describing. Right. Okay. Fine. So, we've got the site condition reports, we've got an area statement, or statements for the marine environment—not sure yet whether it's one or several, and how it might interact with the terrestrial ones. We have the marine plan. What is the—? Which comes first and how do these follow on in your ideal scenario? When can we have it all together and really analyse it?

[244] **Mr Evans:** Well, I think, to start off, the site condition reports will inform area statements, because area statements are about something much

broader than just the condition of those particular sites, and the marine plan will be one of the means of implementation, as I understand it.

[245] **Dr Lewis:** Yes. And, essentially, it all happens in parallel. Welsh Government have their marine evidence report that they produce, in terms of the full suite of evidence available on how we use the marine environment et cetera at the moment, which supported the production of the Welsh national marine plan. We have our monitoring programmes and are looking at site condition reporting, but it's multiple layers of evidence and information, both across the network, and at a Welsh-wide level, but also at the site level. I don't think one comes before the other. They're all a collective picture. And in terms of the area statements, we've given clear advice internally that we think the right approach is a single strategic marine area statement and we've given you a diagram in our evidence of the overlapping different planning and management regimes. But that would interact very much with the terrestrial catchment-based area statements at the coast. All those sources of evidence and information then come together in that overlapping area.

[246] **Mr Evans:** If I were to emphasise one thing, I think site condition reports are important and local site management is important, but to re-emphasise a point that we made earlier: a lot of the management for our big and expansive sites is through the planning control and the tests that we have under the habitats directive, because that is the strongest protection that we can get. So, nothing can happen in a specific area without going through that framework of habitat regulation assessment. That is why we're looking at an all-Wales framework for managing the marine, because many of the issues are chronic and widespread and many of our species are widespread and seasonal. So, that framework is probably the most important one.

[247] **Mark Reckless:** Two final questions before we close. First Sian and then Huw.

[248] **Sian Gwenllian:** This is just a general question: it strikes me that we're doing a lot of monitoring and evidence gathering. Is this all going to make a real difference to the marine environment at the end of the day?

[249] **Mr Evans:** I'd start by saying that unless you understand what you have, where it is, what condition it's in and what the pressures, threats and trends are, you can't really start the process of managing them properly. So,

we are pushed and, as you all know—we've said in our evidence—our resources for understanding the marine environment are shrinking, so we're having to target where we know there are pressures and where we know there are real benefits coming.

[250] **Dr Lewis:** I think, in relation to that as well, we need the evidence to be able to take action, but we know that it's patchy in places, so what we're also exploring—and the Government are exploring it through the Welsh national marine plan as well—is increasingly looking at the risk-based approach to consenting activity, where you might assess what the risks are, deploying new technologies, but actively monitoring them and have a plan around how you do that, so that if the negative interactions start to occur, you can change tack. That's been tested and developed in a lot of detail with the tidal stream device that was proposed in the Ramsey sound, which is in the Pembrokeshire marine SAC. We worked very closely with the developers on that risk-based approach, which was to deploy a device and monitor the collision risk and any impact, particularly on the seal population in that instance.

[251] But, as a principle, it's something that we're looking to develop much more through the implementation of the Wales national marine plan: where evidence is limited, especially in relation to impact and interactions and new technologies, that we take this risk-based approach to testing things and to enable us to actually see whether or not there are things that we can do that, if we took a more precautionary approach to assume that we didn't have the evidence, we wouldn't allow to happen in the marine environment.

[252] **Mark Reckless:** Finally, Huw.

[253] **Huw Irranca-Davies:** I wanted to ask you about lines of accountability. When all these jigsaw pieces come together—we have marine plans, area statements and everything else, we have the site things too—where are the lines of accountability and responsibility? What would you understand, in that scenario, as to who is held responsible for progress, for individual consents, for major things going wrong and for small things going wrong? Where do the public look to for accountability? Ultimately, the Welsh Government Minister is responsible, but they'll get held accountable at the ballot box as well. In terms of day to day and month to month, is it going to be clear who's responsible?

[254] **Mr Evans:** I'm glad you said 'the Minister', because obviously the

majority of the marine protected areas are the responsibility of the Welsh Government and we carry out work on their behalf, in partnership with them. I think we all have responsibilities. It's a bit self-evident that we have very prescribed responsibilities in the legislation; the Government has responsibilities and so do citizens. But it'll depend on the particular element of that that you're looking at.

[255] **Huw Irranca-Davies:** That's worrying me now. As soon as you say that everybody's got a responsibility, then nobody has a responsibility. That's what I'm trying to get at.

[256] **Dr Evans:** In a sense, that's why we undertook those original reviews of MPA management—and we talked about those reports before—because the legislation for the management of marine protected areas, whether they are SACs, SPAs or MCZs, gives equal responsibilities to a suite of management authorities. So, there is no single authority with overall responsibility, although they are Welsh Government sites. That's why we would look to Government to provide the co-ordination across Wales, which they're beginning to do through that steering group. It is a fact of the legislation that there's a shared responsibility across the management authorities, but I think, in terms of oversight, it obviously rests with Government.

[257] **Huw Irranca-Davies:** Okay, thank you. That just brings me to my final, final point, and it's partly to do with my lack of understanding of how the structures work in Wales. Within NRW, are you able to say to a Minister, as you've been frank in previous evidence to this committee and today as well—would you be able to say, 'Look, we simply don't have sufficient resource to deliver what you are statutorily obliged to deliver'? Are you able to do that? Can you do that? Would you do that?

[258] **Mr Evans:** Our chief executive and chair meet with the Minister very regularly and I'm sure resources is at the top of their agenda in most of those meetings. I've worked in public service for 25 years and it's been the first time I've had to deal with decreasing budgets. So, it is a particularly challenging time at the moment. We've had grant-in-aid cuts for the previous year of 7 per cent, and, before that, for 5 per cent. We have a flat agreement for this year, which is a respite, but it is extremely challenging to shrink in a controlled way with the mechanisms we have to shrink our organisation and shrink our budgets. It's very, very difficult times.

[259] **Mark Reckless:** Mike and Mary, thank you. We're planning a final evidence session with the Cabinet Secretary on 10 May, after which we will prepare our report on marine protected areas in Wales. I would also envisage, in our annual scrutiny of NRW, the committee keeping a watching brief on how the development of the marine plan and the protection enforcement work is going. So, thank you both very much for coming.

[260] **Mr Evans:** Thank you.

[261] **Dr Lewis:** Thank you.

11:41

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd o
Weddill y Cyfarfod
Motion under Standing Order 17.42 to Resolve to Exclude the Public
from the Remainder of the Meeting**

Cynnig:

Motion:

bod y pwyllgor yn penderfynu that the committee resolves to gwahardd y cyhoedd o weddill y exclude the public from the cyfarfod yn unol â Rheol Sefydlog remainder of the meeting in accordance with Standing Order 17.42(vi).

17.42(vi).

Cynigiwyd y cynnig.

Motion moved.

[262] **Mark Reckless:** At this point, I would like to move a motion under Standing Order 17.42 for the committee to go into private session. Is that agreed? Thank you.

Derbyniwyd y cynnig.

Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 11:42.

The public part of the meeting ended at 11:42.

