



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

**Y Pwyllgor Cynaliadwyedd
The Sustainability Committee**

**Dydd Iau, 11 Chwefror 2010
Thursday, 11 February 2010**

Cynnwys
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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Lorraine Barrett	Llafur Labour
Angela Burns	Ceidwadwyr Cymreig Welsh Conservatives
Michael German	Democratiaid Rhyddfrydol Cymru (Cadeirydd y Pwyllgor) Welsh Liberal Democrats (Committee Chair)
Joyce Watson	Llafur Labour
Brynle Williams	Ceidwadwyr Cymreig Welsh Conservatives
Leanne Wood	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

John Lloyd Jones	Cyngor Cefn Gwlad Cymru Countryside Council for Wales
Roger Thomas	Cyngor Cefn Gwlad Cymru Countryside Council for Wales

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

Dr Virginia Hawkins	Clerc Clerk
Meriel Singleton	Dirprwy Glerc Deputy Clerk

Dechreuodd y cyfarfod am 1.03 p.m.
The meeting began at 1.03 p.m.

Ethol Cadeirydd Newydd
Election of a New Chair

[1] **Dr Hawkins:** Good afternoon, ladies and gentlemen, and welcome to this meeting of the Sustainability Committee. The first item on our agenda is the election of a new Chair. Therefore, in accordance with Standing Order No. 10.18, I call for nominations for the Chair of the committee.

[2] **Angela Burns:** I nominate Mike German.

[3] **Dr Hawkins:** Are there any other nominations? I see that there are none. Are Members content? I see that you are. I hereby declare that Michael German has been duly elected the Chair of the Sustainability Committee.

[4] **Michael German:** Thank you, colleagues. I have a feeling of déjà vu, having done this job for a short period of time before. I would like to pay tribute to my colleague, Mick Bates, as the previous Chair of the committee. I do not think that anyone who knows Mick will fail to recognise his contribution, both now and in the past, to the cause of sustainability in all its guises. If you wanted to describe passion for sustainability, you would see it in the twinkle of Mick's eye. I owe him a deep debt of gratitude, as do we all, for the work that he has done on

this committee for that cause. That light will not be extinguished; he will continue to work hard to ensure that Wales is sustainable in all its aspects and that we are sustainable in all aspects of our lives.

1.04 p.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon Introduction, Apologies and Substitutions

[5] **Michael German:** I need to make the normal housekeeping announcements, with which I am sure Members are familiar. No test of the fire alarm is planned for today, so if you hear an alarm, please follow the ushers and leave in an orderly manner. Please switch off all mobile phones, pagers and BlackBerrys—but not your pacemakers—or they will interfere with the broadcasting equipment. As you know, we operate through the media of English and Welsh. Headphones are provided; interpretation is on channel 1 and verbatim proceedings can be heard on channel 0.

[6] I will ask Roger and John, when they join us, not to touch the buttons on the microphones as that will interfere with the system.

[7] I have received apologies from Rhodri Glyn Thomas, Karen Sinclair and Irene James.

1.05 p.m.

Ethol Aelod Newydd o'r Is-bwyllgor Datblygu Gwledig Election of a New Member to the Rural Development Sub-committee

[8] **Michael German:** Today, we will take evidence from and scrutinise the Countryside Council for Wales as part of the committee's scrutiny of Assembly Government-sponsored public bodies. Before I do that, there is now a vacancy on the Rural Development Sub-committee, as Mick Bates is no longer a member of this sub-committee. Therefore, a new member needs to be appointed. I invite nominations.

[9] **Brynle Williams:** I nominate Mike German.

[10] **Michael German:** Are there any other nominations? I see not. Thank you very much for your support in this matter. No Members have objected, therefore I take it that there is agreement. We will now move on to our scrutiny of the Countryside Council for Wales.

1.06 p.m.

Craffu ar Gyrrff Cyhoeddus a Noddir gan Lywodraeth y Cynulliad Scrutiny of the Assembly Government-sponsored Public Bodies

[11] **Michael German:** I welcome John Lloyd Jones and Roger Thomas. For the record, could you state your name and position? You do not have to, but if you would like to make some introductory remarks, please do so and we will move into questions immediately after that. Please do not touch the buttons on the microphones.

[12] **Mr Jones:** That is my first mistake of the afternoon. I am John Lloyd Jones, and I am the chairman of the Countryside Council for Wales.

[13] **Mr Thomas:** I am Roger Thomas, and I am the council's chief executive.

[14] **Michael German:** Do you wish to make any introductory remarks?

[15] **Mr Jones:** Yes, if I may. First, I thank you for the opportunity to appear before this scrutiny committee. I think that this is the first time that we have appeared in front of a scrutiny committee in four years.

[16] I am coming to the end of 10 years as chairman of the Countryside Council for Wales. During that time, certainly in the early parts of my chairmanship, we have had the opportunity to implement some major bits of legislation, such as the Countryside and Rights of Way Act 2000, and we are now implementing the coastal access provisions. Over that period, we have provided many extra opportunities for access in the Welsh countryside. We now need to concentrate on usage, to get people to use far more of these access opportunities, not only because of the correlation between access and enjoyment of the countryside, but because there are health issues involved. We all know that walking is good for people's health and for social inclusion.

[17] The second bit of major work was the implementation of the habitats directive. There is a temptation to look at the habitats directive as being pretty rigid and as the child of 1980s-type thinking. However, it gives us a framework. In implementing the habitats directive, there was a significant amount of work to be done in underpinning the special areas of conservation through legislation relating to sites of special scientific interest, because that is the only way under English and Welsh law that you can protect them.

[18] There was an interesting correlation. The commission had said that unless we began to implement the habitats directive, it would start slowing down the Objective 1 money. Obviously, there was tremendous pressure on us to implement the habitats directive. I hope that we did it very well, and it is now a matter of making sure that it works. You have had details of the special sites project, which is trying to break the SSSIs into manageable pieces. It tries to give clear information about who needs to do what. There has also been a breakthrough in remote sensing opportunities, which means that we can monitor change far more effectively and efficiently to make sure that these sites are recovering and that they are in a favourable condition.

[19] One of the things that you have no doubt picked up is that we have not met targets in relation to halting biodiversity loss. We are not unique in that as not every country in the European Union has done so either, as far as we are able to understand. However, it is not only about halting biodiversity loss; we need a parallel system with a new ecosystems approach. How do these areas help to deliver clean air, clean water and sustainable soils? There will be pressure to make natural systems work harder for society. We also need to understand that these SSSIs are not island sites. We need to build up connectivity between these ecologically important sites, because, during a time of climate change, it is the only way that species and habitats that may want to move in order to survive will be able to do so.

[20] There is also a need to make connections between uplands management and flood defence. I know that some members of this committee had an opportunity to see that happening on your visit to Lake Vyrnwy. Alongside that are the integration of policy, spatial planning, the revised sustainable development scheme, and Glastir, which all have a part to play in this process.

1.10 p.m.

[21] Secondly, on landscape, we all have a clear understanding now of the economic importance of the landscape to the Welsh economy. Those of us who operate tourism businesses in national parks know full well the marketing importance of national parks for tourism within those areas. Alongside that is the pathfinder project, looking at the proposed

extension to the Clwydian hills and other forms of integrated rural developments such as the Cambrian mountains and the Dyfi biosphere.

[22] We also have a marine remit. If you extend Wales's territorial waters, the size of Wales increases quite dramatically. We have been advising on the Marine and Coastal Access Act 2009 and on the fishing strategy, and we have been helping the fishing industry through spatial mapping. We have been able to point out why scallop fisheries can exist instead of banning scallop fishing. That involvement with developers is not only in the marine environment, but also in the terrestrial environment. Many of our resources go on casework. We work with developers, and the sooner we can work with them to get environmental considerations taken as a core issue, the better the outcome for everyone. An example of that is the work that we have been doing in the Heads of the Valleys and, this week, we met the Infrastructure Planning Commission because much of its work will be to put these things right by pre-application dates.

[23] Finally, on engagement with the urban population through urban green spaces, the Green Flag awards, and the green spaces toolkit, the environment that is important to the majority of urban dwellers is the one on their doorstep. We have to make them more aware and we also have to give them the opportunities to enjoy that more. We have a wonderful pilot project called, Come Outside!, on which we are working with specialists in community engagement, helping them to integrate the environmental parts of their work. An example of that would be woodland management, when we managed to get hard-to-reach members of the community actively engaged in woodland management. That was a brief trawl through what is a wide remit.

[24] **Michael German:** Thank you for that. Members will ask questions in blocks and they may also ask supplementary questions as they go through them. Leanne is first.

[25] **Leanne Wood:** Could you tell us to what extent your remit will differ in 2010-11 compared with 2009-10? What will be the major differences in your remit, and how have they influenced the way in which you have planned your resources?

[26] **Mr Jones:** I will ask my chief executive to answer that, because he has been actively involved with the remit letter.

[27] **Mr Thomas:** Do you want me to compare this coming year with the previous year?

[28] **Leanne Wood:** Yes.

[29] **Mr Thomas:** The remit will not change significantly; it is focusing on the core priorities, because there are budgetary pressures on us as an organisation, as there are on everyone else. We work hard to increase the efficiency of CCW. We are today operating with just fewer than 490 staff, 40 of whom are on contracts, so our permanent complement is just under 450. Those staff are delivering the same if not more work than 600 people were delivering four years ago. So, we have introduced a lot of efficiencies. However, the remit letter that we are currently working on with our sponsor division is not fundamentally different from that for the previous year. The core priorities remain the same, which are in line with 'One Wales', the sustainable development scheme, 'Climbing Higher' and all those policy drivers.

[30] **Leanne Wood:** The 2009-10 remit letter that was issued to you by the Minister stated the need for you to move towards outcome-based reporting. You refer to the fact that you are currently finalising that in your submission, but can you tell us how that change will affect your planned operations and resources for the coming financial year?

[31] **Mr Thomas:** Our current corporate plan for 2008-12 is built around 12 medium-term aims, if I may call them that, which contribute to four strategic outcomes. It is based on the 'Environment Strategy for Wales', and we reviewed it against the SD scheme, 'Climbing Higher', 'One Wales', and all the policy drivers. So, our work programmes in each of the years to deliver that plan are lined up to achieve objectives that support the longer-term outcomes. In that sense, we are already working on an outcome basis. Our planning and budgetary system in the organisation then enables us to report progress against the outcomes or, indeed, against any of the Assembly Government's individual policy drivers.

[32] The work that we are currently doing with our sponsor division is to ensure that our approach is fully aligned with its emerging ideas for future outcome-based reporting. I think that we already work on an outcomes basis, and it is just a question of aligning it with what our sponsor division wants.

[33] **Leanne Wood:** To clarify, the Minister's new demands in her last remit letter for a greater focus on outcomes will not have any budgetary implications for you in the next financial year.

[34] **Mr Thomas:** No, it is about aligning our current work.

[35] **Leanne Wood:** Okay. Thanks for that. Can you confirm your budget for the forthcoming financial year? Have there been any reductions in your revenue budget? If so, what impact will that have on your planned activities?

[36] **Mr Thomas:** Do you mean our budget for the coming year or for the current year?

[37] **Leanne Wood:** For the forthcoming year.

[38] **Mr Thomas:** The budget has a very small reduction, in the order of a couple of hundred thousand pounds. The only implication is that there is a reduction in our programme activity to accommodate our staff complement. We are reducing the number of our staff. At the end of March, we will lose 16 staff through a voluntary severance scheme. That will enable us to be fitter for the future, which we all anticipate will be one of reduced public services funding.

[39] **Leanne Wood:** So, are the 16 members of staff whose contracts will be terminated among the 450 permanent staff members? You said that you had 450, plus 40 on temporary contracts, did you not?

[40] **Mr Thomas:** Yes, that is right.

[41] **Leanne Wood:** So, will the 40 on temporary contracts be going as well?

[42] **Mr Thomas:** No, they will go when their contracts end.

[43] **Leanne Wood:** Right.

[44] **Mr Thomas:** We are not recruiting permanent staff, but we do occasionally bring people in on contract to deliver what are truly project-based, finite pieces of work.

[45] **Leanne Wood:** Your evidence states that you identified £1 million-worth of efficiency savings in the past financial year. What activities did you have to forgo to make these savings, and what savings are planned for the next financial year?

[46] **Mr Thomas:** We have found money through efficiencies in our way of doing things,

such as by cutting our travelling costs, and our travel and subsistence. You will find in the evidence that the whole organisation, led by our council, takes a vehicle mileage rate that is only about 60 per cent of the Inland Revenue's tax-free rate. These are among the things that our council and staff have agreed to do to ensure that we can, first, keep people employed, because staff are keen to keep hold of their jobs, and, secondly, maximise the amount of money that we can put into programme costs. So far, all the efficiencies have been made in how we do things. Looking towards the future, if the sort of cuts being portrayed in the press hit public services, we will not be able to make those savings through any means other than identifying tasks that we will not deliver. However, that is in common with every other organisation.

[47] **Leanne Wood:** What you are saying is that you have cut to the bone now and there are no further efficiencies to be made.

[48] **Mr Thomas:** Yes. We are working with Environment Agency Wales and Forestry Commission Wales to identify where we can share services, because there is potential for that. We think that there is also potential for one organisation to collect information for another when it is out in a particular geographical location. For example, if we are out somewhere doing some work, we might be able to collect water samples for the Environment Agency. Equally, it could collect some information for us, because the principal cost is often incurred in travelling to and from a location. So, we are working together to see how we can share.

[49] **Leanne Wood:** You have anticipated my final question, in a way. I was going to ask whether you think that any of the work that you do overlaps with the work of the Environment Agency and whether efficiency savings could be made through more joint working.

1.20 p.m.

[50] **Mr Thomas:** We overlap in two key areas. The first is biodiversity, as we and the agency carry out biodiversity work in fresh waters. The second is access, where the agency leads on access to water, and we play a part in that. It is not just the Environment Agency that does this work. Forestry Commission Wales does it as well, and we overlap with it, too. We have addressed that, and we already represent each other. None of these organisations is sufficiently resourced to have a member on every local service board or spatial planning area, so we represent each other on those.

[51] **Angela Burns:** I note that your budget for 2009-10 is £43 million, of which you spent £24 million on running CCW and £17 million on programmes. Do you have a methodology for benchmarking your value for money?

[52] **Mr Thomas:** Yes. It is quite a simple method: we look at the running costs of other organisations and divide them by their number of staff, and then we do the same with ours just to see where we sit. We have always come out quite favourably in that kind of comparison.

[53] **Angela Burns:** Is there a public service industry comparator? For example, if you are running a business, you need to turn over £100,000 for every employee. Is there a similar comparator?

[54] **Mr Thomas:** There is not at the moment, because running cost is defined differently in different organisations, even within Wales. However, the Assembly Government is moving towards creating a single definition of running cost, which will help us within Wales. However, it will still not lead to any great clarity without some delving when we compare

with England and Scotland.

[55] **Mr Jones:** That is a very important point. If we had a clearer definition across the Welsh Assembly Government and its sponsored bodies, it would make life far easier. We have had problems with the definition of running costs compared with programme costs. For example, are wardens to be included in the running costs when they are delivering a programme?

[56] **Angela Burns:** That is a very interesting point. I had assumed that you would use normal accounting standards for that, but you are saying that it is far woollier.

[57] **Mr Thomas:** All my staff are included in the running costs at the moment, although many of them are delivering out on the ground.

[58] **Michael German:** Could you give us a note on your understanding of running costs and programme costs, because you must have been applying it?

[59] **Mr Thomas:** Yes, absolutely.

[60] **Joyce Watson:** While it is recognised that CCW has a number of strengths, the recent governance review identified a need for you to work differently in a number of areas—and I know that this will not be news to you. To what extent have you improved the way in which you engage with external partners and made efforts to drive the citizen-centred agenda across the organisation?

[61] **Mr Jones:** We have a programme in place being developed by our corporate services director. Given that that is very much a chief executive function, I will pass that over to him.

[62] **Mr Thomas:** The governance review to which you refer identified many strengths in the organisation, and we were very pleased with the review, our engagement with the reviewers, and its objectivity. The report talks about reflections, but we take those to be recommendations, and we are acting on them all. We have developed an action plan to deliver against all those reflections, and we have incorporated some of the comments about further development, which were in the reassessment process for our Investors in People accreditation, including the survey that we undertook among our staff. The key area for partners was clarity, because there was sometimes confusion about whom they needed to approach within CCW, and so that is being addressed. Consistency is also being addressed, because, depending on which region of Wales you asked a question, the response could vary slightly. So, we are working on those aspects within the plan. However, overall, the partners were very supportive of the organisation, and the governance review is helping us to make CCW better.

[63] **Joyce Watson:** Are there any specific actions that you wish to highlight—although I know that you have just given a couple of examples—and their expected outcomes?

[64] **Mr Thomas:** The most important action for us is probably an internal one, because it is about the integration of our science and policy. As an organisation, we are founded on a base of solid science and evidence, from which we provide our policy advice to the Welsh Assembly Government and others. The review found that there was not strong enough integration in those departments, so we are undertaking what is partly a reorganisation in our head office, but is mostly around the way that we work. It is an integration project as part of our governance review action plan. That is happening now and will be in place for 1 April.

[65] **Joyce Watson:** The activities that you undertake are wide-ranging and the governance review identified the delivery of national strategies as one of your strengths. What proportion

of your activities is driven by the Government's agenda rather than by your statutory duty?

[66] **Mr Thomas:** I could not give you a percentage, but we could work on that and respond to you later. A lot of what we do now is around the Government's agenda and providing advice from our statutory base to the Welsh Assembly Government.

[67] **Michael German:** Perhaps you could add that to your list of notes.

[68] **Mr Thomas:** I will.

[69] **Mr Jones:** I would hope, however, that the Government's agenda is aligned with our statutory remit.

[70] **Joyce Watson:** Absolutely. Or the other way around. What systems and processes do you have in place between yourselves and the Welsh Government to negotiate and discuss additional responsibilities that are passed to you, for example, additional resources, or the realignment of resources, or can you identify where you lack capacity?

[71] **Mr Jones:** I have a quarterly meeting with Jane Davidson, as the sponsoring Minister. Roger has frequent meetings with his staff opposites.

[72] **Mr Thomas:** We have a monthly meeting with our sponsoring division. I have a monthly informal meeting with the head of that division; in fact, I had one last night. We meet whenever I am in Cardiff. We also have a quarterly formal meeting to discuss progress. We always focus on a particular aspect of CCW's work as a core subject for those meetings. If there are new responsibilities, they are fully debated. We accept the inevitability, these days, of new responsibilities coming in without additional funding. It is a question then of working out how we can deliver something additional within our current resource level.

[73] **Joyce Watson:** The review also highlighted the challenges that you face as an organisation in meeting the wide range of activities in your remit, which it stated will require you to be

[74] 'agile, responsible and prepared to make difficult, evidenced choices'

[75] in the future. What specific challenges do you face in that context?

[76] **Mr Thomas:** The biggest challenge that we face is continuing to deliver the full range of activities as we head into the uncharted waters of significant expenditure cuts. We will then need to deliver to a lower or more realistic quality as an organisation. As you can imagine, as a science-based organisation, we have some very accomplished scientists on our staff and they have a personal need to deliver the best quality work that they can. That is not possible in these circumstances. So, the challenge for me as the chief executive is defining the standard to which the work needs to be done and then ensuring that we do it to only that standard. That is one of the biggest challenges facing us.

[77] **Joyce Watson:** You have partly answered my next question, which is how willing you are, as an organisation, to make the 'difficult choices' identified by the review. To what extent does the science-based advice that you provide put you at odds with Government policy and how much of an influence does your advice have?

[78] **Mr Thomas:** That is quite a long question. As an organisation, we must have a good evidence base from which to derive our advice to the Government. So, we have, for example, completely mapped the habitats of Wales and, as the chairman said earlier, we are developing remote sensing technology that allows us to understand what changes are going on in a short

timescale. It took us 17 years to map all of the habitats in Wales. With this satellite-based technology, we are hoping, in future, to be able to do it in six months and four minutes: four minutes being the time that it takes the satellite to whiz over Wales, and six months the time it takes to analyse all of the data that it produces. That is a very good means of detecting change in a cost-efficient way. Therefore, we have that.

1.30 p.m.

[79] Also, Wales is the only country in Europe that has a map of all its inter-tidal coastal habitats. We are now working on the sea beds, so, we have that base of information about the natural environment from which our advice is given. I think that it is that strong evidence base that gives our advice to Government credibility. As the chairman mentioned in his introduction, one of the latest things that we have done is to help the Minister, Elin Jones, in her determination on scallop fishing. We have been able to identify the lowest risk areas in which scallop fishing could be continued. There are no no-risk areas, and scallop dredging, which is the big boat type of operation, leaves the sea bed—I am not quite sure whether my chairman, as a farmer, likes to hear me describe it this way—as looking like the prairie fields that you see in East Anglia, the dust-bowl fields, because it destroys absolutely everything. Our advice has enabled the Minister to make a decision on focusing scallop fishing in the low-risk areas which, as it happens, favours the inshore coastal Welsh fishermen at the expense of the big boats that come in from other countries. It is that kind of advice that we want to get out.

[80] **Mr Jones:** I would like to ask for clarification. You asked where our scientific advice would be at odds with Government policy, but is there not a move to have policy that is based on evidence?

[81] **Joyce Watson:** Yes, I would hope so. These questions are so that we get the understanding that we hoped to have. You have given us the answer that we would expect and would hope to be the case.

[82] **Michael German:** Angela, do you want to ask a supplementary question on this point?

[83] **Angela Burns:** Yes. I was listening to Joyce's questions and your answer with great interest. However, to give an example, you had scientific advice about whether or not the Government should enable or allow the RWE gas power station in Pembroke. You had advice that said one thing, the Environment Agency had advice that went another way, and the Government had a view that another way. Therefore, it is about trying to understand where you stand in that process and the weight that should be given to your particular view, as opposed to anyone else's view.

[84] **Mr Jones:** Roger was far closer to this than I was. My understanding was that the difference between the Environment Agency and us was on the legal interpretation of the habitats directive. I think that that was quite a healthy process. Our interpretation of the habitats directive was slightly different from that of the Environment Agency. The discussion was out in the public domain, and I think that that is a very healthy thing. Roger, would you like to explain? If I remember, it was to do with cumulative impacts.

[85] **Mr Thomas:** Our major concern was about the hot water discharge from that particular power station and its impact upon the special area of conservation in Milford Haven. Our belief, from our modelling, is that, in fact, it will have an adverse affect upon the features for which that special area of conservation is designated. We agreed to differ with the Environment Agency. We have not argued about it; we have agreed to differ. We hold different views on this.

[86] **Michael German:** That answer sounds very much to me as if you have both received scientific advice and reached different conclusions. Would that be true?

[87] **Mr Jones:** I think that it was legal advice, actually.

[88] **Michael German:** It was on the hot water emissions, so you would expect it to be scientific advice.

[89] **Mr Thomas:** Our advice is based on the impact upon the features for which the site is designated. The agency is working to technical advice guidance that it has for England and Wales.

[90] **Michael German:** Would the scientific advice to both of you have been any different?

[91] **Mr Thomas:** The agency did not feel that our concern about the impact was justified. However, I am quite certain that we are right on that.

[92] **Michael German:** So, it was about an interpretation of the scientific advice.

[93] **Mr Thomas:** Yes.

[94] **Mr Jones:** I think that the layman would probably be thinking, ‘Why on earth has all of this heat energy not been harnessed?’

[95] **Mr Thomas:** I think that it is a step back in the process. That is where we were coming from—there is enormous amount of heat there; and in a situation of climate change, the last thing that you want to do is add heat to the environment. So, there was perhaps an opportunity to do something there.

[96] **Michael German:** I was just probing for the example that the question was looking for, which was about interpretation of scientific advice, as opposed to legal interpretation, which, I understand—

[97] **Mr Thomas:** On that point, you must understand that the Environment Agency has to consider these applications within a constrained set of responsibilities. For example, under the integrated pollution control legislation, it has to do things in a certain way and to a certain timescale.

[98] **Michael German:** Perhaps we should understand a little more about its constraints; we may ask about that when we speak to its representatives. Joyce, do you have anything else to add?

[99] **Joyce Watson:** Do you feel that your role as an independent adviser has changed in any way since the Government of Wales Act 2006?

[100] **Mr Jones:** I would hope that our duty to provide independent scientific advice has not changed at all. I would be alarmed if our ability to give independent scientific advice was compromised.

[101] **Joyce Watson:** So would we. Thank you.

[102] **Angela Burns:** I want to talk to you about working with partners. You have touched briefly on some of them, including the Environment Agency. In your submission, you state that the Environment Agency’s responsibilities ‘lie in fluxes’ and that yours are

[103] 'concerned with landscape, habitat, species and enjoyment'.

[104] During many of our previous inquiries, we have understood that the users, or those in receipt of advice from all these environmental agencies, are confused about what they do and where the lines are between them. What efforts have you made to clarify your role to stakeholders and to the wider public?

[105] **Mr Jones:** As you will have seen, the covering sentence there is that we see ourselves as enablers and the Environment Agency as a regulator. I am quite sure that Roger, having operated in both bodies, has probably more to say on that.

[106] **Angela Burns:** I understand that, and I get that, but my point is that many stakeholders, and certainly the wider public, will not get that at all.

[107] **Mr Thomas:** You are quite right and perhaps that is a task that we and the agency need to undertake between us, in order to amplify the statement that is in the short paper that you have about our responsibilities. Having run both organisations, I know that it is about one of them looking after fluxes though the environment, in air and water quality and emissions from wastes, so a primarily regulatory role, and for the other to look after the landscape, species, habitat—what lives in the environment—so an enabling role. We have very little regulatory work in the Countryside Council for Wales; it is primarily a persuasion job, which is partly done through things such as grant awards, to get people to do things in certain ways, management agreements, and those sorts of things.

[108] **Brynle Williams:** With regard to your stakeholders, and I am aware that agriculture comes into this through Tir Gofal, there is little mention of agriculture and its role, given that it is the major stakeholder, through land mass and so on. Where does agriculture sit in this, because it is extremely important to protect the environment, but we also need food production for people?

[109] **Mr Jones:** I am acutely aware of that, as you would expect me to be. We are in no doubt that the major stakeholders are those who manage and own the land, therefore we must work constructively with them. There are occasional differences and the designation of sites of special scientific interest would be one of them. We hope that we would be able to resolve most of those differences before we arrive at the designation process, but, when we cannot, we must do it in as open and transparent a manner as possible. We must make it clear to the majority of land managers that it is their past and present activities that created the environment that we want to designate. So, the last thing that we want is for them to change what they are doing. They see it, because of the legalistic way that it is done, as a constraint. If we conduct this in an open and transparent manner, many of these misunderstandings will be put on one side.

1.40 p.m.

[110] If we require them to change, by and large, those changes will involve costs, and we then pay under a section 15 management agreement. When we were running Tir Gofal, it was a huge advantage for us, because we had direct contact with farmers on a day-to-day basis. Also, institutionally—that sounds awful—as an organisation, it was good for our staff, because we all know that land management in the end is about compromises, and you have to be pragmatic. It meant that even the specialists within the Countryside Council for Wales were having to operate within a pragmatic atmosphere and environment.

[111] **Mr Thomas:** I cannot quite remember the exact figures—although they are in the report we submitted to you—but there are something like 12,000 owner-occupiers of designated sites, and a similar, or slightly larger, number as regards open-access sites, so we

have a massive base. To draw a distinction between customers and citizens, because Joyce was asking about citizen-centred work, we in CCW define customers as people with whom we have a direct relationship, so, for example, that includes the landowners we are working with. We would define citizens as being the general public for whom we are undertaking all this work in the first place and are protecting the benefits of the natural environment that we all enjoy, like the air that we are currently breathing.

[112] **Mr Jones:** The trick is to ensure that our customers actually want to be customers.

[113] **Angela Burns:** Could you expand on that? You have talked about landowners and the agricultural sector, but how do you work with other sectors, such as the voluntary sector, or local government? How do you define who you need to work for, and work with? What do you do with them, and how do you communicate with them?

[114] **Mr Jones:** One clear example of our work with local authorities is that we grant-aid them to deliver coastal access within the local authority area. If you look at the grant-aid budget you will see that a significant amount of grant aid goes to local authorities to deliver a whole range of things, but our grant-aiding programme with the third sector is also important. The fact that our remit is so wide-ranging means that we need partners to help us deliver, so it is about funding organisations to deliver that type of work.

[115] **Mr Thomas:** We regularly meet, for example, the Welsh Local Government Association as the overarching body, looking at how we work with local government. We grant-aid local government, which includes ecological and countryside services in addition to things like coastal access. So, there are core staff within local government who are essentially provided resource through CCW grant, and that is intended to deliver common objectives. We work through overarching representative bodies like Wales Environment Link to ensure that we have a joint view of what is required, and then we establish grant programmes into which people can bid to provide that work. There are an enormous number of grant partners in the third sector.

[116] **Mr Jones:** One interesting partner in this is the police. We have seconded police officers embedded in the organisation, and we are the first countryside agency to do that. The embedded police officers are not there to make more arrests, but to heighten the profile of wildlife crime. That is an interesting example of partnership working.

[117] **Angela Burns:** Indeed. I know that you have had what is, in effect, a small reduction in your grant going forward, but costs are rising and, despite your £1 million of efficiency savings, money will be tighter for you. How will that affect all these organisations? You made the point, if I understood it correctly, that a lot of what you do is carried out via a third party, and you grant-aid them to do that. How will that be affected going forward?

[118] **Mr Jones:** It may well mean a reduction in budgets. What is important for many of these bodies is to get certainty of funding over a period of time. That may well be a bigger issue than the amount of funding provided—the fact that they have certainty of funding over, say, a three-year period. If they do not have that certainty, then, come January or February at the end of a financial year, they could be in the situation of not knowing what their funding will be from March or April at the start of the next financial year. Obviously, with regard to staffing, that is very unsettling, and it is very inefficient because staff might be laid off or decide to go and then they have to hire more people and deal with all the training needs. That is not an efficient way to run any organisation.

[119] **Mr Thomas:** You are quite right; we will have to reduce the amount of money available for grant aid in future in line with the cuts that the organisation faces. We have undertaken to protect as far as we possibly can that grant aid because a great deal of it is for

the third sector, and many of the small organisations—some of them are very small—are heavily reliant on our grant aid. An example would be an organisation such as Tir Coed in Ceredigion, which does stunning work with young carers. It is a group that I knew very little about until we gave it grant aid. I was surprised to find out how many children there are in that part of Wales—and I assume that this is replicated throughout Wales—who are looking after their parents. We are talking about 11 and 12-year-olds who are full-time carers who are also going to school. They have no social life at all because their evenings and weekends are spent looking after their parents. That organisation gets them out and about. For a really small organisation of, I think, three full-time equivalents, possibly less, its work is quite remarkable.

[120] We are trying to maintain those sorts of organisations. They understand that we will have to give them a reduced amount of money in each year, but, as John says, we are trying to ensure that they understand that they will get money each year. We are working with them through other programmes as well. For example, we are running the Communities and Nature programme in the convergence area for the Welsh Assembly Government. That is £24 million over the lifetime of the funding. We are pointing organisations at that as an additional source of income. So we are taking that approach; although we may be reducing our direct funding, we are looking at whether we can help. We produce a funding newsletter for all these organisations that explains what funds are available from all sorts of other sources, so that they can bid for them, and we give them assistance in preparing those bids wherever we can.

[121] **Angela Burns:** I have one more question about how to secure funding. You talked briefly with Leanne about the overlap between you and the Environment Agency. We keep referring to the Environment Agency, but I am sure that there are other organisations with which you have an overlap—where you are both out there doing the same kind of thing. You mentioned two specific areas in response to Leanne. Are there other areas, or are there only two areas? What is the overlap? If we could eradicate the overlap, would some funding be released to do these sorts of projects?

[122] **Mr Thomas:** The principal overlap areas are biodiversity, in fresh waters in particular, and the access agenda. I do not think that further clarification would release funding, because we do not duplicate work with the Environment Agency. It is just that there is an overlap in our responsibilities. We are responsible for biodiversity almost everywhere, but there is an overlap on some of the work done in the water environment.

[123] **Angela Burns:** Could you do joint working or share resources? That should release resources.

[124] **Mr Thomas:** That is one of the issues we are looking at at the moment. There is the same issue with access to water, where we, the Forestry Commission and the Environment Agency have responsibility, but the agency has the lead on that. I do not know whether it would be more sensible if we took the lead on that, as we have done on land. However, we are certainly working together to deliver, and I do not think that that would release funding because the Forestry Commission has a significant grant budget but in different areas to CCW, and the agency is not particularly a grant-aiding body.

[125] **Mr Jones:** What we would hope to do with, for example, Communities First, is help the staff, who are experts in community engagement, with our specific expertise, to add an environmental component to their work.

[126] **Angela Burns:** Chair, may I ask whether it would be possible to ask for a note on this? Sorry—more notes.

[127] **Michael German:** Add it to your list.

[128] **Angela Burns:** Could we have a note on the areas where you think you could work more closely with other agencies, thereby maximising what you deliver because there would be greater input? That would be great.

[129] **Michael German:** Thank you for that. I want to ask you about the environment strategy and the sustainable development scheme. However, first, am I right in thinking that you have not had your remit letter for the coming financial year?

[130] **Mr Thomas:** We have been working on this with our sponsorship division. We had a first draft a week ago. We have been working on it together for a long time, so the first draft was exactly what we were expecting. We gave our comments on that on Monday of this week, and the division expects to turn it around probably by Friday. We are working very closely on it.

1.50 p.m.

[131] **Michael German:** So, in previous years, would you get your remit letter in mid February, or earlier?

[132] **Mr Thomas:** It has varied. Over the seven years that I have been at CCW, we have had our remit letters from as early as December through to as late as April.

[133] **Mr Jones:** I have the dates here, Chairman.

[134] **Michael German:** That would be helpful.

[135] **Mr Jones:** I have a letter that I received from the Minister which is dated 24 March 2009. The dates of the other letters are 19 March 2007 and 9 April 2008.

[136] **Michael German:** Two of those were virtually in the financial year for which you were responsible.

[137] **Mr Jones:** I will add the caveat that I am taking those as the dates that the Minister sent the letter to me.

[138] **Michael German:** You would expect that having a letter delivered to you earlier, in preparation for the new financial year, would be of assistance to you, rather than it being delivered on the date of the beginning of the new financial year.

[139] **Mr Thomas:** That is undoubtedly true. However, in practice—particularly this year—we have known what will be in our remit letter because we have been working closely with the sponsorship division for some months now and have been developing our plans on that basis. Therefore, the final draft that we received was no surprise to us at all.

[140] **Michael German:** So, it is a no-surprises letter.

[141] **Mr Thomas:** Yes.

[142] **Michael German:** On the sustainable development scheme, you say in your evidence that it contains no specific actions for CCW, but it has long been acknowledged by the Welsh Assembly Government that you are crucial to it achieving its vision for success. Would you expect the sustainable development scheme to acknowledge in writing the role that you have to play to deliver it?

[143] **Mr Thomas:** We consider that we operate under the umbrella of the sustainable

development scheme, and that sustainability is at the core of what we are trying to achieve as an organisation. Our overall purpose is to ensure that we secure the benefits of the natural environment for this generation and for future generations. Doing that means protecting the biodiversity that produces those benefits.

[144] **Michael German:** Do you think that that ought to be explicit?

[145] **Mr Thomas:** In our report and in internal diagrams that we produce of the way in which things work in Wales, we always have the sustainable development scheme as an umbrella under which everything else fits. There is the Government of Wales Act 2006 at the top, then the Wales sustainable development scheme and then the Government's plans for any particular Assembly period.

[146] **Michael German:** Is it explicit in the environment strategy?

[147] **Mr Thomas:** Yes, our role is explicit in the environment strategy.

[148] **Michael German:** Do you see any reason why it should not be explicit in the sustainable development scheme?

[149] **Mr Thomas:** Sustainability covers so many areas that the only way of making it explicit would be to say upfront that everything in the scheme applies fully to the Countryside Council for Wales. I do not think that you could identify, as the environment strategy does, specific areas in which we are acting, because we act in all of the areas covered by the scheme.

[150] **Michael German:** In that case, if it is not explicit, you will look at all the SD indicators and, presumably, have to align your strategy to suit them all. If not, do you just pick and choose because there is no direction as to what you should do and what you should prioritise—or is there?

[151] **Mr Thomas:** In delivering sustainability from our perspective, we are working against all the indicators that we think are relevant.

[152] **Michael German:** Who determines which are relevant?

[153] **Mr Thomas:** We do, and that is done through discussion with our sponsorship division.

[154] **Michael German:** To be absolutely clear, you decide what is relevant in those discussions. Is what is relevant included in the remit letter?

[155] **Mr Thomas:** The remit letter says that we are expected to work within the sustainable development scheme.

[156] **Michael German:** However, essentially, you are determining which indicators you should work to and which are relevant to you.

[157] **Mr Thomas:** Yes. Some of them will not be directly relevant to us. I am thinking, for example, about those on air emissions, as we do not have a role in that respect.

[158] **Michael German:** I will task you with producing another note now, if I may, on which indicators you work to, just to be absolutely clear. Presumably, when you have decided what is relevant, you then have to find a way of aligning operations to that. However, until you know what is relevant, and until we understand what is relevant, we cannot make a judgment

as to whether you are aligning your operations to other indicators that you have decided are not relevant. That was the purpose of my question.

[159] **Mr Thomas:** Okay. We would only not have actions against indicators that are not our responsibility, such as air quality. We would expect to play a part in everything else. I like to think that the way in which we deliver sustainability within the organisation embraces every possible angle and indicator of sustainability.

[160] **Michael German:** Okay. Let us look at the environment strategy, which is the other way around. You are explicitly included in it and you have Welsh Government targets to achieve. May we exclude biodiversity and conservation for the moment, because I think that others will want to ask questions on those? Could you tell me what outcomes you have achieved towards fulfilling that strategy?

[161] **Mr Thomas:** Again, there is a lot of it.

[162] **Michael German:** The headlines will do, I think. I was asking what, in your view, are the principal outcomes towards achieving the environment strategy that you have achieved in the last 12 months.

[163] **Mr Thomas:** In the last 12 months? It is quite a complicated picture, because so many of the outcomes in the environment strategy are relevant to CCW either as a lead, or as a contributor. It might be better if I sent you a copy of this document that I have in my hand, which is 35 pages long.

[164] **Michael German:** Have your current resources been skewed to delivering those areas of the 'Environment Strategy for Wales' where a clear remit has been given to you, or are you spreading your resources wider in order to achieve the broader aims of the sustainable development scheme—or are they contiguous?

[165] **Mr Thomas:** I think that they are contiguous. We cannot deliver the 'Environment Strategy for Wales' without delivering the sustainable development scheme. I do not think that it is possible. The sustainable development scheme sits over and above everything that we do in Wales.

[166] **Lorraine Barrett:** I cannot resist making this point, Chair. I was just thinking about scientific advice and the Government's decision in relation to badgers. However, I will move on to my question. What direction have you received from the Minister with regard to the prioritisation that you are to give to biodiversity in the future? To what extent will you have to reprioritise other areas of activity as a result?

[167] **Mr Thomas:** The Minister is very keen that we work towards achieving the biodiversity targets within the environment strategy. That is stated clearly in the final draft of the remit letter. The Minister is keen that we derive new targets that will enable us to halt the decline in biodiversity and hopefully, later on, reverse that decline. As the chairman said, no country in Europe has achieved the 2010 target, and it is likely that no country in the world has done so. We do not have all of the global returns, otherwise I would be able to make a more accurate statement on that.

[168] There is no specific realignment of our work, because our work programmes are already geared towards biodiversity. Everything we do as an organisation takes biodiversity into account. We then do specific work, such as the work on special sites and getting those into favourable management, which is a major piece of work that is currently delivering information to all of our partners on the actions that they need to take as well as things that we need to do ourselves. There is also the work that we are doing beyond the special sites, such

as remote sensing and connectivity, which is about ensuring that species can move. I hasten to add that that is not the same as being connected, so we are not talking about corridors or physical connections. Connectivity is about aiding the movement of species within the landscape. If you are a bird, it will be done by flying; for other species it might be done through seed dispersal. It is different for different species, but it is not about hard physical connections; it is about making sure that those stepping stones are there to enable species to move freely.

[169] **Mr Jones:** Remote sensing will give us the opportunity to monitor at a fraction of the cost and will take far less time. Roger told me the other day how long it took us to put the phase 1 habitats map together.

[170] **Mr Thomas:** It took 17 years.

[171] **Mr Jones:** We could now put together a phase 1 habitat map in a few hours.

2.00 p.m.

[172] **Mr Thomas:** Yes, we can, once we have analysed the data.

[173] **Mr Jones:** So, there are some incredible opportunities here. We still have staff who would like to go out and scrape meter quadrants.

[174] **Mr Thomas:** It is important because the data collected by satellite or through drones or whatever else is being used, can only be interpreted if someone understands the connection between that and what is being seen on the ground. We have a couple of very clever mathematicians in the organisation, who have written the algorithms that translate the species and assemblages that you see on the ground into what is being received by the optics on the remote sensing device—stuff that I do not understand, I am afraid.

[175] **Lorraine Barrett:** I now have this picture of someone going around with a camera, for 17 years, measuring—

[176] **Mr Thomas:** Not someone, but lots of people.

[177] **Lorraine Barrett:** So, there were lots of people measuring fields and so on.

[178] **Michael German:** It could be worse—it could be the ordinance survey.

[179] **Mr Jones:** Having done that work, it meant that we could implement the Countryside and Rights of Way Act 2000 at a fraction of the cost in England because we had the information to hand.

[180] **Lorraine Barrett:** That is interesting.

[181] **Mr Thomas:** I should add that remote sensing also gives us the opportunity to detect change very quickly. For example, in preparation for a conference at which I spoke last year, I got an analysis of very recent data because there had been a general view that bracken coverage was increasing hugely in Wales. We also thought that, but in fact, the remote sensing data showed that bracken was not increasing hugely in Wales, which I am sure might also surprise you, Brynle. In fact, it was growing in different areas. The other thing about bracken is the fact that where it grows could also be used for woodland development because it means that there is soil there and that you can identify areas that you might want to pick out for planting woodlands. So, there are many advantages to remote sensing data that we are only beginning to understand.

[182] **Lorraine Barrett:** What level of resources do you have for the delivery of your environment strategy targets in relation to biodiversity and nature conservation?

[183] **Mr Thomas:** I could not give you a specific sum. As I say, everything that we do is geared towards biodiversity. Even with our access work, we are trying to deliver for biodiversity as well as get people out into the environment because the whole purpose of open access is to get people out enjoying the natural environment. I suppose that my quick answer would be: all of our resources.

[184] **Lorraine Barrett:** Yes, and you could always do with more, I suppose. Are you aware of how your resources match up to other organisations in the public sector? I am not sure if it is easy to match like-for-like, but could you give us a general feel?

[185] **Mr Thomas:** As an organisation, we have not had inflationary increases for many years, and we have had to absorb inflation every year for a long time now and that is why our council and staff accept less than the usual rate for car mileage and so on. We have absorbed inflation each year. However, last year, the Minister gave us more flexibility between the running and programme cost elements, which helped us a lot. It was getting very difficult to manage within this constrained budget.

[186] **Lorraine Barrett:** I think that the question on outcomes and the 'Environment Strategy for Wales' have been covered, Chair, in your questions.

[187] The Natural Environment and Rural Communities Act 2006 contains a duty for biodiversity to be a key consideration in public sector spending as an ongoing activity and your remit letter for 2009-10 refers to your leadership role in enacting this duty. What actions are you taking in this case?

[188] **Mr Thomas:** We have run, as we always do with duties like this, training courses for local government and for other partners who have that duty, for example, utilities companies and so on, to ensure that they understand that duty. That is what we have done to date.

[189] **Lorraine Barrett:** Is there anything else that you should be doing that you are unable to do or is that the key to delivering this?

[190] **Mr Thomas:** The key part of it is getting people to understand the importance of the duty. To be fair, the training that we provide has been well received and we have been quite encouraged by the attitude of the people who have come along to training sessions. Obviously, we will, along with others, monitor and understand whether that duty is being delivered—that is a key component.

[191] **Lorraine Barrett:** Could you tell us more about any funding mechanisms that you are developing for biodiversity?

[192] **Mr Thomas:** We have been asked to look at—and it is within our current grants programme—developing a specific funding mechanism for biodiversity for the future. I do not think it will have any additional money; we will do it from within our current grants programme. We have had these in the past, such as species challenge types of funds, where organisations have to bid to work on a specific species or group of species using that type of approach.

[193] **Mr Jones:** Some of our staff members have also been seconded to the Heads of the Valleys project in order to maximise the environmental components of that particular scheme.

[194] **Brynle Williams:** Moving on to the marine and coastal aspect, how will the implementation of the Marine and Coastal Access Act 2009 affect your responsibilities and duties? Do you have the necessary skills and resources to take on these additional duties?

[195] **Mr Jones:** I am slightly shocked that the marine question came from Brynle. *[Laughter.]*

[196] **Mr Thomas:** We worked very hard in Wales and Westminster during the development of the Marine and Coastal Access Bill, and we took on a representative role at times for the Welsh Assembly Government in some of the debates, because it was recognised that we had the expertise to contribute to the making of the legislation. We gave evidence at various committee hearings in Westminster, and we were fully aware of what the Bill meant for us. As I said earlier, some of the information will help us in Wales. For instance, we are the only country in Europe that has mapped its inter-tidal coastal habitats, so we have an evidence base that no-one else has. We are currently undertaking habitat mapping of the sea bed, but that is a much longer term exercise as it involves ships. We are doing that in partnership with the Centre for Applied Marine Sciences in Menai Bridge, which is part of Bangor University, which has a nice big boat.

[197] In terms of our marine skills, we have a group of highly-qualified marine staff. We could do with more of them because of the challenges but, nevertheless, we have produced groundbreaking work. John mentioned the work that we did on landscapes earlier, and TAN 8 followed on from the initial work that we did. Six or seven years ago, when I first joined CCW, the finger was pointed at us for objecting to windfarms all the time, although we had not objected to very many. Nevertheless, we were tarred with this brush, so we thought that we would go out to identify the lowest risk areas for windfarm developments. We did that work, and that ultimately became TAN 8. We have done the same in the marine environment, and we do sensitivity maps for all types of different activities in coastal waters. We are currently identifying the lowest risk areas for piloting novel renewable energy generation technologies. As I said earlier, none of these areas are no-risk, but some areas are lower risk than others and there is clearly a need to try out these technologies. The Minister has written that work into our remit letter for this year.

[198] **Mr Jones:** The work that we did on seascapes won a prestigious award from the Landscape Institute.

[199] **Mr Thomas:** It is worth emphasising the evidence base that we have for Wales. I can say that it is good, but that is just my view; however, it is recognised as being good in many different places. For our landscapes work, we used landmark, which is the advisory tool used by local authorities, and we won the Landscape Institute's European Landscape Award in 2000. Our terrestrial landscape work has won a number of awards, as has our seascape work. So, we are producing tools that are recognised internationally, within the UK and outside the UK, as being very good tools. That is part of our role as an organisation, to make the link between Government policy and action on the ground. We deliver very little directly on the ground—most of the work is done by our partners. We aim to have a sound evidence base for our initial advice, and then develop the tools and the training that enables our partners to make progress.

[200] **Brynle Williams:** What advice have you given to the Welsh Government on marine conservation zones?

2.10 p.m.

[201] **Mr Thomas:** We took the same approach in developing our advice on that as we took with open access. My chairman, John, has stated that, in Wales, we delivered open access

under the Countryside and Rights of Way Act 2000 at something like a tenth or twelfth of the cost per unit area in England. That was because we brought all the different interests together at the outset. We recognised that that would be a sound step. The first few meetings were quite tense and difficult but, after that, people accepted that we were all working together for a common outcome, and that we just wanted to get the best deal. So, we took that approach into the marine conservation work. The summer before last, as the legislation was being developed, we ran a workshop in north Wales, but we had all the different competing marine interests, including people who would not normally be seen in the same room together, coming together on that day and we started the same process there. The advice that we have given has been about how the process should be run rather than saying, 'These areas should be designated'. The key thing is that, just like with open access, the group that provides advice to Government about which specific areas should become marine conservation zones should represent all interests. At the moment, there is just the one that we know about: Skomer Marine Nature Reserve becomes a marine conservation zone under the legislation. It has changed its name now, Brynle, but I cannot remember the new name. It is quite a long one, but it means the same thing.

[202] **Brynle Williams:** What have you done to ensure that Wales has an adequate baseline on which to establish the question of marine spatial planning?

[203] **Mr Thomas:** The seascapes work that we have been doing won this year's Landscape Institute's innovation award, so that is something that Wales has that no-one else does. The coast of Wales is now divided into 50 different seascapes and, depending on the particular one, different things can be allowed to happen within that vista. So, there is work like that, the inshore habitats are mapped, and we are working on the offshore habitats. The priority areas are those where we know there will be pressures for developments, such as the round 3 offshore energy developments coming up from the central Westminster Government.

[204] **Brynle Williams:** Finally, I am really interested in hearing how you will ensure collaboration, working across responsibilities and across borders, because of my involvement in north Wales and that of my colleagues down here in south Wales.

[205] **Mr Jones:** We are collaborating with Natural England because, as you quite rightly say, some of the SACs would be in Welsh and English territorial waters. To some extent, that work is also co-ordinated by the Joint Nature Conservation Committee, because it is important that Natural England and we are interpreting the habitats directive in exactly the same way. If we do not, that would be the route to judicial reviews and none of us wants to spend public money on funding lawyers. That is one example of that, because the marine environment, even more so than the terrestrial environment, does not recognise political boundaries.

[206] **Leanne Wood:** On climate change, you represented CCW on the Climate Change Commission for Wales. What activities do you undertake to support the 'One Wales' commitment to reduce greenhouse gas emissions by 3 per cent per annum in areas of devolved competence?

[207] **Mr Jones:** Do you want to deal with what we are doing as an organisation first, Roger, and then I will give an example of how we are working with some farmers in the Cambrian mountains on developing a carbon footprint methodology?

[208] **Mr Thomas:** As an organisation, we recognise that—and we have the strong support of our council on this—we need a credible base from which to preach, which is what it is all about, from our perspective. So, we are committed to reducing our carbon footprint by 24 per cent over the three years leading to 2012. On the way, we signed up to the 10:10 campaign to cut 10 per cent of emissions by the end of 2010. To step back a little in time, we were the first

organisation in the United Kingdom to train our staff on the issues surrounding climate change, and the UK Climate Impacts Programme uses our materials to train its own staff. We were also the first organisation to measure its carbon footprint, and we have been managing our carbon footprint downwards for the past few years. We have environmental management systems in place. So, we are doing a lot as an organisation. For example, our use of video-conferencing has increased, we have cut our mileage, and we try to minimise air travel to places that can be reached by public transport, including mainland Europe. So, there has been a great deal of effort within the organisation. All our energy is from green suppliers. We try to generate more of our own energy through the use of photovoltaic cells. We are refurbishing our headquarters in Bangor at the moment, and we will be cooling our servers down in the computer room with photovoltaic-generated electricity in future.

[209] **Mr Jones:** It is very important to understand that the most important part that Wales can play in reducing its carbon for climate change is to maintain its upland peat soils, because that is the biggest carbon sink that we have. We can reduce all our emissions, but if we bring the carbon in those soils into play, we will undo all our good work. So, we are doing many things, including working with windfarm developers so that they do not try to site new windfarms on deep peat soils.

[210] As I mentioned, along with Bangor University, we are working with a group of 23 to 24 farmers as part of the Cambrian mountains initiative to work out a carbon footprint methodology. Unless we are careful, the calculation of carbon footprinting will become one of the big growth industries. We need an agreed methodology. The initial work coming out shows that one of the most important things to do if you want to reduce the carbon footprint of livestock production in upland areas is use anaerobic digesters to deal with manure. There is some interesting work coming out of these experimental pilot schemes.

[211] **Leanne Wood:** I fully accept your point. The evidence that this committee has taken in a previous inquiry backs up what you say. It is fair to say that, as an organisation, you have had considerable success in reducing your own greenhouse gases. You look like you are leading the way. Can you tell us how you roll out your best practice to the partner agencies that you work with? Do they work with you on good practice?

[212] **Mr Thomas:** I mentioned the training programme that we ran for staff some years ago. The information that we produced then has gone to a number of different organisations. We have run training courses on the environmental management systems. Indeed, we seconded our project manager to help the Welsh Assembly Government to achieve its Green Dragon level 5 award in Cathays park and other offices. We have provided assistance there and, together with our colleagues in the Environment Agency, we have run training days for partners on environmental management systems on a number of occasions. It did not happen last year, but in previous years we have done it on an annual basis, when there was a lot of interest.

[213] **Mr Jones:** We also had a healthy competition with North Wales Police to see who would be the first to arrive at Green Dragon level 5; we succeeded.

[214] **Leanne Wood:** You won.

[215] **Mr Thomas:** Yes, we beat Mr Brunstrom. [*Laughter.*]

[216] **Angela Burns:** I want to touch on planning and your views on renewable energy—or your use of it. You talk about your terrestrial and coastal intertidal habitat mapping. You talked briefly but most interestingly about not siting windfarms on peat bogs. When did you have that sort of mapping available to go out to the Government and to developers? Apart from that one incident, what other evidence do you have of your ability to influence what

developers do? Apart from the big developers, like the big five windfarms that are coming downstream in Wales, do you have an impact on small developments on the edges of towns and so on?

2.20 p.m.

[217] **Mr Jones:** We can provide you with a breakdown of the case work, including the planning applications, if you like. Although we deal with a considerable number, running into the hundreds, the amount that we object to at the inquiry stage is minute. Roger, do you want to come in on that?

[218] **Mr Thomas:** To give you the figures, we deal with about 5,000 planning-type consultations, and about 50 per cent are from local authorities or others on development opportunities. That is the development control end, and then on the forward planning side, we have strategic environmental assessments, unitary development plans, and so on. There are about 5,000 of those each year. On average, we put in holding objections to about 7 per cent of those, and the amount of actual objections is 0.6 per cent, so, ultimately, it is a very small number that we end up objecting to. That is because we can work with the developers on those holding objections, and get some conditions put in to the planning that deliver for us.

[219] As for our influence, we look only at those planning applications that will have an impact on our responsibilities. So, we have agreements with local authorities that mean that we do not see every planning application, because that would be too onerous for us as an organisation. We do not want to look at the application for a neon sign for the fish and chip shop, for example, and that will not worry us too much. We look at the ones that are of interest to us, and we will work with any size of developer to mitigate the environmental impacts. We could give you thousands of examples. Perhaps we can provide some sort of résumé of the environmental gains that we get from planning.

[220] **Mr Jones:** Roger has alluded to the land map, which provides a strong information base because it is multilayered. At the bottom are the geological features, and above, the habitats, so we know where the peat soils are, and we have that information to hand.

[221] **Angela Burns:** You talked about 5,000 cases coming in, but do you go out to find them? Are they always referred to you? When you are looking at them, how much of your time do you spend going out to the county council or to major developers to train them on what to look for when they are thinking of slapping 400 houses in an area? Are you able to train people, or are you doing it all yourself?

[222] **Mr Thomas:** Our aim is to get involved at the earliest possible stage of development—ideally, prior to the application when the ideas are being formed. As you recognise, it is a lot easier to avoid doing something than to try to put it right after you have planned it. That does not always succeed, because a lot of developers think that, as an environmental organisation, we will stop them from doing what they want to do. However, we have overcome that over the years, I think. We work with the Department for the Economy and Transport at the Assembly Government to get access to developers and to offer them training, and that has been fruitful for us, but there is a lot more that we could do. John mentioned the Infrastructure Planning Commission, which will take the decisions on the big developments. We met it earlier this week and emphasised the importance of getting involved at the pre-application stage, but its whole process is about resolving everything before the application is made, because it has to determine the application so quickly. That will enable us to get in even further with developers.

[223] **Angela Burns:** Once you have made an objection to an application, do you have any comeback if a local authority overrides that and tells the developer to go ahead anyway? If

you have applied conditions, you will have an enforcement team who can look at them, but if you have not been able to apply any conditions—and I can think of a case in Laugharne to do with a ragworm farm, where pretty much everyone objected—are you able to go back to monitor the difference in the habitat? Are you able to say that you had warned them of the consequences, and lo and behold, they have happened, or do you just see it as a lost cause and move on?

[224] **Mr Thomas:** If we had the resources, I suppose that we could always do that. On an individual case basis, we would not normally be able to monitor the impacts of a development to which we had objected. I cannot think of a case, but if we were very seriously concerned that there would be a major adverse impact, we would monitor it. The power station in Milford Haven will be a case in point, because we are very concerned about the impact of the hot water discharge there.

[225] **Mr Jones:** Obviously, if a planning application took place on SSSIs, and the application started to harm the qualifying features, you are into something completely different then.

[226] **Brynle Williams:** This may not come under your brief, but several years ago I was in Australia, where a lot of hydropower had been generated by building a massive dam, flooding a large upland area. We already have flooded upland areas. Why are we not looking at more hydro plants running off some of these dams? We have the Elan Valley dams and there is Tryweryn. Surely there must be sufficient headage. That would have no impact on the environment at all. You have spoken about wind turbines on deep peat bogs, but hydropower would be at little cost to the environment or intrusion to the SSSIs. Do you have any input into that?

[227] **Mr Thomas:** Our input would come if there were a proposal to develop, working through such things as spatial planning. That is one way in which Wales is considering all the different developments and technologies and where they might be most appropriately placed. With regard to these major dams, if the water is released into a river for further obstruction downstream, there is undoubtedly an opportunity to generate power. There is a small generator in Tryweryn. I am not sure, but I do not think that hydropower could get anywhere near meeting the need that we have for renewable energy. We need the terrestrial and offshore windfarms to meet the targets. The important point is that we have advice that ensures that the impact of the development is minimised. People often say that windfarms are transient, so their intrusion on the landscape will be for about 25 years, which is perfectly true, but they forget that, if they are being built on deep peat, the very purpose for which they are being built—to reduce our carbon emissions—is lost because carbon is released. That makes it more important that we have these maps showing where the mineral soils are and where wind turbines could be sited without this loss. That is where our peat guidance and policy statement come in.

[228] **Joyce Watson:** I have two questions, one of which is probably controversial. I am not sure you have any remit with regard to the other, but I will ask you the question anyway. With regard to planning, would you ever look at an outline plan and consider the environmental assessment of the way the plan looks and the impact of what might be lost? I am thinking specifically about advising that, if, for example, trees were planted in an otherwise concrete jungle, you might absorb some of the water in situ, which might then prevent other actions further down the line. That is my first question. That might not be your remit.

[229] This is the controversial one: the current legislation, which has gone through the Government here, means that badgers are no longer a protected species in a given designated area for the purposes of a cull. In the past, that would have led to an objection, because they were a protected species for development in that given area. Given the lifting of that

restriction, if someone put in a planning application for an area where there was a badger sett, how would you deal with that? Before, an objection to that development would have been upheld, quite rightly. If you do not have the answer, you can write later. However, I think that it is an interesting question.

2.30 p.m.

[230] **Mr Jones:** It is an interesting question. Our remit on badgers—they are a protected species, as you rightly say—would be to do with the question of whether a cull would have such an adverse effect on badger numbers throughout Wales that their very existence would be threatened. In this case, obviously not. As far as the interrelationship between badgers, cattle and TB goes, that is not part of our statutory remit, and we do not have the expertise. What we are doing is making sure that environmental impact assessments of a proposed badger cull are conducted to see what effect a cull would have on the number of hedgehogs and ground-nesting birds, among others, within the trial area.

[231] **Joyce Watson:** That is not what I asked.

[232] **Mr Jones:** I know that is not what you asked. However, on that issue, I presume—although I do not know—that if badgers were culled from that sett, that the sett would no longer be protected because the badgers were no longer there.

[233] **Joyce Watson:** So, you do not know.

[234] **Mr Jones:** No, but why would anybody want to build above a badger sett?

[235] **Joyce Watson:** That is what I said.

[236] **Mr Thomas:** To answer your first question, we would always work with developers to seek mitigation or biodiversity gain in a development. So, I suppose that the answer to your first question is ‘yes’; we always talk in those terms with people who propose things. We talk about how the impact of the development on the natural environment can be minimised, and what actions could be taken to improve things. Very often, there are opportunities for biodiversity gain in developments.

[237] **Mr Jones:** We have produced green planning guidance notes and documents.

[238] **Mr Thomas:** We can put your other question to our planning experts in the organisation. We are more than happy to do that.

[239] **Joyce Watson:** Yes. I look forward to receiving an answer.

[240] **Mr Thomas:** I suspect that it might be as John says: if the badgers were not there, we could not object anyway. The interesting one is what happens if they were there, but there were plans to cull them.

[241] **Mr Jones:** The planning committee would probably defer the application.

[242] **Angela Burns:** How do your activities support the Government’s renewable energy developments? I am also interested to know whether any of those five big windfarms that are planned for Wales are on deep peat.

[243] **Mr Thomas:** We are hugely in favour of renewable energy, because energy generation is the biggest contributor to climate change. Despite all the recent publicity surrounding a few reports out of many thousands on climate change that suggest it is not such a serious problem,

we think that it is still the big issue facing the natural environment. We are very much in favour of renewable energy. We are very keen to see different technologies tried out. Clearly, we do not want renewable technology development to cause environmental problems, and so there is a balance to be struck. To come to the specific issue at hand, at the moment, we have holding objections in against two big windfarms on the basis of turbines being sited on deep peat. However, I anticipate that, in talking to both developers, we will be able to get the turbines moved around.

[244] **Angela Burns:** Are you also running a study on the possible effects of dropping some pilot projects for marine technologies into areas off the Pembrokeshire coast or off Anglesey?

[245] **Mr Thomas:** As I said earlier, we are looking at the lowest risk areas. Our approach will be to say, ‘Yes, try it here, but there must be this level of environmental monitoring, and if this happens—the mincing of dolphins, for example—then it will have to be switched off.’ That is very similar to the approach taken at Strangford Lough in Northern Ireland, where the turbine was in the head of the lough, which is very narrow. That was monitored both with a camera and by one poor soul, who had to sit there on a shift basis and look at it. It must have been one of the world’s most boring jobs.

[246] **Mr Jones:** There was a small-scale tidal energy scheme off the Pembrokeshire coast financed out of the sustainable development fund of the Pembrokeshire coast national park, if I remember rightly.

[247] **Mr Thomas:** Yes, there was.

[248] **Angela Burns:** I have one more cover-all question. I think that Joyce talked about this. A lot of renewable energy projects have become stuck in the planning system because planners who are used to saying, ‘Bricks and mortar can go here, and there is the street’, are now being asked to say ‘yes’ or ‘no’ to three, five, 10, or 20 wind turbines. They are using the migratory routes of birds and so on as a consideration, but they are not that sure, and so things are left in a fudge. No-one wants to take the decision, because there are no experts. Do you get involved at that level?

[249] **Mr Jones:** There is another element to this, which is that for wind turbines there is a different planning application for the grid system to take the energy away. That causes problems because, in landscape terms, the grid system has a greater visual impact than the wind turbines themselves. There are problems with the grid system as far as renewable energy is concerned. I suspect that that will be one of the applications that will appear in front of the Infrastructure Planning Commission.

[250] **Angela Burns:** Yes, it has responsibility for that.

[251] **Mr Thomas:** There have been some interesting projections on wind energy. The work of an adviser to the German Government, who was also a joint secretary to one of the IPC’s working groups, shows that if we were able to exploit wind energy in Europe, and he included Turkey in this as well, it would supply 40 per cent more electricity—if we fully exploited it and connected it to a super grid—than is currently being used in Europe.

[252] The resource is quite an incredible one, and the UK has a big chunk of that resource as it is a windy place. The same adviser has calculated that the under-grounding of the grid system over a long term is cost effective. It works out to be slightly cheaper than over-grounding due to reduced maintenance and so on. That is before factoring in—as you would have to, if there were a European super grid—terrorist-type activities, and the fact that those would be made more difficult. There is a lot of interesting work being undertaken on these major grids at the moment.

[253] **Michael German:** On that very interesting note of pylons or no pylons, I would like to thank you for your evidence today. I understand, John, that, unless we have an instant recall, this may be the last time you appear in front of a committee of the National Assembly, or there may be others who want to see you before—

[254] **Mr Jones:** I believe that I have the pleasure of appearing in front of the Rural Development Sub-committee next week about the Glastir inquiry, so this is not quite my last appearance—

[255] **Michael German:** That is a sub-committee of this committee. As this is, however, your last appearance before a committee in this building, as the sub-committee meeting is to be held elsewhere, I would like to thank you for your time as chair of CCW, and wish you all the best in whatever challenges you may face over the next 10 years. Thank you both for giving evidence and I look forward to the extensive list of notes that you have already offered us and been so willing to provide. If there is anything else that you think we need to understand, please do not hesitate to inform us. You will be sent a copy of the record to check against what you think you have said, but we will not be in a position to alter what you have said, only to rectify any obvious errors.

[256] I ask Members to remain for a few moments after the meeting as Virginia would like to talk to you about another inquiry. The next meeting of this committee will be held on 25 February, when we will scrutinise Environment Agency Wales—you have the timetable at the back of your papers, which shows the ongoing timetable for scheduled meetings.

[257] **Mr Jones:** Thank you for your kind words, Chair.

[258] **Michael German:** Thank you. I declare the meeting closed.

*Daeth y cyfarfod i ben am 2.39 p.m.
The meeting ended at 2.39 p.m.*